6009. **ADMINISTRATIVE REGULATIONS ON BIDS AND CONTRACTS**

6009.1 The Vice President, Administrative Services or designee will administer these regulations. These regulations are supplemented by the Handbook of Purchasing Regulations, which is available on the District website.

6009.2 Annually, the Certification of Signatures is approved by the Board of Trustees. Only District personnel listed on the Certification of Signatures are authorized to sign contracts (including but not limited to purchase orders contracts for goods and services, professional agreements, facility use agreements, etc.).

6009.3 Limits - Bids or quotations shall be secured as may be necessary to obtain the lowest possible prices as follows:

A. Purchase of goods or services up to the limits set out in the Public Contract Code will require documented quotes (see Handbook of Purchasing Regulations for current limits).

B. Purchase of goods or services in excess of the limits set out in the Public Contract Code will require formal advertised bids (see Handbook of Purchasing Regulations for current limits).

6009.4 Contracts involving expenditures that require competitive bidding require approval by the Board of Trustees prior to award.

6009.5 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.

6009.6 Notice Calling for Formal Advertised Bids - The District shall publish at least once a week for two weeks in a newspaper of general circulation within the District or if there is no such paper, then in some newspaper of general circulation in the County, and may post on the District’s website or through an electronic portal, a notice calling for bids or proposals, stating the materials or supplies to be furnished and the time and place when bids will be opened.

6009.7 Bid and contract forms shall be prepared and maintained by the Contracts Management office. All applicable statutory provisions and board policies shall be observed in preparation of the forms.
6009.8 All bid notices for work to be done shall contain an affirmative statement requiring compliance with California Labor Code Sections 1775 and 1776 governing payment of prevailing wages and California 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.

6009.9 When required or determined to be appropriate, per Public Contract Code 20651, 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 prospective bidder.

6009.10 The Contracts Management/Purchasing office 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 vendors may examine specifications and drawings.

6009.11 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 for good and sufficient reason.

- All bids shall be opened publicly and bidders shall be given the opportunity to make record of the bids received.

- Bids and contract award recommendations to the Vice President, Administrative Services 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 the best judgment as to which bid substantially complies with the quality required by the specifications.

- The Board of Trustees shall approve or ratify all awards of bids and contracts. When Board deadlines restrict making timely awards, the Vice President, Administrative Services shall request Board authority to approve the selection of the responsible contractor from the responsive bidders, followed by Board ratification of the award.
• Annually, the Board of Trustees may approve a resolution authorizing the Vice President, Administrative Services or designee to execute contracts with a value of less than $25,000.

6009.12 Purchase without Advertising for Bids - The Vice President Administrative Services or designee is authorized to make purchases from firms holding county contracts without calling for bids where it appears advantageous to do so.

A. The Vice President, Administrative Services or designee may, without advertising for bids per Public Contracts Code 20652, purchase or lease from other public agencies materials or services by authorization of contract or purchase order.

B. The Vice President, Administrative Services or designee may, without advertising for bids per Government Code 53060 procure special services and advice in financial, economic, accounting, engineering, legal, or administrative matters if such persons are specially trained and experienced and competent to perform the special services required.

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

6009.13 Duration of Continuing Contracts for Services and Supplies - Continuing contracts for work or services furnished to the District are not to exceed five (5) years. Contracts for materials and supplies are not to exceed three (3) years (see Handbook of Purchasing Regulations for current procedure).

6009.14 Emergency Repair Contracts without Bid - When emergency repairs or alterations are necessary to continue existing classes or to avoid danger of life or property, the Contracts Manager may make a contract on behalf of the District for labor, materials and supplies without advertising for or inviting bids, subject to Los Angeles County Office of Education Emergency Resolution Procedure and approval of the Board of Trustees.

6009.15 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 contract after competitive bidding.

6009.16 Kindergarten-University Public Education Bond Act Projects - Effective early 2010 for projects funded by 2002 and 2004 State Bond Funds, the Department of Industrial Relations (DIR) will provide and charge a fee for the labor compliance services for projects under Labor Code 1771.7. For
projects funded 100% by local bond measures, the Vice President Administrative Services may initiate and enforce or contract with a third party to enforce the Labor Compliance Program. The program will include:

- Appropriate language concerning the wage requirements of Labor Code 1720 et seq. in all bid invitations and public works contracts.

- A pre-job conference with the contractor and subcontractors to discuss applicable federal and state labor law requirements.

- Project contractors and subcontractors shall be required to maintain and, at designated times, furnish certified copies of weekly payroll containing a statement of compliance signed under penalty of perjury.

- The District shall review, and if appropriate audit, the payroll records of the employees of the contractor and/or subcontractor. The review and audit shall be conducted by the Construction Manager, an independent third party, or the District’s Internal Audit Manager or designee.

- If an investigation establishes that an underpayment of wages has occurred, the District shall withhold any contract payments, equal to the amount of underpayment and any applicable penalties.

- The Vice President Administrative Services shall transmit a written finding that the District has initiated and enforces, or has contracted with a third party to initiate and enforce, the required labor compliance program, to the Director of the Department of Industrial Relations, or any successor agency that is responsible for the oversight of employee wage and work hours laws.

Adopted: December 8, 2009