All contracts for services, capital equipment, or rental/lease of facilities or equipment shall be processed through the Executive Vice Chancellor’s office with prior approval by the Chancellor or applicable College President.

All contracts shall align with institutional planning and decision making processes.

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

Adopted: June 28, 2004
Revision Adopted: October 14, 2009
Contracts with the Yosemite Community College District fall into three basic categories: (1) contracts that do not require a bid as specified in California Public Contract Code Section 20651, (2) contracts entered into per the competitive grant process, and (3) contracts for projects requiring a bid as specified in California Public Contract Code Section 20651. (See also Policy and Procedure 3330 on Purchasing.)

I. The following procedures are applicable to contracts that do not require a bid.

A. Contracts, agreements, and memorandums of understanding shall be attached to a Contract Cover Sheet and routed through the appropriate college-level administrators prior to being submitted to the Executive Vice Chancellor.

B. Contracts are to be housed in the office of the Executive Vice Chancellor in Fiscal Services.

II. Contracts entered into through the competitive grant process are to be processed through the YCCD Grants Office.

III. The following procedures are applicable to contracts that require the competitive bid process as specified in California Public Contract Code 20651. (Minimum bid limits are periodically amended by the Board of Governors.)

A. The person with the overall responsibility for ensuring the appropriateness of the bid process is the Director of Purchasing.

B. Legal Bid Notice is published once a week for two weeks in the Modesto Bee.

C. A detailed description of the project is listed in the Bid Specifications.

D. Procedures for submitting a bid are outlined in the Instructions to Bidders, which is included in the Bid Specifications.

E. District reserves the right to reject any or all bids. In the event of a rejection of bid, the District may make an award to the next lowest responsible bidder or re-bid the project, as it may determine at its discretion. District also reserves the right to waive inconsequential deviations not involving price, time, or material changes in the work.

F. The District shall award the contract, if it awards it at all, to the lowest responsible bidder based on the base bid amount only.

G. The Executive Vice Chancellor or designee may, without advertising for bids, authorize the following where it appears advantageous to do so:

1. Purchases from firms holding county contracts.
2. Purchase or lease from other public agencies of materials or services by authorization of contract or purchase order.

3. Purchases through the State of California Cooperative Purchasing Program operated by the Department of General Services.

H. Contracts for work or services shall not exceed five years. Contracts for materials and supplies shall not exceed three years.

I. Contracts for emergency repair may be issued without bid when necessary in order to continue existing classes or to avoid danger to life or property. Emergency purchases are authorized by the Executive Vice Chancellor or his/her designee.

J. It is unlawful to split or separate into smaller work orders/projects any project for the purpose of evading the provisions of the Public Contract Code, which require work to be done by contract after competitive bidding.

Procedure Last Revised: January 12, 2011