



Book	VCCCD Administrative Procedure Manual
Section	Chapter 6 Business and Fiscal Affairs
Title	AP 6340 BIDS AND CONTRACTS
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Legal	<a href="#">California Education Code, Sections 81641, et seq.</a> <a href="#">California Government Code, Section 53060</a> <a href="#">California Labor Code, Section 1720, et seq.</a> <a href="#">California Labor Code, Section 1770, et seq.</a> <a href="#">California Public Contracts Code, Section 20650</a> <a href="#">California Public Contracts Code, Section 20112</a> <a href="#">California Public Contracts Code, Section 22000</a>
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#### Authority to Release Bids

The Chancellor has delegated authority to the Vice Chancellor of Business and Administrative Services, or designee, to release bids, request for proposals, and quotations in compliance with all federal, state, and local regulations.

#### Bid Limit/Quotation Requirements

Purchases will be formally bid in accordance with Public Contract Code 20651, Public Contract Code 22000, or when the District determines it is in its best interest.

For expenditures less than the bid limits stated above, the District may request verbal or written quotations from vendors. Such a request shall not be deemed as a competitive bid and the Purchasing Department shall evaluate and award quotes based on quality, availability, price, delivery, support service, and identified needs of the requisitioning department.

According to Government Code 53060, the District may contract with and employ any persons or firms for providing 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 without formal bid.

#### Bid Process for Services, Goods, Equipment or Supplies

Bid and contract forms shall be prepared and maintained by Ventura County Community College District Purchasing Department. All applicable statutory provisions and Board policies shall be observed in preparation of the forms.

All bids must be published at least once a week for two weeks in a newspaper of general circulation, a notice

calling for bids or proposals, stating the materials, supplies or services to be furnished.

Bid specifications shall include a definite, complete statement of what is required and, insofar as practical, shall include pertinent details of size, composition, construction, and/or texture of what is specified, and minimum standards of efficiency, durability, and/or utility required of what is specified. Bid specifications should be sufficiently broad to encourage and promote open competitive bidding.

All bids submitted by vendors and contractors shall comply with the California Labor Code Sections 1720-1815 governing payment of prevailing wages and employment of apprentices. Failure to comply with providing documentation, as requested by the District, to assure compliance with the California Labor Code Sections shall cause any bid to be rejected.

Ventura County Community College District Purchasing Department shall make available to the prospective bidders bid forms with sets of specifications and drawings and shall provide a convenient place where bidders, subcontractors, and material personnel may examine the specifications and drawings.

A deposit for sets of plans and specifications may be required and may be refunded when such documents are returned.

#### Awarding of Bids and Contracts Awards

The awarding of bids and contracts shall be subject to the following conditions:

- Any and all bids and contract proposals may be rejected by the District for good and sufficient reason. All bids shall be opened publicly and bidder shall be given the opportunity to make record of the bids received. Bid and contract award recommendations will be presented to the Board of Trustees for approval.

Bid and contract awards shall be made to the lowest responsible bidder substantially meeting the requirements of the specifications. The District reserves the right to make its selection of materials or services purchased based on its best judgment as to which bid substantially complies with the quality required by the specifications, including the value of in-kind benefits or other services and materials presented in a bid.

The District may contract with any vendor who has submitted one of the three lowest responsible competitive proposals or competitive bids for the purchase or maintenance of electronic data-processing systems and equipment, electronic telecommunication equipment, supporting software, and related material, goods and services. Supplemental instructional software packages may be purchased without taking estimates or advertising for bids.

### **Formal and Informal Bidding Procedures for Public Projects**

#### Informal Bid Procedures

Public projects as defined by the California Uniform Public Construction Cost Accounting Act, and in accordance with the monetary limits described in Public Contract Code 22032, shall be let to contract by informal procedures as set forth in Section 22030, et seq. of the Public Contract Code.

#### Contractors List

A list of contractors shall be developed and maintained in accordance with the provisions of Section 22034 of the Public Contract Code and criteria promulgated from time to time by the California Uniform Public Construction Cost Accounting Commission.

#### Notice Inviting Bids

Where a public project is to be performed which is subject to the provisions of the procedures of the California Uniform Public Construction Cost Accounting Act, a notice inviting informal bids shall be mailed to all contractors for the category of work to be bid as shown on the list developed in accordance with Section 22036 of the Public Contract Code, or to all construction trade journals as specified by the California Uniform Public Construction Cost

Accounting Commission in accordance with Section 22036 of the Public Contract Code or to both the contractors on the list and to the specified construction trade journals. Additional contractors and/or construction trade journals may be notified at the discretion of the Vice Chancellor, Business and Administrative Services, or designee; provided however:

1. If there is no list of qualified contractors maintained by the District for the particular category of work to be performed, the notice of inviting bids shall be sent only to the construction trade journals specified by the Commission.
2. If the product or service is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.

#### Award of Contracts

The Board of Trustees will award informal contracts pursuant to this policy. If the lowest bid submitted by a responsible bidder exceeds \$175,000, but does not exceed \$187,500, the Board may, nevertheless, award the contract to such lowest responsible bidder if it determines, by 4/5<sup>th</sup> vote, that the cost estimate of the public agency was reasonable.

The Vice Chancellor, Business and Administrative Services, or designee, are authorized to award contracts up to \$45,000 pursuant to the informal bid procedures. Contracts over \$45,000 will require Board of Trustees approval prior to award of contracts.

#### Purchase without Advertising for Bids

The Vice Chancellor, Business and Administrative Services, is authorized to make purchases from firms holding California public agency contracts without calling for bids where it appears advantageous to do so.

The Vice Chancellor, Business and Administrative Services, may, without advertising for bids, purchase or lease from other public agencies materials or services by authorization of contract or purchase order.

The Vice Chancellor, Business and Administrative Services, may make purchases through the State of California Cooperative Purchasing Program operated by the Department of General Services.

#### Duration of Continuing Contracts for Services and Supplies

Continuing contracts for work or services furnished to the District are not to exceed five years.

Contracts for materials and supplies are not to exceed three years.

#### Emergency Repair Contracts without Bid

When emergency repairs or alterations are necessary to continue existing classes or to avoid danger of life or property, the Vice Chancellor, Business and Administrative Services, may make a contract on behalf of the District for labor, materials, and supplies without advertising for or inviting bids, subject to ratification by the Board.

#### Unlawful to Split Bids

It shall be unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of the Public Contract Code requiring work to be done by contract after competitive bidding.

#### Bidder Protest

Bidders who wish to formally protest to the Board the bidding process, prior to the Board taking action to award bid, must complete a Bidder Complaint form. The vendor must complete and return the Bidder Complaint Form to the Purchasing Department within five (5) working days after being notified by the Purchasing Department of the proposed award. Protests from bidders and their agents will not be considered by the Board of Trustees during a public meeting if they have not followed this procedure.