



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.

Adopted: November 12, 2008

Last Revised: October 16, 2019; May 2022

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The Board delegates to the Superintendent/President or designee 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 ratified by the Board.
- 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 Contracts Code Section 20651, the Board shall award each such contract to the lowest responsible bidder who meets the specifications published by the District and who shall give such security as the Board requires, or reject all bids.
- When bids are required for the purchase or maintenance of electronic data processing systems and equipment, electronic telecommunication equipment, supporting software, and related materials, goods and services, the Board may award such contract to one of the three lowest responsible competitive bidders.
- 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. The Board retains the discretion to reject all bids.
- When the Superintendent/President, in consultation with Vice President for Administration, 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 President for Administration, or designee, may proceed with the contract without conducting a formal bidding process.

If the Superintendent/President or designee concludes that the best interests of the 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 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 Section 20652, the Superintendent/President or designee is authorized to proceed with a contract.

In the event of malfeasance in office, the community college employee who enters a contract on behalf of the Governing Board shall be personally liable for any and all monies the District paid out as a result of such malfeasance.

See Administrative Procedure 6340