

## Chapter 6 – Business and Fiscal Affairs

### **BP 6340** Bids and Contracts

#### **References:**

Education Code Sections 81641 et seq.; Public Contracts Code Sections 20650 et seq.; Government Code Section 53060 ; ACCJC Accreditation Standard III.D.16; 2 Code of Federal Regulations Part 200.318 ; Title 5 Sections 59130 et seq.

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

- Contracts are not enforceable obligations until the Board of Trustees approves them.
- Contracts for work to be done, services to be performed or for goods, equipment, or supplies to be furnished or sold to the College that exceed the amounts specified in Public Contracts Code Section 20651 shall require prior approval by the Board of Trustees.
- When bids are required according to Public Contracts Code Section 20651, the Board of Trustees shall award each such contract to the lowest responsible bidder who meets the specifications published by the College and who shall give such security as the Board of Trustees requires or rejects all bids.
- When the College determines that, according to Public Contract Code Section 20651.7 it can expect long-term saving through the use of life-cycle cost methodology, the use of more sustainable goods and materials, and reduced administrative costs, the College may select and award the contract based on best value in accordance with AP 6340. The bidder shall give such security as the Board when it requires and may reject all bids.
- When the College President/CEO, in consultation with the Vice President, Administrative Services, determines that the College 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 President, Administrative Services or designee may proceed with the contract without conducting a formal bidding process.

If the College President/CEO in consultation with the Vice President, Administrative Services concludes that the best interests of the College will be served by pre-qualification of bidders in accordance with Public Contracts Code Section 20651.5, pre-qualification may be conducted in accordance with procedures that provide for a uniform system of rating on the basis of a questionnaire and financial statements.

If the best interests of the College will be served by a contract, lease, requisition, or purchase order through any other public corporation or agency in accordance with Public Contracts Code Section 20652, the College President/CEO or his/her designee is authorized to proceed with a contract.

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