PURCHASING AND CONTRACTS

References: *Education Code Sections 81641 et seq.;*
Public Contracts Code Sections 20650 et seq.

The Governing Board delegates to the Superintendent/President, Vice President for Business & Financial Affairs and the Director of Purchasing, Contracting & Central Services the authority to enter into purchases and contracts on behalf of the College District and to establish administrative procedures for all purchases, contract awards, and their management, subject to the following:

A. Purchases

Only designated officials of the College District are delegated the authority to purchase supplies, materials, equipment, and services as necessary to the efficient operation of the College District. No such purchase shall exceed the amounts specified by California Public Contract Code §20651, as amended from time to time. The Superintendent/President is responsible for developing and implementing the necessary purchasing procedures and controls.

A summary of all purchasing transactions shall be reviewed by the Governing Board every sixty (60) days.

The designated officials of the College District are specifically given the authority by the Governing Board to delegate his or her authority to approve and sign purchase orders, contracts, and other purchasing documents and instruments as deemed necessary.

B. Contracts

1. Contracts are not enforceable obligations until they are ratified by the Governing Board.

2. 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 Contracts Code §20651 shall require prior approval by the Governing Board.

3. Contracts for legal services shall require prior approval by the Governing Board, except in the unusual situation that it is deemed in the best interest of the College District by the Superintendent/President to retain legal counsel on an emergency basis for certain legal services prior to a Board meeting.

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4. With the exception of contracts for legal services, contracts that do not exceed the amounts specified in Public Contracts Code §20651 shall not require prior approval by the board but shall be presented to the Board for ratification.

5. When bids are required according to Public Contracts Code §20651, the Board shall award each such contract to the lowest responsive and responsible bidder who meets the specifications published by the College District and who shall give such security as the board requires, or reject all bids.

If the Superintendent/President concludes that the best interests of the College District 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 District will be served by a contract, lease, requisition, or purchase order through any other public corporation or agency in accordance with Public Contracts Code §20652, the designated College District officials are authorized to proceed with a contract.

See Administrative Procedure Nos. 6330, 6340, 6345, 6350, 6360, and 6370

See Board Policy Nos. 2712 and 2715