



**PERALTA COMMUNITY COLLEGE  
DISTRICT  
PURCHASING PROCEDURES**

## **PURCHASING AND WAREHOUSE**

### **PURCHASING DIRECTORY**

Purchasing Compliance Manager	587-7895
Vendor Information	466-7225
Buyer (for District, BCC & Laney)	466-7255
Buyer (for District, COA, & Merritt)	466-7256
Buyer (for Measure A, only)	466-7217
Purchasing Department	466-7225
Purchasing Department Fax	587-7873

### **WAREHOUSE DIRECTORY**

Warehouse Supervisor	466-7334
Warehouse Staff	466-7214
Warehouse Fax	587-7866

**Mailing Address:** Purchasing Department  
Peralta Community College District  
333 East 8<sup>th</sup> Street  
Oakland, California 94606

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## PURCHASING PROCEDURES

The purpose of these policies and procedures is to ensure that goods and services necessary for the operation of the colleges are obtained at competitive prices, to guarantee fairness in the selection of vendors, and to minimize opportunities for corruption. Through the use of these policies, purchasing at the Peralta Community College District will be an open competitive, and a fair process.

These policies and procedures are consistent with the State of California Public Contract Code Sections 20651-20660 and the State of California Education Code Part 49, (commencing with Section 81000) and Board Policy Section 6.31 which represent the basic intentions and goals of the board of the Peralta Community College District will be an open competitive and a fair process. (Note: If a Grantor of funds to the District has Purchasing Policies which are more stringent than the District's policy, then the District will adhere to the Grantor's policy for purchases made with the Grantor's funds.)

NO PURCHASES SHALL BE MADE EXCEPT AS PROVIDED BY CALIFORINA LAWS, BOARD POLICES AND THESE PROCEDURES FOR PURCHASING. ONLY OFFICERS OR EMPLOYEES EXPRESSLY AUTHORIZED BY BOARD POLICY AND THESE PROCEDURES SHALL MAKE ANY PURCHASE OR ENTER INTO ANY CONTRACT FOR THE PURCHASE OF GOODS, SUPPLIES AND SERVICES ON BEHALF OF THE PERALTA COMMUNITY COLLEGE DISTRICT. ANY PURCHASE OR CONTRACT MADE IN VIOLATION OF BOARD POLICY OR THESE PROCEDURES IS VOID AND NOT BINDING ON THE DISTRICT.

**The Chancellor is authorized to approve purchase of goods, supplies, equipment and services not to exceed \$78,900 (or as adjusted annually by Price Deflation Index). All purchases in excess of \$78,900 or more (or as adjusted annually by Price Deflation Index) shall require board approval.**

District employees who are in the solicitation and /or recommendation for selection of vendor/contractor shall comply with the District's Conflict of Interest Code. No employee who is involved in the solicitation and/or recommendation for selection of vendor/contractor shall have pecuniary interest in the vendor/contractor nor shall the employee accept gifts from vendors/contractors in excess of \$320.00 (per Board Policy 6.86) in a calendar year from any single source, without disclosure of receipt of such gifts, as required by the Conflict of Interest Code.

Any person who is not authorized to make purchases for the district and who engages in malfeasance may be personally liable for such action.

### 1.00 GOODS OR NONPROFESSIONAL SERVICES

Goods or nonprofessional services, hereinafter referred to as goods, should be purchased from the vendor who can provide the required goods at the time and also at lowest price available.

## 1.01 REQUISITION PROCESS – COLLEGES

User departments must plan ahead. Initiate and submit your purchase requisition forty-five (45) to sixty (60) days in advance of the desired delivery date (DDD).

Requisitions for materials, rentals or services should be carefully prepared. The originating/user department must submit a requisition to the Business Office for the issuance a purchase order. The requisition must be approved by the department head or designee. The requisition must include the name and department making the request, coding, delivery address, date of requisition, term of payment and shipping terms. List the equipment, supplies, or services to be purchased giving a complete description of all items. If contracting for service or travel, indicate as many details as reasonable (i.e. maintenance, consultant, registration fees, hotel cost, meals, ground transportation, etc.)

Purchases requiring informal bids must be summarized on a bid recapitulation (bid recap) sheet. The solicitor of bids must sign the Recap sheet and forward the bids and the Recap sheet to the Business Office. The Business Office and Colleges are encouraged to solicit bids from a diverse business community, including Small Local Business Enterprise (SLBE), Small Emerging Local Business Enterprise (SELBE), other local vendors, and minority and women business. If the successful bidder is an SLBE/SELBE vendor, enter its designation in the appropriate space on the Recap sheet.

The Business Office will prepare requisitions for issuance a purchase order and forward the bids, the Recap sheet, and the Purchase Requisition to the District Purchasing Office to issue a Purchase Order.

## 1.02 REQUISITION PROCESS - DISTRICT OFFICE

User departments must plan ahead. Initiate and submit your purchase requisition forty-five (45) to sixty (60) days in advance of the desired delivery date (DDD).

Requisitions for materials, rentals or services should be carefully prepared. The requisition must be approved by the department head or designee. The originating/user department must submit a requisition to District Office Purchasing for the issuance a purchase order. The requisition must include the name and department making the request, coding, delivery address, date of requisition, term of payment and shipping terms. List the equipment, supplies, or services to be purchased giving a complete description of all items. If contracting for service or travel, indicate as many details as reasonable (i.e. maintenance, consultant, registration fees, hotel cost, meals, ground transportation, etc.)

Purchases requiring informal bids must be summarized on a bid recapitulation (bid Recap) sheet and attached to the purchase requisition. The solicitor of bids must sign the Recap sheet and forward the bids and the Recap sheet to the District Purchasing Office for the issuance of a Purchase Order. The District Office and Colleges are encouraged to solicit bids from a diverse business community, including local vendors and minority, disadvantage and women-owned businesses. If the successful bidder is an SLBE/SELBE vendor, enter its designation in the appropriate space on the Recap sheet.

Only one (1) quotation is required for purchases under \$10,000.00; however, if the purchase is over \$2,500.00 the quote must be in writing. The originating department must solicit at least three (3) written bids/price quotations for items between \$10,000.01 and up to \$78,900. or as adjusted annually by Price Deflation Index or as adjusted annually by Price Deflation Index. Once bids are received, an evaluation and selection process is necessary to select a vendor for contract award. All purchases less than \$78,900 (or as adjusted annually by Price Deflation Index) require approval by the Chancellor.

#### 1.03 ANNUAL, BLANKET, OPEN PURCHASE ORDERS

In order to minimize delay and encourage effective planning, prices for regularly purchased goods should be determined in advance of the purchase. In such cases, the college or the department must make an approximation of the type and the quantity of goods during the specified time (not to exceed one year). Once the low bid is determined and the necessary approvals obtained, District Purchasing issues a purchase order to a specific vendor for the total amount of the estimated purchases. This allows the end user to buy unspecified quantity of items during the fiscal year. Expenditure exceeding \$78,900 (or as adjusted annually by Price Deflation Index) requires Board approval.

#### 1.04 FOOD SERVICE PROCUREMENT

The procurement for the food service operation is done on an annual basis. A Request for Proposal (RFP) is prepared requesting price quotations for various food items and services. A review and evaluation process is done by the College administrator responsible for this operation to determine the award, a board report is prepared and after approval, the food service vendors are notified of contract award.

#### 1.05 OBTAINING PRICES

Generally, multiple prices must be obtained each time a purchase is made. Methods should be used that maximize the possibility of the district's obtaining the desired goods at the lowest possible price. **Splitting purchases to reduce the procedural requirements for obtaining prices is strictly prohibited.**

##### **A. Goods and Services**

**Purchases of less than \$10,000--** Only one (1) quotation is required for purchases under \$10,000.00; however, if the purchase is over \$2,500.00 the quote must be in writing. Such items may be purchased from any vendor offering the required goods or services at a reasonable price. Examples of reasonable price are: items purchased based on vendor's catalog prices, or based on a comparison of vendor's price lists; or items purchased based on historical price data, or based on prior bid solicitations.

The solicitor of the quotation (or the Business Office) must forward the quotation along with an approved Purchase Requisition to the District Purchasing Office for issuance of a Purchase Order.

**Purchases between \$10,000.01 and \$78,900 (or as adjusted annually by Price Deflation Index) -** Informal competitive bidding is required. Informal competitive

bidding requires that the department obtain three (3) written bids/price quotations specifically describing the goods and their prices. The bids/price quotations may be obtained either on a Quotation Request Form or on the vendor's letterhead stationery. In either case, the bid must be written in ink and signed by an authorized representative of the vendor.

The bids/price quotations must be summarized on a bid recapitulation (Recap) sheet. The solicitor of bids must sign the Recap sheet, generate a requisition, and forward the bids and the Recap sheet for approval by the Department Head/Business Office. Subsequently the Department Head/Business Office should forward the quotes, Recap sheet, and Requisition to the District Purchasing Office for the issuance of a Purchase Order. If the department receives fewer than three bids within ten working days of the solicitation, a department staffer may proceed with the purchasing process and determine if the prices submitted are reasonable. If three prices are not obtained, an explanation must be provided on the bid-recapitulation sheet.

**Purchases over \$78,900 (or as adjusted annually by Price Deflation Index) - Formal bidding is required.** Formal bidding requires that the department write specifications describing the needed goods or services. The requestor will supply District Purchasing with detailed specifications and approved requisition. The specifications are reviewed by Purchasing to ensure that the specifications are complete and in the proper form. Specifications should be prepared as objectively as possible, so that the advantage provided to any particular vendor is based on the appropriateness of that vendor's product. The contract must be awarded to the lowest responsible bidder, or the District must reject all bids. (Public Contract Code Section 20651)

All purchases exceeding \$78,900 (or as adjusted annually by Price Deflation Index) during a fiscal year, which is made from a single vendor, must be approved by the board. The board report must include the reason for the purchase, a brief description of the procedure used to select the vendor, a description of the goods being purchased, the purchase price and the names of the vendors who submitted the three lowest bids.

## **B. Public Works Projects**

**“Public Works Projects”** require Plant Management review, approval and project coordination. California Public Contract Code # 20651 defines “Public Projects” as construction projects, including maintenance repairs and remodeling of existing facilities. The Office of Physical Plant supervises all construction contracts. Board approval is required on all construction contracts over \$15,000.00. The contract must be awarded to the lowest responsible bidder.

The following procedures are required.

**Expenditures of less than \$10,000.00** Require one (1) price quotations obtained from the licensed contractor/vendor in conjunction with specifications prepared by the District/Department manager. If the quotation is over \$2,500, the quotation must be written in ink and signed by an authorized representative of the vendor.

**Expenditures of \$10,000.01 to \$14,999.99** requires that staff inform the licensed contractors, that they are bidding on a public works job, and obtain at least three (3) written price quotations. The bidder may use the Quotation Request Form or present their quote on their letterhead stationery. In either case, the bid must be written in ink and signed by an authorized representative of the vendor.

**Expenditures of \$15,000 or more** require formal bids obtained by District Purchasing staff using specifications prepared by District/Department of General Services Management staff. All bids shall be presented under sealed cover and shall be accompanied by one of the following forms of security:

1. A cashier's check made payable to the Peralta Community College District
2. A certified check made payable to the Peralta Community College District
3. A bidder's bond executed by an admitted surety insurer made payable to the Peralta Community College District.

Securities of unsuccessful bidders will be returned in a reasonable time period but not longer than sixty (60) days from the time the contract award has been made.

**Splitting or separating orders or projects into smaller work orders or projects for evading competitive bidding is strictly prohibited.**

It may take two to four months to issue a purchase order under these circumstances. Please **PLAN** accordingly. Contact purchasing staff for assistance in establishing a schedule for bidding the project.

#### 1.06 BID SPECIFICATIONS

All departments requiring the issuance of a bid must submit to District Purchasing the specifications describing the goods or services required. Expenditures for goods supplies or services of \$78,900 (or as adjusted annually by Price Deflation Index) or more require formal bids obtained by District Purchasing staff. Requesting staff or Division/Department manager will supply applicable specifications with the Purchase Requisition. Purchasing staff will use the information to prepare bid documents. It may take 2-4 months or longer to issue a purchase order under these circumstances. Please plan accordingly. Call purchasing staff for assistance in establishing a schedule for bidding the project

The description of the goods or services may be either performance-based or product-based. Performance-based specifications describe the goods needed by detailing the performance required of the goods. For example, specifications for a calculator would list all the mathematical functions that the calculator must perform. Product-based specifications describe the goods by identifying a specific product which would be acceptable, and requesting a price on that item or its equivalent. For example, calculator specifications might request prices on Texas Instruments Model TI-1795, or its equivalent.

When product specifications are used, a bid on an equivalent product must include specifications demonstrating that the bid goods are substantially equivalent. The



conditions of the purchase include payment terms, insurance requirements, delivery schedule, shipping terms, prevailing wage requirements, bid/bond requirements.

Purchasing will determine which conditions are required for particular purchases, and include the appropriate terms in the specifications. All specifications are distributed through the District Purchasing.

For formal bids, an advertisement announcing the goods sought, the availability of bid specifications, and the bid opening date, time and place must be published once a week for two weeks. The District is an Equal Opportunity Contractor. Every effort should be made to advertise or distribute bid announcements to diverse segments of the business community, including local, disadvantage, minority and women owned businesses.

Bid announcements will be placed on the district Web site located at [www.peralta.edu](http://www.peralta.edu). The purpose of the advertisement is to provide vendors who are not on PCCD's bidder's list with an opportunity to bid for PCCD contracts. Following the advertisement, the newspapers will send District Purchasing a letter verifying that the advertisement was published. The letter will then be retained in District Purchasing files.

District Purchasing shall send a bid notification letter that specifications are available to all vendors registered in appropriate categories on the District Purchasing bidder's list. Vendors can register to be included on the bidder's list by completing a vendor's application form and filing it with the District Purchasing.

Specifications shall be available from the District Office Monday through Friday from 9:am to 3:pm during the time between the placement of the advertisement and the bid opening. The deadline for receipt of bids will be a minimum of ten working days after the advertisement appears. Bids are opened at the District Business Office Conference Room.

If the district determines that a change in the bid specifications is required after the bid specifications are distributed but before the bids are due, then all bidders must be sent an addendum stating the change. All bids must be sealed by the bidder and must be opened by the District Purchasing office. All bids are opened in public and the contents of the bid read aloud at the time and date specified in the bid announcement. Any bid arriving after this time is returned unopened to the vendor. For the period of time stated in the bid specifications, prices obtained through formal bidding may be used for the purposes of awarding a contract.

A bid deposit of 10% of the bid is required on all purchases of goods and services exceeding \$78,900 or (as adjusted annually by Price Deflation Index). The bid deposit may be a certified check or a cashier's check in the required amount, a letter of credit, or a bid bond. The bid deposit requirement may be waived by the Vice Chancellor for Administrative Services, if it is in the best interest of the district to do so. Bid deposits by unsuccessful bidders are returned approximately 20 days after the bid.

## 1.07 EXCEPTIONS TO FORMAL BIDDING

- A. Purchases for textbooks, library books, and educational films, audiovisual materials, workbooks, instructional computer software packages, or periodicals may be purchased without estimates or bids.
- B. When brand or trade name, article, thing, or product or proprietary service is the only item, which will properly meet the needs of the District.
- C. When the item available is unique, or is designated to match others or is used in or to furnish to a particular installation, facility, or location. A detailed letter of justification is required in describing the goods required, including the name of the product, model numbers and any other relevant information
- D. If a particular item is available from only one source, a letter stating that the vendor is the sole source of such goods or services must be obtained and attached to the purchase order. The letter must be specific in describing the goods required, including the name of the product, model numbers and any other relevant information justifying the sole source purchase. Further, the letter must specify, in particularity, all of the reasons justifying the circumstances and details regarding the basis and nature of why and how the product is sole source and why such product, or a similar product cannot be purchased elsewhere.
- E. In an emergency when any repairs, alterations, work, or improvement is necessary to any facility to permit the continuance of existing school classes, or to avoid danger to life or property, the Board may by unanimous vote, and with approval of the County Superintendent of Schools, make a contract for the performance of labor and furnishing of materials or supplies without advertising or inviting bids.
- F. If determined by the board to be in the best interest of the District, to lease data-processing equipment, purchase materials, supplies, automotive vehicles, tractors, and other personal property for the District from any public corporation or agency, including any county, city, town, or district.
- G. Purchasing materials, equipment or supplies through the Department of General Services.
- H. Contracts for the services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part are exempt from competitive bidding.
- I. Contract Overruns  
Existing contracts for materials and work, which have been awarded, to the lowest responsible bidder after due advertisement and competitive bidding, but due to unforeseen revisions, not the fault of the contractor, need be revised if the additional expenditures do not exceed 10% of the original contract price.

J. Maintenance or repair of equipment made by the manufacturer

Also exempt are contracts for the maintenance or servicing of, or provision of repair parts for, equipment which are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best be performed by the manufacturer or authorized service agent. In the case of a service agent, a letter must be obtained from the manufacturer, stating that the service agent is an authorized agent and describing the nature of the work that the service agent is authorized to perform for the manufacturer. A written description of the nature of the maintenance and/or repair to be performed.

1.08 DETERMINING THE LOW BID AND MAKING THE PURCHASE

The low bid may be determined either by figuring the price of individual items, or by figuring the total price for all items specified. When prices for several items have been solicited, and different vendors have provided a low bid on individual items, the purchase may be made either from the lowest bidder for each individual item, or from the vendor who made the lowest total bid for all the items specified. RFP specifications must clearly state this selection process.

1.09 NON-RESPONSIVE BIDS AND DEBARMENT

Non-responsive bid: A bidder is considered non-responsive for failing to complete all contract documents, failing to provide security deposits with the proposal, failure to comply with bid specifications, failing to provide signatures on bid proposals, failing to provide bid deposits on contracts, failure to respond to all items sought in the bid specifications.

Debarment: For Federally funded projects/grants, the District may not purchase goods and services (over \$25,000) from companies listed on the Federal Debarment list. For any purchases with Federal funds over \$25,000 the Requisitioner/Buyer must check the Federal Debarment Excluded Parties List System at: <https://www.epls.gov/>, to confirm the company contracted with is not on the federal debarment list.

1.10 RECEIVING PROCEDURES

A. RECEIVING SLIP

The receiving person is responsible for completing the receiving slip, for all material received on a regular purchase order. When the shipment is the entire order or the final partial shipment, the pink copy of the purchase order will be complete also. Back orders should be indicated on the receiving slip.

Goods accepted report should be completed indicating the receipt of the material. The white copy is sent to the accounts payable department.

B. RESPONSIBILITY FOR REPORTING LOSS OR DAMAGE

It is the responsibility of the receiving person to notify the Warehouse Supervisor of any damages. When the college staff finds damages, this should also be reported to the Warehouse Supervisor within three days of receipt of materials. The name of the vendor and the purchase order number must be given when making the report.

The following documents shall be maintained:

- 1) Copy of carrier's freight bill or delivery document bearing notation of shortage or damage.
- 2) Packing list containing the material, and quantity shipped.

C. RESPONSIBILITY FOR FILING CLAIMS

The Warehouse Supervisor or purchasing department is responsible for preparing, filing and negotiating all claims for loss or damage incurred in the shipment of material.

Claims will be substantiated with the following documents as appropriate:

- 1) All documents and correspondence received from the freight company/carrier.
- 2) Copy of freight bills and invoices.
- 3) Copy of carrier's inspection report.
- 4) Documentation of additional costs claimed.

D. ADDITIONAL COSTS CLAIMED

The following costs incurred as a result of loss or damage in the shipment of material will be included in the claim.

- 1) Cost of replacement of short or damaged material where replacements are obtained.
- 2) Prorata freight cost in the weight of short merchandise or damaged material (including packing and packing material)
- 3) Cost of labor and material in repackaging, repairing and reconditioning damaged material.

E. DAMAGED SHIPMENTS

Carriers recognize their liability for two types of damage-apparent and concealed. Prompt examination of the shipment by the receiving person is essential to verify the apparent good order of each shipment.

1) APPARENT DAMAGE

Where there is evidence of damage, the package or packages should be opened immediately, permitting a joint examination of the contents by the carrier's representative and the receiving person.

The extent of the damage is to be noted on both the carrier's and the consignee's copy of the delivery documents and signed by the receiving person. The receiving person shall report the damage to the Warehouse Supervisor.

In the case of partial damage to a shipment, which does not render the material worthless, shipment should be accepted and a claim will be filed for the damage. If the material is damaged to such an extent as to make it worthless, delivery should be refused and a claim will be filed for the full value of the shipment.

A signature only, without any notation of damage, will normally be considered evidence that the complete shipment was received in apparent good order.

2) CONCEALED DAMAGE

Damage discovered after the delivery of the shipment shall be reported to the Warehouse Supervisor immediately. The container and packing material with merchandise shall be held for inspection by the carrier and issuance of an inspection report.

F. SHORTAGES

There are several types of shortages, which could occur in the shipment of material to the district. These include shortages in the number of pieces or packages received, loss of contents, and shortages in the contents of the packages.

1) SHORTAGES IN PIECES RECEIVED

The number of pieces or packages received in a shipment is to be checked by the receiving person against the number indicated on the delivery document.

In the event of any variance, a notation of that effect is to be placed on both the consignees' copies of the delivery document and signed by the receiving person. The carrier's representative (truck driver) shall be required to note and initial the same documents.

Subsequently, the packages are to be opened and checked against the packing slip or bill of lading to determine the missing material. The receiving person shall report the shortage to the Warehouse Supervisor for resolution.

A signature only, without any notation of shortage, will normally be considered evidence that the complete shipment was received in apparent good order.

2) LOSS OF CONTENTS

When a package indicates possible pilferage of loss of contents, notation of the effect is to be made on the delivery document in a similar manner to “shortage in pieces received”

3) SHORTAGE OF THE CONTENTS OF PACKAGES

Packages are to be opened as soon as possible after their delivery, and the contents checked against the packing slip or lading. Any variance is to be reported at once to the Warehouse Supervisor.

G. RETURN OF MATERIAL

Return of material to the vendor requires prior arrangement with the Warehouse Supervisor, or assistant supervisor. If material is defective, not as ordered or ordered in error, request to return material to vendor, and forward it to the district warehouse with the purchase order number and any information that will help make the correction possible.

H. OVERSHIPMENTS

When the vendor overships the quantity listed on the purchase order, the receiving person shall notify the Warehouse Supervisor, or the assistant supervisor. The requester may be contacted to determine if the overshipment is to be returned or retained with a change issued to increase the quantity to that received. If the overshipment is to be returned, the Warehouse Supervisor will make the arrangement.

PROCEDURES FOR SELECTION OF PROFESSIONAL SERVICE CONSULTANTS

2.00 USE OF COMPETITIVE PROCEDURES TO RETAIN CONSULTANTS

It is the general policy of the district to encourage the use of competitive procedures as set forth below, to select consultants. Competitive procedures should be used, except when specifically waived, or exempt as set forth in Paragraph 2.03 below, whenever the estimated cost of a person's or a firm's professional estimated cost of a person's or a firm's professional services exceeds \$78,900(or as adjusted annually by Price Deflation Index) during a 12-month period.

2.01 ARCHITECTURAL, ENGINEERING AND LAND SURVEYING SERVICES

A) Public Notice

In the procurement of architectural, engineering or land surveying services, the district, which utilizes architectural, engineering or land surveying services, shall permit firms or land surveying services shall permit firms engaged in the lawful practice of their professions to annually file a statement of qualifications and performance data with the district. Whenever a project requiring architectural, engineering or land surveying services is proposed for the district, the district shall, unless it has a satisfactory relationship for services with one or more firms:

- 1) Mail a notice requesting a Statement of Interest in the specific project to all firms who have a current statement of qualifications and performance data on file with the district; or
- 2) Place an advertisement in a secular English language daily newspaper of general circulation throughout the district, requesting a statement of interest in the specific project and further requesting statements of qualifications and performance data from those firms which do not have such a statement on file with the district. Such advertisement shall state the day, hour and place the statement of interest and the statements of qualifications and performance data shall be due.

B) Selection Procedure

The district shall, unless it has a satisfactory relationship for services with one or more firms, evaluate the firms submitting letters of interest, taking into account qualifications, ability of professional personnel, past record and experience, performance data on file, willingness to meet time and budget requirements, location, workload of the firm and such other factors as the district may determine in writing are applicable. The district may conduct discussions with and require public presentations by firms deemed to be the most qualified regarding their qualifications, approach to the project and ability to furnish the required services.

On the basis of evaluations, discussions and presentations, the district shall, unless it has a satisfactory relationship for services with one or more firms, select no less than 3 firms which it determines to be the most qualified to provide services for the project and rank them in order of qualifications to provide services regarding the specific project. The district shall then contact the firm ranked most preferred and attempt to negotiate a contract at a fair and reasonable compensation, taking into account the estimated value, scope, complexity, and professional nature of the services to be rendered. If fewer than 3 firms submit letters of interest and the district determines that one or both of those firms are so qualified, the district may proceed to negotiate a contract pursuant to Section 2.03 C Contract Negotiation.

C) Contract Negotiation

The district shall prepare a written description of the scope of the proposed services to be used as a basis for negotiations and shall negotiate a contract with the highest qualified firm at compensation that the district determines in writing to be fair and reasonable. In making this decision the district shall take into account the estimated value, scope, complexity and professional nature of the services to be rendered.

If the district is unable to negotiate a satisfactory contract with the firm that is most preferred, negotiations with that firm which is most preferred, negotiations with that firm shall be terminated. The district shall then begin negotiations with the firm that is next preferred. If the political subdivision is unable to negotiate a satisfactory contract with that firm, negotiations with that firm shall be

terminated. The district shall then begin negotiations with the firm that is next preferred.

If the district is unable to negotiate a satisfactory contract with any of the selected firms, the district shall re-evaluate the architectural, engineering or land-surveying services requested, including the estimated value, scope, complexity and fee requirements. The district shall then compile a second list of not less than three qualified firms and proceed in accordance with the provisions mentioned above.

## 2.02 OTHER PROFESSIONAL SERVICES

In procuring professional services, other than those listed in paragraph 2.01 (i.e., Architectural, Engineering and Land Surveying), the following procedure applies.

A request for proposals (RFP) or a request for qualifications (RFQ) is prepared by the user department and distributed to qualified persons or firms by the Department. A request for proposals provides potential consultants with a detailed statement of the professional services required, a time schedule, instructions for submitting proposals, and the method and criteria for proposal evaluation, request for general information about the vendor, invoicing procedure, preparation of proposal, minority and women participation, procedure for contract award, summary section and a signature page. The request for qualifications is used when the services are not limited to a single project, but are ongoing.

The RFP/RFQ is distributed to all known providers of the services. The user department shall request a vendor list from the District Office Purchasing Department. The issuance of a RFP and/or RFQ need not be advertised.

The use of competitive procedures does not obligate the district to choose the least-expensive proposal, or to otherwise select a proposal on the basis of any single factor. The district shall retain full discretion to determine which consultant can best serve the needs and goals of the district. Consultants submitting proposals waive any right to bring legal proceedings challenging the board's decision in these matters.

A record of the selection process, including a copy of the request for proposals or request for qualifications, the distribution list, the names of consultants submitting proposals, a description of the evaluation process, and the reasons for the selection, must be retained by the District Purchasing.

## 2.03 WAVIER OF COMPETITIVE PROCEDURES FOR PROFESSIONAL SERVICES

The requirement for competitive selection for professional services may be waived, other than architectural, engineering, and/or land surveying, if any of the following occurs:



- A) The cost or delay associated with the procedure is not in the best interest of the district.
- B) It is unlikely that multiple proposals would be submitted in response to a request for proposals or a request for qualifications.
- C) A consultant's experience or skill in dealing with the matter under consideration makes it appropriate to engage the consultant without recourse to competitive procedures.
- D) The advantages to the district of selecting a particular consultant on a noncompetitive basis outweigh the likely benefits of selecting one by competitive procedures.

In order to waive the requirement for competitive procedures for any of the reasons stated in this section, the department must complete a waiver form detailing why competitive procedures are inappropriate. The president must approve waivers initiated at a college if the estimated total cost is less than \$15,000. Waivers initiated at District Office must be approved by the appropriate vice chancellor if the estimated cost is less than \$15,000 or by the chancellor if the estimated total cost exceeds \$15,000. A Board Report must be prepared for all contracts of \$78,900 (or as adjusted annually by Price Deflation Index) or more.

## PROCEDURES FOR COMPLETING PURCHASING FORMS

All forms are available from the District Purchasing at District Office.

### 3.00 QUOTATION REQUEST FORMS

Quotation Requests Forms may be used to solicit bids from vendors. Written quotations are required for purchases between \$2,500.01 and up to \$78,900 (or as adjusted annually by Price Deflation Index), however, a bid on the vendor's letterhead stationery is acceptable in lieu of a Quotation Request Form. The form must include a complete description of the goods or services sought the price of each item, telephone number of vendor and the total amount for all specified items.

### 3.01 BID RECAPITULATION FORM

Bid recapitulations (Recap Sheet) are used to summarize bids received on purchases between \$10,000.01 and up to \$78,900 (or as adjusted annually by Price Deflation Index). The solicitor of bids must sign the Recap Sheet and forward the bids and the Recap Sheet to the District Purchasing Office for the issuance of a Purchase Order.

If one of the vendors from whom a bid was solicited is unable or unwilling to bid, that information must be noted on the form. If the department receives fewer than three bids within ten working days of the solicitation, a department staffer may proceed with the purchasing process and determine if the prices submitted are reasonable. If three prices are not obtained, an explanation must be provided on the bid-recapitulation sheet. The bid recapitulation form and copies of the written bids must be attached to the purchase order.

### 3.02 BID OPENING FORM

During the opening of formal bids on items that cost over \$78,900 (or as adjusted annually by Price Deflation Index), the District Purchasing will record all bids received on this form. The form will list the names of all vendors to whom specifications were sent. The form will also include the vendor's bid, a notation that the vendor failed to respond, or that he or she submitted a response that indicated unwillingness or an inability to bid.

### 3.03 REQUEST FOR EMERGENCY PURCHASE FORM

When the delay that results from formal or informal bidding could cause damage to either to life or to property, the normal procedure for bidding may be waived. In order to waive the formal bidding requirements for emergency purchases, the District needs to obtain approval from the County Superintendent of Schools and the Board must unanimously vote in favor of contracting without advertising or inviting bids (see section 1.07 E). To do this, an emergency-purchase form must be completed and signed by a college president, a vice chancellor, or the chancellor prior to authorization. The form must be attached to the purchase order. All documentation supporting the emergency request should be attached to the emergency purchasing form.

### 3.04 VENDOR APPLICATION FORM

This form is provided to all vendors who ask to be informed of PCCD's purchases in a particular category. After the form is completed and returned to the District Purchasing, the vendor will be placed on PCCD's bidder's list in the categories he or she selected.

### 3.05 PURCHASE ORDERS

A purchase order is the official notification to the vendor of the district's intention to make a purchase. A purchase order may not be issued until all the required selection procedures are completed. Any informal bid recapitulation sheet must be attached to all requisitions between \$10,000.01 and up to \$78,900 (or as adjusted annually by Price Deflation Index). A copy of the board's authorization must be attached to all purchase orders of \$78,900 (or as adjusted annually by Price Deflation Index) or more. The purchase order must include a description of the goods or services to be purchased. Any addendum to a purchase order must include all payments made to date on that purchase order. Once all necessary purchases are listed on a purchase order, the finance office should be notified so that the order can be closed out.

### 3.06 CHANGE ORDER FORM/ADDENDUMS

Change Orders or Addendum's are used to indicate any changes that may occur after the issuance and approval of the original purchase order. They should include the original purchase order number, vendor's name and address, originating department, for service or delivery to address, a complete explanation of the circumstances which necessitates the change, the dollar amount of the original purchase order, the dollar amount of the new change and any previous addendum and proper budget coding. The Change Order

or Addendum follows the same approval and encumbrances process as the original purchase order.

3.07 WAIVER OF COMPETITIVE PROCEDURES FOR PROFESSIONAL SERVICE CONSULTANTS FORM

A department completes this waiver form when the competitive procedures for selecting a consultant are inappropriate. The reason for the waiver must be described on the form. Copies of all competed waivers must be sent to the District Purchasing and retained by the department.