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BIDS AND QUOTATIONS
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PUBLIC CONTRACT CODE 20651
GOVERNMENT CODE 4529
EDUCATION CODE CHAPTER 3, 4
AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967
AMERICANS WITH DISABILITIES ACT OF 1990
CIVIL RIGHTS ACT OF 1964 (TITLE VII)
TITLE 5 §59300, CALIFORNIA CODE OF REGULATIONS

The Sonoma County Junior College District Board of Trustees shall award to the lowest responsive and qualified bidder any contracts involving an expenditure of more than the limits set in the Public Contract Code for materials, goods, services, or public works/construction to be furnished, sold or leased to the District. Other appropriate procurement methods may be used, including utilizing Energy Savings Contracts, Lease-Lease Back agreements, the Best Value process and piggy-back contracts, in compliance with the provisions of the Public Contract Code and the Education Code.

It is unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of the Public Contract Code requiring work to be done by contract after competitive bidding.

In soliciting and accepting bids, and in making purchases and awarding contracts, no person or business shall be unlawfully subjected to discrimination in accordance with relevant Federal, state and local statutes or regulations.

GOODS AND SERVICES

Competitive bids or quotations shall be secured by the Purchasing Department when necessary to obtain the lowest possible prices for the purchase of goods or services. Purchases of goods or services costing between \$5,000 and the limits set in the Public Contract Code for goods or services will require three written quotes. Any purchase of goods or services costing over the limits set in the Public Contract Code for goods or services will require formal bids

Bids solicited by other departments are subject to Purchasing Department review and approval prior to the issuance of a purchase order or contract. Where necessary, Purchasing may require additional bids. Bids for goods and services over \$10,000 shall be coordinated with the Purchasing Department prior to going out for bids or quotes.

All announced bid specifications shall be definite, complete statements of what is required and, insofar as practicable, include pertinent details of size, composition, construction, and/or texture of what is specified, and minimum standards of efficiency, durability, and/or utility.

Continuing contracts for work or services furnished to the District are not to exceed five years; contracts for equipment and supplies are not to exceed three years.

FORMAL BIDS

1. The District shall publish at least once a week for two (2) consecutive weeks in a newspaper of general circulation circulated within the county a notice inviting bids and the time and place when bids will be opened. The following purchases do not require advertising for or inviting bids:
 - a. Purchases for labor, materials and supplies for emergency repairs or alterations necessary to continue existing classes or to avoid danger to lives or property
 - b. Purchases or leases from other public agencies within Sonoma County
 - c. Purchases from firms holding county contracts by authorization of contract or purchase order.
 - d. Purchases through the State of California Cooperative Purchasing Program operated by the Department of General Services and other purchasing cooperative awarded contracts that represent best value for the District and that meet the competitive bid requirements under state law.
2. All bids shall be opened publicly and bidder shall be given the opportunity to record the bids received.
3. Bid award recommendations sent to the Board by the Director Purchasing & Graphic Services shall show a reasonably detailed tabulation of the bids received.
4. Bid awards shall be made to the lowest responsible bidder who provides evidence of substantially meeting the requirements of the specifications. The District reserves the right to make its selection of materials or services purchased based on its best judgment as to which bid substantially complies with the quality required by the specifications.
5. Whenever bids are equal, preference shall be given to firms located within the District and to firms with whom the District has had satisfactory business relationships.

PUBLIC WORKS/CONSTRUCTION

1. Construction work between \$5,000 and the limits set under the Public Contract Code require three written quotes by an experienced, qualified and responsive firm holding a California contractor's license for the work to be performed.
2. Construction work within the limits set in the Public Contract Code shall be advertised by sending notices of the bid to all contractors on the District's list of contractors qualified under the requirements of the Public Contract Code.
3. If there is not list of qualified contractors for a particular category of work, the notice inviting bids shall be sent to the trade journals specified by the Uniform Cost Accounting Commission, and such other contractors and trade journals as the Director, Purchasing & Graphics Services may determine.
4. If the product or service is proprietary in nature such that it can only be obtained from a certain contractor or contractors, the notice inviting bids may be sent exclusively to such contractor or contractors. This provision applies only to work performed within the limits set in the Public Contract Code.
5. Construction work in excess of the limits set in the Public Contract Code shall be formally bid and advertised in the local newspaper and trade journals, the District may provide notice to other contractors as the Director, Purchasing & Graphics Services may determine to be in the best interests of the District.
6. Bids for construction work up to the limits set in the Public Contract Code may be awarded by the Director, Purchasing & Graphics Services and shall be ratified by the Board of Trustees. In the event of a bid protest, the bid award will be made by the Board of Trustees.
7. All Architectural and Engineering services shall be procured pursuant to a fair, competitive selection process.

FILING PRE-AWARD BID PROTESTS

Prior to submission of a protest, all parties shall use their best efforts to resolve concerns raised by a bidder at the Purchasing Director level through open and frank discussions. Should the protest not be resolved through discussions, the bidder shall submit a written protest to the Director, Purchasing & Graphics Services. Protests based on alleged apparent improprieties shall be filed before bid award or no later than three (3) business days after bid opening.

Written protests shall include the following information:

1. Name, address, fax number and telephone number of the protestor.
2. Project name or contract number.
3. Detailed statement of the legal and factual grounds for the protest, to include a description of resulting prejudice to the protestor.
4. Copies of relevant and supporting documents.
5. Request for a ruling by the Board of Trustees.
6. Statement as to the form of relief requested.
7. All information establishing that the protestor is an interested party for the purpose of filing a protest.

Upon receipt of a protest prior to award, a contract may not be awarded, pending resolution of the protest, unless contract award is justified for urgent and compelling reasons or determined to be in the best interest of the Sonoma County Junior College District. Such justification or determination shall be made in writing, and shall be approved by the Vice President of Business Services or by an individual designated by the Vice President of Business Services.

1. Upon receipt of a protest prior to award, the Director, Purchasing & Graphics Services shall submit all documentation to the District Legal Counsel for review and recommendation.
2. If award is withheld pending resolution of the protest, the Director, Purchasing & Graphics Services will inform the bidders whose offer may become ineligible or eligible for award of the contract. If appropriate, the bidders should be requested, before expiration of the time for acceptance of their offers, to extend the time for acceptance to avoid the need for re-solicitation. In the event of failure to obtain such extension of offers, consideration should be given to proceeding with award for urgent and compelling reasons or determined to be in the best interest of the Sonoma County Junior College District.
3. Upon legal counsel recommendation, Director, Purchasing & Graphics Services shall submit suggested protest recommendations to the Board of Trustees for a final decision on the protest.
4. The protestor will be provided written notice(s) of the Board meeting where the protest will be brought before the Board; when available, this will include a copy of the recommendation to be presented.
5. The protest decision shall be provided to the protestor using a method that provides evidence of receipt.