

AP 6331 Purchasing Jointly Through Other Public Agencies

Reference: ***Public Contract Code Section 20652; Public Contract Code Section 20653; Education Code Section 81653; GCCCD Board Policy 6331***

Date Issued: February 12, 2007

When in the best interest of the District and its taxpayers, the Vice Chancellor-Business Services or designee shall seek advantages in savings through a cooperative arrangement utilizing other public agencies' contracts for the lease and purchases of materials, supplies, equipment, vehicles, or other personal property without advertising for bids.

Such cooperative contracts must include the public agency clause, as well as the authorization for the District to issue purchase orders and warrants directly to the awarded bidder and not the agency awarding the contract.

The Purchasing Department shall present to the Governing Board, at a regularly scheduled meeting, a resolution authorizing such cooperative purchases.

Cooperative contracts can be awarded by any public corporation or agency, including any state, county, city, town, district, consortium, or professional organization. However, such contracts must have been competitively bid and awarded, with proof of such awards obtained by the District's purchasing staff.

The Purchasing Department shall be encouraged to maintain memberships with professional organizations that offer cooperative purchasing arrangements to its members.

Cooperative contracts cannot be utilized for public works contracts, repairs, or services.

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.