

Sonoma County Junior College District – Purchasing Contracts Process

1. **Types of Contracts** – there are many types of District services that require formal contracts, including vendor 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.
 - **Service 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.
 - **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”.
 - **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 SCJCD for liability, automobile, worker’s compensation and builder’s risk.

2. **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 professional services contract, you can download it from the Purchasing website <https://purchasing.santarosa.edu/> or contact purchasing for that and other forms.
 - 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:
 - o Venue - must be Sonoma County
 - o Term - starting and ending date
 - o Price – firm price or a “not to exceed” amount
 - o Deliverables - services that the vendor must deliver and the dates for completion
 - o Hold Harmless clause indemnifying the District (contact Purchasing for examples if needed)

3. **Contract Requirements**
 - All contracts issued must be in compliance with District policy and applicable laws as they apply to spend thresholds.
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 - 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, as well as District policy and other applicable laws. Vendors receiving contracts must agree to comply with these provisions.

4. **Contracts Form** Processing – the contract (2 originals) must be completed by the requesting department and submitted to Corinne Dressler in Purchasing along with a completed routing sheet. The vendor should sign the contract first prior to submitting.
 - a) The Purchasing department reviews the contract document for completeness and ensures signatures are obtained from all parties. Most contracts require original signatures (wet signature). 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.
 - b) Once the contract is executed (signed by all parties), one original is issued to the vendor and one is kept on file in Purchasing along with all applicable documents, including proof of insurance (if required). Purchasing will email a copy of the contract to the requesting department if requested by the department on the contracts routing sheet.
 - c) Once signed, the Purchasing department assigns a contract number. A list of all service contracts greater than \$250 is submitted to the Board of Trustees monthly for approval.
 - d) The processing time for contracts may be delayed due to incomplete information or the lack of proof of insurance (if required).
 - e) A W9 form is required to set up a new vendor in the finance system. It may be attached to the requisition.
 - f) Once the contract processing is completed, the requesting department issues a requisition in the "Escape" Finance system. Purchasing will issue a Purchase Order to the vendor authorizing the vendor to begin work and deliver the approved services.
 - g) 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.