

Glendale Community College District

**6340**

Administrative Regulation

## **BIDS AND CONTRACTS**

### **Limits**

Bids or quotations shall be secured as may be necessary to obtain the lowest possible prices as follows:

- Purchase of goods or services up to the limits set out in the Public Contract Code, Section 20651 will require documented quotes.
- Purchase of goods or services in excess of the limits set out in the Public Contract Code, Section 20651 will require formal advertised bids.

In securing bids or quotations, the District will avoid acquisition of unnecessary or duplicative items. Contracts involving expenditures that require competitive bidding require approval by the Board of Trustees prior to award.

**NOTE:** The bid minimums are annually readjusted by the Board of Governors as required by Public Contract Code Section 20651(d). The current bid minimum can be found at <http://www.cde.ca.gov/fq/ac/co/>.

### **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 published within the District or if there is no such paper, then in some newspaper of general circulation, circulated in the county, [and may post on the District's web site or through an electronic portal,] a notice calling for bids or proposals, stating the work to be done or materials or supplies 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 Director of Business Services. All applicable statutory provisions and board policies shall be observed in preparation of the forms.

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

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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.

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 Director of Business Services 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 material personnel may examine the specifications and drawings.

Director of Business 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.

When permitted, a deposit for sets of plans and specifications may be required and may be refunded when such documents are returned.

#### **Awarding of Bids and Contracts**

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.
- All bids shall be opened publicly and bidder shall be given the opportunity to make record of the bids received.
- Bid and contract award recommendations to the Board shall show a tabulation of the bids received in reasonable detail.
- 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.
- For the purposes of bid evaluation and selection when the District determines that it can expect long-term savings through the use of life-cycle cost methodology, the use of more sustainable goods and materials, and reduced

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administrative costs, the District may provide for the selection of the lowest responsible bidder on the basis of best value pursuant to policies and procedures adopted by the governing board in accordance with this section.

- "Best value" means the most advantageous balance of price, quality, service, performance, and other elements, as defined by the Board, achieved through methods in accordance with this section and determined by objective performance criteria that may include price, features, long-term functionality, life-cycle costs, overall sustainability, and required services.

#### **Purchase without Advertising for Bids**

The Executive Vice President of Administrative Services or designee is authorized to make purchases from firms holding public agency contracts without calling for bids where it appears advantageous to do so.

The Executive Vice President of Administrative Services or designee may, without advertising for bids within the same county, purchase or lease from other public agencies materials or services by authorization of contract or purchase order.

The Executive Vice President of Administrative Services or designee may make purchases through the State of California Cooperative Purchasing Program operated by the Department of General Services.

The Executive Vice President of Administrative Services or designee is authorized to make purchases with a value between \$5,000 and \$250,000 from a certified small business, microbusiness, or disabled veteran business enterprise.

#### **Duration of Continuing Contracts for Services and Supplies**

Continuing contracts for work or services furnished to the District are not to exceed five years. Contracts for materials and supplies are not to exceed three years.

#### **Emergency Repair Contracts without Bid**

In the case of an emergency (when any repairs, alterations, work, or improvements are necessary to any facility to permit the continuance of existing classes, or to avoid danger to life or property) the Director of Facilities and Construction is authorized to execute in the name of the Board, contracts and documents on behalf of the District for labor, materials and supplies without advertising for or inviting bids involved with the stated emergency, where such contracts are not in conflict with the limits set forth in Public Contract Code 20650 and Education Code 81641. Any authorization utilized under this provision shall be re-authorized within 15 days by the Executive Vice President of Administrative Services or the Director of Business Services.

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**Unlawful to Split Bids**

It shall be 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.

**Record Retention**

The District will retain records sufficient to detail the history of procurement. These records include: rationale for the method of procurement, selection of contract type, contractor selection and rejection, and the basis for the contract price.

**References:**

- Education Code Sections 81641 et seq.
- Public Contract Code Sections 20103.7, 20112, 20650 et seq., and 22000 et seq.
- Labor Code Sections 1770 et seq.
- Government Code Section 53060
- ACCJC Accreditation Standard III.D.16

See Board Policy 6340

Adopted: January 10, 2017