

Rancho Santiago Community College District
BOARD POLICY
Chapter 6
Business and Fiscal Affairs

BP 6332 Competitive Bidding, Quotations and Contracts

References:

Public Contract Code 20105 - 20113 and 20651 – 20654
Government Contract Code 53060

A. Competitive bids are required for all public works (i.e., construction, alterations, repairs, or improvements) with costs of \$ 15,000 or more, and for all purchases of materials, supplies, equipment and services with costs of \$88,300 or more (this dollar amount increases annually) including sales tax per Public Contract Code 20651, with the following exceptions:

1. "Emergency Work" as defined by the Education Code, where time is of the essence. This is work necessary to permit the continuance of classes, and/or avoid danger to life or property.
2. "Sole Source" situations as defined by existing case law, in those instances where "competitive proposals would be unavailing or not produce an advantage."
3. Purchases through public corporations or agencies in those instances "when the Board has determined it to be in the best interests of the District, or via cooperative purchasing programs as described in BP 6330.
4. "Special Services and Advice" consulting as defined by the Government Contract Code, where persons specially trained in financial, economic, accounting, architectural, engineering, legal, or administrative matters are needed by the District.
5. Informal bidding procedures for public works projects under the Uniform Public Construction Cost Accounting Act as described in BP 6603.

B. When elements of both the "Services" and "Equipment/Supply" spending categories are combined (e.g. a printing project where the vendor provides a service and materials) the higher limit (as per Public Contract Code 20651) applies for bid requirement purposes.

C. Integral projects cannot be separated into separate components to circumvent the competitive bidding requirements.

D. Except for the items at A1-A3 above, requesting competitive quotations is preferable on those purchases which do require competitive bids, and is mandatory for those purchases over \$ 15,000 (unless the conditions at A1-A3 apply, or time is a critical constraint). Generally two (2) or three (3) quotes should be obtained. However, this will vary depending on the nature of the product, the urgency of need, and the responsiveness of vendors. The adequacy of competitive quotes shall be based on the Purchasing Director's judgment.

E. Regarding item A4, Government Contract Code Section 53060 allows for the award of contracts for Special Services and Advice without competitive bidding. However, it will be

District practice that all purchases estimated to be \$ 15,000 or more will be subject to the procedure at section D above, unless that requirement is waived by the Chancellor or a Vice Chancellor in the Chancellor's absence. Purchases estimated to be greater than \$1 million will be subject to this policy without exception.

F. The Board delegates to the responsible managers authorization to make any "emergency work" purchases with cost below the amounts where competitive bids are required. Those "emergency work" purchases, with cost at or above the amounts where competitive bids are required, can be performed without competitive bidding as long as they are pre-approved by the Board and the Orange County Superintendent of Schools or executed in accordance with policy BP 6603.

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