

Sonoma County Junior College - Purchasing Department Vendor Contracts Process

1. **Types of Contracts** – there are many types of services that the college uses that require formal contracts, they include: vendor contracted services, construction, turnkey services that include equipment installation and support, facility use agreements, independent contractors, training agreements, professional consultants, Memorandum of Understanding (MOU's) and others.
2. **Use of Contract Forms** –Purchasing uses pre-authorized contract forms, these forms have gone through legal review for compliance with purchasing terms and conditions. They are used for different types of services that include architect and engineering services, other professional services, consultants and construction, to obtain a contract form contact purchasing.
3. If a **vendor generated contract form is used**, the Purchasing Department will ensure that the below provisions are included in the contract, as they apply to the specific type of service:
 - Venue - must be Sonoma County
 - Term - starting and ending date
 - Price – firm price or a “not to exceed” amount
 - Deliverables - services that the vendor must deliver and the dates for completion
 - Hold Harmless clause indemnifying the District (examples can be provided by Purchasing)
4. **Services Contracts** – these contracts have requirements that are specific to the type of service being provided, some of those requirements include current proof of insurance-when the vendors are on-site, the use of prevailing wages for public works, proof of vendor certifications and licenses.
5. **Use of Facilities** - for purposes of conducting classes, a class schedule is required with the application, in addition many organizations require that the District provide proof of insurance naming them as “additional insured”.
6. **Construction contracts** – typically construction contracts have more requirements and are based on a formal or informal bid process (CUPCCA Program). Additional vendor requirements apply to these contracts and include the use of prevailing wage rates for labor; payment and performance bonds and current proof of insurance in limits required by SCJC for liability, automobile, workers compensation and builder's risk.
7. **Contracts issued with federal funds** – any contract issued that is funded with federal funds requires compliance with EDGAR federal requirements including for construction projects the use of Davis Bacon Prevailing Wages (federal government adopted prevailing labor rates), Equal Employment Opportunity, Copeland “Anti- Kickback” Act, Contract Work Hours and Safety Standards Act, Rights to Inventions Made Under a Contract or Agreement, Clean Air Act, Byrd Anti Lobbying Amendment, Debarment and Suspension and Buy American Act. Vendors receiving contracts must agree to comply with these provisions.

8. Compliance with SCJC Policy and State Law – all contracts issued must be in compliance with District policy and applicable laws as they apply to spend thresholds.
9. **Requestors need to submit Contracts for Review & Signature as indicated below: (include a completed routing sheet)**
 - Facilities Use Agreements, Memorandum of Understanding (MOU), Collaborative Educational Agreements with other educational organizations, Affiliation Agreements with fellow governmental entities, Grants – **Senior VP for Finance & Administration**
 - Purchase Contracts for Goods and Services – consulting and professional services provided by individuals or companies, equipment service contracts, software agreements, independent contractors, construction services - **Purchasing**
10. **Purchase Contracts Form Processing – the contract form (2 originals)** must be completed by the requesting department or purchasing, based on the purpose of the services and submitted to Purchasing along with a completed routing sheet. The signing of the contract is handled as follows:
 - If using a pre-approved District contract form - the vendor reviews and signs the contract first and it is then submitted to Purchasing.
 - If using a vendor issued contract form -the District reviews and signs the contract first and submits it to the vendor for signature.
 - Purchasing may require that the vendor make changes to their contract form to meet District Policy requirements.
11. Purchasing reviews the contract document for completeness and ensures signatures are obtained from all parties. The District requires original signatures on contracts (wet signature).
12. Once the contract executed (signed by all parties) one original is issued to the vendor and one kept on file in Purchasing along with all applicable documents, including proof of insurance if required.
13. Use of an electronic contract requiring electronic signatures must be approved by purchasing prior to allowing the vendor to submit the contract, use of these contracts is dependent on the purpose and dollar value.
14. Once signed, the Purchasing Specialist assigns a contract number and the contract information is logged in a departmental master spreadsheet. A monthly updated contract list is included in the Board of Trustees Board agenda contract report for services >\$250.00.
15. Purchasing sends a copy of the contract to the requesting department or to the vendor **depending on the instructions issued by the requesting department in the contracts routing sheet.**
16. The processing time for contracts may be delayed due to incomplete information or the lack of proof of insurance, when required if the vendor is doing on site work.

17. A W9 form is required to set up a new vendor in the finance system, it may be attached to the requisition.
18. Once the contract processing is completed, the requesting department issues a requisition in the "Escape" Finance system. Purchasing issues a Purchase Order to the vendor authorizing the vendor to begin work and deliver the approved services.
19. The requesting department is responsible for monitoring and ensuring that the vendor performs to their satisfaction and in compliance with contract provisions. Problems with contract compliance need to be communicated to the Purchasing Department in a timely manner.