
Contracting and Purchasing Policy 2-302

Scope:

This policy applies to the acquisition of goods, services, equipment, and public works by the District, whether through direct purchase, lease, or contract.

1. Generally

The Governing Board shall ensure that all contracting and purchasing activities are conducted in a manner that:

- Promotes fairness, integrity, and competition;
- Ensures fiscal responsibility and cost-effectiveness;
- Complies with all applicable laws and regulations;
- Avoids conflicts of interest and improper influence; and
- Supports the District's operational and educational needs.

2. Compliance with Law

All contracts and purchasing activities shall comply with applicable state and federal laws, including:

- Competitive bidding requirements;
- Public contracting laws;
- Conflict of interest laws; and
- Any applicable grant or funding requirements.

3. Purchasing Authority

The Governing Board delegates to the Superintendent or designee the authority to:

- Procure goods and services
- Execute contracts on behalf of the District

Purpose

The District recognizes that effective contracting and purchasing practices are essential to ensuring the prudent use of public funds, maintaining transparency and accountability, and supporting the District's educational mission.

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Revised on:

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- Establish procedures for purchasing and contracting

No purchase or contract shall be made that exceeds legal limits or available appropriations without prior Board approval.

4. Competitive Bidding Requirements:

Contracts for the purchase of materials, supplies, or equipment that exceed the bid threshold established in Public Contract Code section 20111 shall be awarded through formal competitive bidding, unless a statutory exception applies.

Public works contracts exceeding the applicable statutory threshold shall be competitively bid unless the District has adopted the Uniform Public Construction Cost Accounting Act (CUPCCAA) and follows its procedures.

Contracts subject to competitive bidding may be awarded based on:

- Lowest responsible bidder; or
- Best value, when authorized by law and in accordance with District policy (including Lease-leaseback)

In the event of identical bids, the award shall be determined by lot.

5. Contract Approval

Contracts requiring Governing Board approval shall be reviewed and approved in a public meeting in accordance with applicable laws and Board procedures.

Contracts executed on behalf of the District shall be legally binding only when authorized in accordance with this policy and applicable law.

6. Ethical Standards

All Board members and District employees involved in contracting and purchasing shall:

- Comply with applicable conflict of interest laws;
- Avoid personal or financial interests that may influence decisions; and
- Conduct all procurement activities with integrity and impartiality.

7. Transparency and Public Access

Contracts entered into by the District shall be treated as public records, except as otherwise provided by law.

The District shall maintain appropriate transparency in contracting and purchasing activities, consistent with public records laws and confidentiality requirements.

Administrative Regulations

1. General Administration

The Superintendent or designee shall develop and implement procedures for contracting and purchasing that ensure compliance with applicable law and Board policy.

All purchasing and contracting activities shall be conducted in a manner that promotes efficiency, accountability, and the prudent use of District resources.

2. Purchasing Authority and Approval

The Superintendent or designee shall establish internal procedures that define:

- Purchasing authority delegated to District employees;
- Approval levels for expenditures and contracts; and
- Requirements for documentation and authorization.

All purchases and contracts shall be approved and executed only by individuals authorized to do so.

3. Competitive Procurement

The Superintendent or designee shall utilize competitive procurement methods when required by law or when determined to be in the best interest of the District, including:

- Informal bidding procedures;
- Formal bidding procedures; and
- Requests for proposals (RFP) or qualifications (RFQ), as appropriate.

Procedures shall ensure that:

- All vendors are treated fairly and equitably;
- Selection criteria are applied consistently; and
- Awards are made in accordance with law and established evaluation criteria.

Exceptions to competitive procurement shall be permitted only as authorized by law.

4. Non-Competitive Procurement

The Superintendent or designee may authorize non-competitive procurement methods, including sole source, emergency purchases or specialized services, when permitted by law.

Such purchases shall be:

- Supported by appropriate written justification;
- Approved in accordance with established procedures; and
- Documented to demonstrate compliance with legal requirements.

5. Alternative Procurement Methods

The Superintendent or designee may utilize alternative procurement methods authorized by law when such methods are determined to be in the best interests of the District and provide a lawful exception to competitive bidding requirements.

- **Cooperative Purchasing (Piggyback Contracts)**

The Superintendent or designee may utilize cooperative purchasing methods, including “piggyback” contracts, to procure materials, supplies, equipment, and other personal property as permitted by law.

Prior to utilizing such contracts, the Superintendent or designee shall ensure that:

- o The originating contract was awarded in compliance with applicable competitive bidding requirements;
- o The contract expressly permits use by other public agencies;
- o The procurement is within the scope permitted by law; and
- o The pricing and terms are advantageous to the District.

All cooperative purchasing contracts shall be reviewed and approved in accordance with District procedures.

- **California Multiple Award Schedule (CMAS)**

The Superintendent or designee may procure goods and services through contracts established under the California Multiple Award Schedule (CMAS) program or similar state-authorized purchasing programs, in accordance with applicable law.

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Prior to utilizing such contracts, the Superintendent or designee shall:

- o Verify that the contract is valid and applicable to the District's needs;
 - o Ensure that procurement complies with applicable statutory and regulatory requirements; and
 - o Confirm that pricing and terms are in the best interests of the District.
- Joint Powers Authority and Cooperative Agreements

The Superintendent or designee may utilize contracts available through Joint Powers Authorities (JPAs), cooperative purchasing organizations, or intergovernmental agreements, as permitted by law.

Use of such contracts shall be subject to the following:

- o The District's participation in the JPA or cooperative shall be authorized as required by law
- o Contracts shall be reviewed to ensure compliance with applicable legal and policy requirements
- o Procurement shall be conducted under terms that are in the best interests of the District