AP 6340  CONTRACTS – GOODS

References:
Education Code Sections 81641 et seq.;
Public Contract Code Sections 20112, 20650 et seq., and 22000 et seq.;
Labor Code Sections 1770 et seq.

Limits
The District shall enter into contracts for goods (supplies, materials, apparatus, and equipment) except
construction as necessary to the efficient operation of the District in accordance with Board policies, state
laws, and other pertinent regulations, with limits as follows:
• Informal procurement (typically, less than $30,000 or in accordance with Public Contract Code): The Chief Business Officer may sign contracts;
• Written quotes (typically, $30,000 to the Public Contract Code limit): The District shall solicit formal written quotations from at least three independent vendors; and
• Formal bids (above the Public Contract Code limit): The District shall solicit formal bids per Public Contract Code Section 20651, as described below.

Bid Specifications
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.

Notice Calling for Formal Advertised Bids
The District shall publish at least once a week for two weeks in a newspaper of general circulation circulated within the District or if there is no such paper, then in some newspaper of general circulation, circulated in the county, and may post the information on the District’s web site or through an electronic portal, a notice calling for bids or proposals, stating the goods to be furnished and the time and place when bids will be opened. The District may accept a bid that was submitted either electronically or on paper.

Bid and contract forms shall be prepared and maintained by the Chief Business Officer or designee. All applicable statutory provisions and Board Policies shall be observed in preparation of the forms.

The Chief Business Officer or designee shall be responsible for insuring that the bid specifications are sufficiently broad to encourage and promote open competitive bidding.

When required or determined to be appropriate, bids shall be accompanied by a certified or cashier's check, or bid bond, in the amount specified in the bid form, as a guarantee that the bidder will enter into contract and furnish the required contract bonds. When no longer required for the protection of the District, any certified or cashier's check received shall be returned to the respective bidder.

The Chief Business Officer or designee 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 materiel 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 Contracts
The awarding of contracts for goods shall be subject to the following conditions:

- Any and all bids may be rejected by the District for any reason.
- All bids shall be opened publicly and bidder shall be given the opportunity to make record of the bids received.
- Contract award recommendations to the Board of Trustees shall show a tabulation of the bids received in reasonable detail.

Contract awards shall be made to the lowest responsible, responsive bidder substantially meeting the requirements of the specifications. The District reserves the right to make its selection of goods purchased based on its best judgment as to which bid substantially complies with the quality required by the specifications.

Duration of Continuing Contracts for Services and Supplies
Continuing contracts for goods furnished to the District are not to exceed three years.

Unlawful to Split Bids
It is 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.

Office of Primary Responsibility: College Operations

Date Approved: December 9, 2008