BP 6340  CONTRACTS

References:
- Education Code Sections 81641 et seq.;
- Public Contract Code Sections 20650 et seq.
- Government Code Section 53060

The Board delegates to the Chancellor 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 are not enforceable obligations until they are ratified by the Board.

- 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.

- When bids are required according to Public Contract Code Section 20651, the Board shall award each such contract to the lowest responsible bidder who meets the specifications published by the District and who shall give such security as the Board requires, or reject all bids.

If the Chancellor concludes that the best interests of the District will be served by pre-qualification of bidders in accordance with Public Contracts 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 Contracts Code Section 20652, the Chancellor or designee is authorized to proceed with a contract.

The delegation to enter into contracts as mentioned above only pertains to contracts that do not exceed five (5) years and with annual expenditures in amounts less than the current bid threshold set forth in Public Contract Code Section 20651(a), as adjusted by the California Community Colleges pursuant to Public Contract Code section 20651(d), or Public Contract Code section 22032(a) or (b), as applicable to the type of contract. Contracts entered into and expenditures made pursuant to this delegation must comply with Public Contract Code.
Consistent with the Board’s general delegation of authority and state and federal law, and subject to any reporting and ratification requirements, the Chancellor and his/her designees are specifically empowered to execute orders that change or alter a contract entered into by the District pursuant to Public Contract Code Section 20651 and authorize the contractor to proceed with performance without securing bids, if the agreed upon cost does not exceed the maximum allowed by Public Contract Code Section 20659 or ten percent of the original contract price, whichever is greater. Changes exceeding the amounts specified above or $100,000 are subject to ratification of the Board as are amounts that net for all change orders pertaining to one project of more than $1,000,000. (Reference: Public Contract Code sections 20651, 20655, and 20659.)

Notices of Completion and Acceptance of Work shall be approved in advance by the Board.

The District does not recognize and shall not be bound by verbal agreements. Similarly, the District does not recognize and shall not be bound by written agreements signed on behalf of the District by an individual not authorized to bind, encumber, or contract for the District with regard to the subject of the contract or agreement.

See Administrative Procedure 6340.

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