

6009.

ADMINISTRATIVE REGULATIONS ON
BIDS AND CONTRACTS

6009.1 The Vice President, Business Services or designee shall 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, grants, etc.).

6009.3 Limits - Bids or quotations shall be secured as may be necessary to obtain the lowest possible prices, or best value, as specified in California Assembly Bill 3186 passed in 2018, 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).
- C. Procurement of public projects shall be in accordance with the California Uniform Construction Cost Accounting Procedures.

6009.4 Contracts involving expenditures in excess of the formal bid limit specified in the Public Contract Code Section 22032, require approval by the Board of Trustees prior to award. Contracts involving expenditures of equal to or less than the formal bid limit specified in the Public Contract Code Section 22032 can be executed by the Vice President, Business Services or designee. Any contract executed with a value equal to or less than the formal bid limit specified in Public Contract Code Section 22032 shall be submitted to the Board of Trustees to be ratified.

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 Bids:

- A. For the purchase of goods or services, exclusive of public projects, 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.
- B. For the procurement of public projects with an estimated cost greater than the formal bid limits specified in Public Contract Code Section 22032, the notice shall be published at least 14 calendar days before the date of the opening of the bids in a newspaper of general circulation. The notice inviting formal bids shall also be sent to all construction trade journals as specified in Public Contract Code Section 22037 at least 15 calendar days before the date of opening the bids.
- C. For the procurement of public projects with an estimated cost between the formal bid limit, set forth in Public Contract Code Section 22032 (b) and above the threshold set forth in Public Contract code Section 22032 (a) the notice shall be sent to all applicable trade contractors on the qualified list.

6009.7 Bid and contract forms shall be prepared and maintained by the Contracts Management/Purchasing 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 formally obtained 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, Business Services shall show a tabulation of the bids received in reasonable detail.
- Bid and contract awards shall be made to the lowest responsible bidder or bidder meeting the best value, 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 and value 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.

6009.12 Purchase without Advertising for Bids - The Vice President Business 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, Business Services or designee may, without advertising for bids per Public Contract Code 20652, purchase or lease from other public agencies materials or services by authorization of contract or purchase order.
- B. The Vice President, Business 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 Business Services or designee may make purchases through the State of California Cooperative Purchasing Program operated by the Department of General Services.
- D. The Vice President, Business Services or designee, may procure public works projects less than or equal to the limit set forth in Public Contract Code Section 22062 (a) by negotiated contract or purchase order per the California Uniform Construction Cost Accounting Procedures.

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 Vice President Business Services or designee 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 Staff shall complete and submit the required public works project award notification (PWC-100) to the Department of Industrial Relations (DIR); notify potential contractors that they must register with DIR and that the project is subject to enforcement; and, require proof of public works contractor registration before accepting a bid or awarding a contract as required by Labor Code section 1771, et. Seq.

Adopted: December 8, 2009

Revised: May 14, 2013; May 30, 2017; September 11, 2019