

AP 6330 Purchasing

Reference: ***Education Code Section 81641, et seq; Education Code Section 81550, et seq; Public Contract Code Section 20650, et seq; Government Code Section 12940; Public Contract Code Section 3400; Labor Code Section 1775, et seq; GCCCD Board Policy 6330***

Date Issued: February 12, 2007

The Governing Board has delegated the legal authority to commit the District to any expenditure or receipt of funds. The Board has delegated that authority to specific individuals for certain categories of purchases and contracts. Only those specific individuals are authorized to sign contracts, purchase orders, or other documents that commit the District to expend or receive funds.

The District has established a centralized Purchasing Department, whereby all requests for purchase orders, contracts and procurement cards shall be routed.

The Purchasing Department shall comply with all applicable laws and regulations in conducting Purchasing and Contracting activities on behalf of the District.

The Vice Chancellor-Business Services or designee is hereby designated as the District officer(s) authorized to sign purchase orders on behalf of the District.

It shall be the policy of the Board, if all other considerations are equal, to purchase or award contracts within the District from established local merchants, contractors, salespersons or distributors, or those residing in the District.

As allowed under Public Contracts Code Section 3400, when issuing bids for equipment and systems that will be installed into District buildings, if the District makes a finding that a particular material, product, thing, or service is designated by specific brand or trade name for the purpose of matching other products or systems in use on a particular public improvement either completed or in the course of completion or if the necessary material, product, thing, or service is only available from one source, the District is not required to use the words "or equal" in the bid specifications when calling out for said brand or trade name.

If certain products, brands, and services have been determined by the District to have standards for which no equal would be allowed due to standardization and compatibility with existing District systems, then the District will adopt resolutions specifying such products, brands, and services that can be called out in bid specifications by specific brand or trade name without using the words "or equal". Such resolutions will be effective until a revision is made and then will be evaluated by a District committee and a recommendation will be made to the Governing Board to either re-adopt or discontinue the use of the designated products/brands.

As allowed under Public Contracts Code Section 20118.2, due to the highly specialized and unique nature of technology, telecommunications, related equipment, software, and services, and factors such as standardization and compatibility of existing systems, the District may procure computers, software, telecommunications equipment, microwave equipment, and other related electronic equipment and apparatus through competitive negotiation rather than the formal bid process.

Competitive negotiation requires that a request for proposals shall be prepared and submitted to an adequate number of qualified sources, as determined by the District, to permit reasonable competition consistent with the nature and requirement of the procurement. The notice of request for proposals shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.

The Board authorizes the Vice Chancellor-Business Services or designee to award purchases or contracts placed in accordance with this policy and all policies of the Board otherwise applicable, to local business people based upon the following considerations when:

1. Their quotation is competitive.
2. Freight charges are a factor.
3. Maintenance/repair service may be required.
4. Promptness of delivery is a consideration provided that all statutes pertaining to public purchasing are duly observed.

The Purchasing Department shall set forth operating procedures for adherence by employees for purchase orders, contracts, and procurement cards.

The Purchasing Department will obtain quotations either by phone or in writing, as specified in Operating Procedure PU2 (Purchasing Specifications).

Refer to the following District Operating Procedures for Purchasing and Contracts transactions:

PU1, PU2, PU3, PU4, PU5, PU6, PU7, CO1, CO2, CO3, CO4, CO5, CO6, CO7, CO8.