

**BOARD POLICY 6340 BIDS AND CONTRACTS**

The Board of Trustees delegates to the Chancellor the authority to enter into contracts on behalf of the District and to establish administrative procedures for contract awards and management, subject to the following:

- Contracts are not enforceable obligations until they are approved or ratified by the Board of Trustees.
- Contracts for work to be done, services to be performed or for goods, equipment or supplies to be furnished or sold to the District that exceed the amounts specified in Public Contract Code Section 20651 shall require prior approval by the Board.
- When bids are required according to Public Contract Code Section 20651, the Board may award each such contract to the lowest responsive responsible bidder who meets the requirements of the bid documents published by the District and who shall give such security as the Board requires, or reject all bids.
- Contracts in excess of \$50,000 with a single organization, individual, or vendor per fiscal year require prior approval of the Board of Trustees for all funds except Construction/Capital Outlay Bond Funds.
- Contracts for projects that are not public projects as defined under Public Contract Code section 22002 subdivision (c) and in excess of \$99,100 in 2022 adjusted annually by the Board of Governors of the California Community Colleges with a single organization, individual, or vendor per contract require prior approval of the Board of Trustees.
- When the District determines that, according to Public Contract Code Section 20651.7, it can expect long-term savings through the use of life-cycle cost methodology, the use of more sustainable goods and materials, and reduced administrative costs, the District may select and award the contract based on best value in accordance with AP 6340. The bidder shall give such security as the Board requires and may reject all bids.
- When the, **Vice-Chancellor of Finance or (designee)** determines that, the District can obtain a contract for goods or services through the California Community Colleges Chancellor's Office CollegeBuys Program for the Procurement of Goods and Services for Community College Districts at a lower price upon the same terms, conditions and specifications, the **Vice-Chancellor of Finance or (designee)** may proceed with the contract without conducting a formal bidding process.

If the Chancellor concludes that the best interests of the District will be served by pre-qualification of bidders in accordance with Public Contract Code Sections 20101 and 20651.5, prospective bidders will be required to submit a standardized questionnaire and financial statements. Pre-qualification will be based on the uniform system of rating bidders on the basis of the completed questionnaire and financial statements adopted and applied by the District.

If the best interests of the District will be served by a contract, lease, requisition or purchase order through any other public corporation or agency in accordance with Public Contract Code Section 20652, the Chancellor is authorized to proceed with a contract. The District may purchase materials, equipment or supplies and services through the Department of General Services in accordance with Public Contract Code Sections 10298, 20652 or 20653. The District may purchase materials, equipment or supplies under the same terms and conditions as are specified in a contract lawfully awarded by the University of California or the California State University in accordance Public Contract Code Section 20653.5 or Education Code Section 81646. The District may purchase materials, equipment, or supplies and services from another public agency by agreement, jointly exercising any power common to the contracting parties, if authorized by their legislative or other governing bodies, in accordance with Government Code Section 6500 et seq.

The District may contract with and employ any persons for the furnishing to the District special services and advice in financial, economic, accounting, engineering, legal, or administrative matters if such persons

are specially trained and experienced and competent to perform the special services required in accordance with Government Code Section 53060.

References:

Education Code Sections 72670.5 and 81641 et seq.  
Public Contract Code Sections 10298 and 20650 et seq.  
Government Code Sections 6500 et seq.  
Administrative Procedures 6330 and 6350  
ACCJC Accreditation Standard III.D.16  
2 Code of Federal Regulations Part 200.318  
Title 5 Sections 59130 et seq.

Approved by the Board of Trustees: February 12, 2013  
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