

**Rancho Santiago Community College District**  
**ADMINISTRATIVE REGULATION**  
Chapter 6  
Business and Fiscal Affairs

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## **AR 6332 Competitive Bidding, Quotations and Contracts**

### **References:**

Public Contract Code 20105-20113 and 20651-20654, and 20660  
Government Contract Code 53060  
Education Code 81645

To adhere to BP 6332, the Director of Purchasing Services will do the following:

1. Maintain regular lines of communication with other District departments to inform them of the policy and get their support regarding communication and compliance.
2. Maintain regular lines of communication with the business community and the State Chancellor's Office to get direction and information, provide information on our goals, and get their support regarding communication and compliance.
3. Provide adequate training and communication for staff members to facilitate their compliance with the policy.

To facilitate this policy the Vice Chancellor of Business Operations and Fiscal Services and Governing Board will do the following:

1. Maintain separation of duties between Purchasing, Accounts Payable and cash disbursement functions.
2. Instruct the Assistant Vice Chancellor of Fiscal Services and Fiscal Services Manager to review transactions for compliance.
3. Instruct the District's independent auditors to periodically examine Purchasing operations for compliance.

Following is an outline of the competitive bid and quotation procedures:

1. Purchase request for supplies, materials, equipment or services are received in Purchasing, either as a bid, or a normal requisition.
2. Two or three quotations are required for purchases \$15,000 and above. This is usually done by the Purchasing Department; however, depending on the complexity of the request, the department may obtain quotations.
3. For purchases \$88,300\* or more require formal bidding. Bid packages are assembled as outlined.
  - a. Bid and quotation 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. The

Director of Purchasing shall be responsible for insuring that the bid specifications are sufficiently broad to encourage and promote open competitive bidding.

b. Bids and quotations must have timelines for when the product or service is needed.

c. All bid notices for work to be done shall contain an affirmative statement requiring compliance with Labor Code Sections 1775 and 1776 governing payment of prevailing wages and Labor Code Section 1777.5 governing employment of apprentices. All bid submissions shall contain all documents necessary to assure compliance with these California Labor Code Sections. Failure to provide such documentation shall cause any such bid to be deemed incomplete.

d. 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.

e. The Facility Planning, District Construction and Support Services or Purchasing Services shall provide an electronic copy of the plans and specifications and other contract documents to a contractor plan room service at no charge upon request from that contractor plan room.

f. Purchasing will combine individual requests, if appropriate, to obtain best pricing, and conform to District policy and legal procurement requirements.

g. County boilerplate, bonds, insurance, and other legal documents are included.

4. Bids must be advertised once a week for two weeks in a newspaper of general circulation published within the District and posted on the District's website. Notice calling for bids or proposals must state the work to be done or materials, supplies, equipment or services to be furnished and the time and place when bids will be opened. The District shall not accept a bid that was submitted electronically. It is best to have bid packages completed before the first advertisement to avoid problems with bidders.

5. Bid and contract forms not related to Public Works projects shall be prepared and maintained by Purchasing Services. All applicable statutory provisions and board policies shall be observed in preparation of the forms.

6. For complex or large dollar bids, pre-bid meetings and job walks are advisable. Bidders have the opportunity to ask questions and clarify issues.

a. These meetings sometimes result in addenda to the bid. Any and all addendum must be sent to all bidders electronically and posted on the District's website as soon as possible.

b. Pre-bid meetings and job walks could add one to two weeks to the process.

7. All bids shall remain sealed and unopened until designated date and time of bid opening. It is the bidder's responsibility to ensure that their bid is received at the location on date and time stated. Late bids will not be accepted. All bids are opened publicly and Purchasing encourages bidders and requesting departments to attend.
8. Normally at least two competitive bids must be received for bid process to be valid.
9. Bid evaluation is a joint effort between Purchasing and the requesting department. This could take from one day to two weeks, depending on the complexity of the bid.
  - a. Purchasing is responsible for the proper legal procedures, and fair execution.
  - b. The requesting department has technical and industry expertise, and knows the specifications. Accordingly, they do the majority of the evaluation and take the lead in the recommendation process.
10. Purchasing prepares the recommendations for Board approval and must show a tabulation of the bids received in reasonable detail. 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
  - 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.
11. Purchasing is responsible for communicating the Notice to Proceed to vendors and taking care of all insurance and bonding requirements after the award by the Governing Board.
12. For the acquisition, procurement, or maintenance of electronic data processing systems and equipment, electronic telecommunication equipment, supporting software and related materials, goods, and services, a choice can be made to contract from among the three lowest qualified responsive bidders. For all other bids, the lowest responsive and responsible qualified bidder must be selected.
13. When bids meeting specification are equal in price, preference is given to firms in the order named:
  - a. which are minority, women, small or disabled veteran owned businesses as defined by Public Contract Code section 10115.1;
  - b. located within the District;
  - c. located within Orange County;
  - d. located within the State of California;
  - e. with whom satisfactory business has been conducted in the past. All other conditions being equal, the recommendation for the award will be made by lot.

14. It is unlawful to split or separate into smaller purchases, services, work orders, or projects for the purpose of evading the competitive bidding laws.
15. Continuing contracts for works or services furnished to the District are not to exceed five years. Contracts for materials, supplies and equipment are not to exceed three years.

**Responsible Manager:** Director of Purchasing Services

**Revised: March 17, 2014 (Previously AR3307)**

**Revised: August 21, 2017**