

1 **FINANCE AND ADMINISTRATIVE SERVICES**2 **AP 6340 BIDS AND CONTRACTS**3 **References:**

- 4 Education Code Sections 81641 et seq.;
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- 5 Public Contract Code Sections 20103.7, 20110 et seq., and 20650 et seq.

6 The Chief Business Officer is responsible for Bids and Contracts.

7 **Limits**8 Bids or quotes shall be secured as may be necessary to obtain the lowest possible
9 prices as follows:

- 10 • Purchase of goods or services up to the limit set out in the Public Contract Code
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- 11 will require documented quotes
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- Purchase of goods or services in excess of the limit set out in the Public**
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- Contract Code**
- will require formal advertised bids

14 Contracts involving expenditures that require competitive bidding require approval by
15 the Governing Board prior to award.16 The current bid minimum for public works projects can be found on the Palomar College
17 Business and Contract Services department web pages. The current bid minimum for
18 purchase of goods and services can be found on the Palomar College Fiscal Services
19 department web page.20 **Bid Specifications**21 Bid specifications shall include a definite, complete statement of what is required and,
22 insofar as practical, shall include pertinent details of size, composition, construction,
23 and/or texture of what is specified and minimum standards of efficiency, durability,
24 and/or utility required of what is specified.25 **Notice Calling for Formal Advertised Bids**26 The District shall publish at least once a week for two weeks in a newspaper of general
27 circulation published within the District or if there is no such paper, then in some
28 newspaper of general circulation, circulated in the county, and may post on the District's
29 web site or through an electronic portal, a notice calling for bids or proposals, stating the
30 work to be done or materials or supplies to be furnished and the time and place when
31 bids will be opened.32 Bid and contract forms shall be prepared and maintained by Business and Contract
33 Services or Fiscal Services, depending on the type of bid involved. All applicable
34 statutory provisions and Board Policies shall be observed in preparation of the forms.
35 Business and Contract Services and Fiscal Services shall be responsible for ensuring
36 that the bid specifications are sufficiently broad to encourage and promote open
37 competitive bidding.

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

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

49 The District shall make available to the prospective bidders bid forms with sets of
50 specifications and drawings and shall provide a convenient place where bidders,
51 subcontractors, and materiel personnel may examine the specifications and drawings.

52 The District shall provide an electronic copy of the plans and specifications and other
53 contract documents to a contractor plan room service at no charge upon request from
54 that contractor plan room.

55 **Awarding of Bids and Contracts Awards**

56 The awarding of bids and contracts shall be subject to the following conditions:

- 57 • Any and all bids and contract proposals may be rejected by the District
- 58 • All bids shall be opened publicly and bidder shall be given the opportunity to
59 make record of the bids received
- 60 • Bid and contract award recommendations to the Governing Board shall show a
61 tabulation of the bids received in reasonable detail
- 62 • Bid and contract awards shall be made to the lowest responsive and responsible
63 bidder substantially meeting the requirements of the specifications. The District
64 reserves the right to make its selection of materials or services purchased based
65 on its best judgment as to which bid substantially complies with the quality
66 required by the specifications

67 **Purchase without Advertising for Bids**

68 The Chief Business Officer is authorized to make purchases from firms holding county
69 contracts without calling for bids where it appears advantageous to do so.

70 The Chief Business Officer may, without advertising for bids within the same county,
71 purchase or lease from other public agencies materials or services by authorization of
72 contract or purchase order.

73 The Chief Business Officer may make purchases through the State of California
74 Cooperative Purchasing Program operated by the Department of General Services.

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

76 Continuing contracts for work or services furnished to the District are not to exceed five
77 years.

78 Contracts for materials and supplies are not to exceed three years.

79 **Emergency Repair Contracts without Bid**

80 When emergency repairs or alterations are necessary to continue existing classes or to
81 avoid danger of life or property, the Chief Business Officer may make a contract on
82 behalf of the District for labor, materials, and supplies without advertising for or inviting
83 bids, subject to ratification by the Governing Board.

84 **Unlawful to Split Bids**

85 It shall be unlawful to split or separate into smaller work orders or projects any project
86 for the purpose of evading the provisions of the Public Contract Code requiring work to
87 be done by contract after competitive bidding.

88 Office of Primary Responsibility: Finance and Administrative Services