

Business and Fiscal Affairs

BP 6340 BIDS AND CONTRACTS**References:**

Education Code Sections 81641 et seq.;
Public Contract Code Sections 20650 et seq.
Government Code Section 53060;
ACCJC Accreditation Standard III.D.16;
2 Code of Federal Regulations, Part 200.318;
Title 5 Sections 59130 et seq.

The Board of Trustees delegates to the Superintendent/President the authority to enter into contracts on behalf of the District and to establish administrative procedures for contract awards and management, subject to the following:

- Contracts for work to be done, services to be performed or for goods, equipment or supplies to be furnished or sold to the District that exceed the amounts specified in Public Contract Code Section 20651 shall require prior approval by the Board.
- Contracts are not enforceable obligations until they are ratified by the Board.
- When bids are required according to Public Contract Code Section 20651, the Board of Trustees shall award each such contract to the lowest responsible, responsive bidder who meets the specifications published by the District and who shall give such security as the Board requires. The Board may reject all bids.
- The amounts specified in Public Contract Code Section 20651 shall not apply to contracts for public projects falling within the limits for informal bidding under the California Uniform Public Construction Cost Accounting Act.
- When the District determines that, according to Public Contract Code Section 20651.7, it can expect long-term savings through the use of life-cycle cost methodology, the use of more sustainable goods and materials, and reduced administrative costs, the District may select and award the contract based on best value in accordance with AP 6340. The bidder shall give such security as the Board requires and the Board may reject all bids.
- When the Superintendent/President, in consultation with Assistant Superintendent/Vice President of Administrative Services or designee, determines that, the District can obtain a contract for goods or services through the California Community Colleges Chancellor's Office CollegeBuys Program for the Procurement of Goods and Services for Community College Districts at a lower price upon the same terms, conditions and specifications, the Assistant Superintendent/Vice President of Administrative Services or designee may proceed with the contract without conducting a formal bidding process.

If the Superintendent/President concludes that the best interests of the District will be served by pre-qualification of bidders in accordance with Public Contract Code Section 20651.5, pre-qualification may be conducted in accordance with procedures that provide for a uniform system of rating on the basis of a questionnaire and financial statements.

If the best interests of the District will be served by a contract, lease, requisition, or purchase order through any other public corporation or agency in accordance with Public Contract Code Section 20652, the Superintendent/President is authorized to proceed with a contract.

Unlawful to Split Bids

It is 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 the contract after competitive bidding.

The District commits to achieving diversity, equity, and inclusion with regard to its vendors. The Board delegates to the Vice President of Administrative Services the authority to create a Vendor Diversity Plan to increase diversity, equity, and inclusion in the District's vendors.

Office of Primary Responsibility: Administrative Services

Date Adopted: January 20, 2009 *(Replaces College of Marin Policies 6.0013 and 6.0018)*

Date Reviewed/Revised: March 12, 2019; June 18, 2019

Date Revised: October 18, 2022