

ADMINISTRATIVE PROCEDURE 6330 PURCHASING**I. Purchasing****A. Authority to Purchase**

The authority to contract for goods and/or services is vested in the Board of Trustees. Authority to purchase supplies, materials, apparatus, equipment and services is delegated by Board action to designated District officers. The purchase of goods and services shall be made through the Purchasing Department following authorized procedures in accordance with established policies and laws. Any purchase made by an employee without proper authorization is not an obligation and liability of the Peralta Community College District.

B. Conflict of Interest

The District shall not purchase goods or services from any vendor or sources in which a requisitioned or an authorized purchasing agent or member of the Board has any proprietary interest. Any proposed exception must be reviewed by the Vice Chancellor of Finance and Administration and approved by the Board. Employees and Board members are prohibited from accepting gratuities, in any form, the value of which could compromise their objectivity in selecting vendors or awarding purchase contracts.

C. Implementation

To facilitate the implementation of this administrative procedure, the Vice Chancellor of Finance and Administration shall have the authority to issue contracting, purchasing, and operating procedures and authorize standard forms consistent with, and in furtherance of the finance, accounting, accounts payable, purchasing, information technology, internal auditing, and budgeting activities of the District; subject to limits established in the California Education Code and/or other laws pertaining to the taking of bids and issuance of contracts and subject to any requisite approval of the Chancellor or formal procedures first requiring vetting via the District's shared governance processes.

D. General Purchasing Information

1. Specifications: Departments may submit their own specifications for supplies and/or equipment; however, the Purchasing Department has the authority to question need, quantity, quality, and materials requested and to make recommendations where the general health and welfare or economy is in question.
2. Purchasing Requisitions: A purchase requisition is prepared by an individual or department to request the Purchasing Department to buy specific items.
3. Purchase Order: After a purchase requisition has been reviewed and approved, a purchase order is prepared which authorizes the vendor to deliver the supplies/equipment or provide the service requested. Except for small purchases up to \$2,500, all purchases or commitments to buy are made through the use of a purchase order. Purchase orders will be issued by the Purchasing Department only upon receipt of a properly authorized purchase requisition.
4. Date of Delivery: Materials and services must be charged against and paid from appropriations within the fiscal year in which the material or service is actually received.

II. Goods and Services**A. Bidding Requirements**

The District is required by statute to comply with all applicable provisions, including Education Code Section 81641, et seq. and Public Contract Code Section 20651 et seq, prior to entering into an agreement.

Any purchase over the Bid Threshold must go through the formal bid process. The Purchasing Department may require formal bids for items regardless of the cost if it determines that such bids would be in the best interest of the District.

- B. Approval: All purchases requiring bid procedures require prior approval by the Board of Trustees before materials are delivered or a project can begin.
- C. Emergency: If the Board of Trustees declares an emergency by unanimous vote and with the county superintendent of schools' approval, the Purchasing Department may (1) make a contract in writing or otherwise for the performance of labor and furnishing materials or supplies for any repairs, alterations, work, or improvement is necessary to any facility of the college, or to permit the continuance of existing college classes, or to avoid danger to life or property without advertising for or inviting bids; or (2) authorize the use of day labor or force account.

III. Professional Services and Special Services

A. Professional services are defined as persons or entities furnishing to the District architectural, engineering, environmental, and land surveying services in construction project management.

B. Special services are defined as persons or entities furnishing to the District services and advice in financial, economic, accounting, engineering, legal, or administrative matters.

C. Approval: All purchase over \$50,000 require prior Board of Trustees approval before services may commence.

IV. "Piggyback" Purchases from Contracts Bid by Other Public Agencies

A. The Vice Chancellor of Finance and Administration is authorized to make contract, lease, requisition, or purchase order to lease data-processing equipment, purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property from any other public corporations or agency or auxiliary organizations without calling for bids and in the manner in which the public corporation or agency is authorized by law to make the leases or purchases, where the Board of Trustees determines it is in the best interest of the District.

B. The Vice Chancellor of Finance and Administration may without advertising for bids to purchase materials, equipment, supplies, or services under the same terms and conditions as are specified in a contract lawfully awarded by the University of California or the California State Universities.

C. The Vice Chancellor of Finance and Administration may make purchases without advertising for bids through the State of California Cooperative Purchasing Program operated by the California State Department of General Services.

D. The Vice Chancellor of Finance and Administration may make purchase materials, equipment, or supplies and services without advertising for bids from another public agency by agreement, jointly exercising any power common to the contracting parties. If authorized by their legislative or other governing bodies.

V. CAL CARD

1. The Chancellor or designee may issue a Cal Card to certain authorized employees for qualified business transactions associated with minor purchases or travel expenditures when traveling on District business.
2. The Cal Card is to be used exclusively for District business purposes and is not meant to replace purchase orders for authorized ongoing expenditures and major purchases. All purchases must be eligible, based on the allowable criteria as established in the administrative procedures, and charges to the Procurement Card require the appropriate documentation to adequately support the charge.
3. The Procurement Card will have the following spending limits established based on employment and need:
 - a. A dollar limitation of purchasing authority per transaction
 - b. A dollar limitation of purchasing authority for the total of all charges made during each monthly billing cycle
4. If credit limits need to be increased temporarily, the necessary increase will need to be approved by the college President, Vice Chancellor, or Chancellor. All cardholders must sign and accept the terms and conditions of the Peralta Community College District *Cal Card Program Cardholder Agreement*.
5. Each cardholder is responsible for the card issued to him/her and must comply with these administrative procedures. All cards are subject to ongoing audit for compliance and enforcement of this administrative procedure.

References:

Education Code Section 72670.5 and 81641 et seq.
Government Code Sections 4525 et seq., 6500 et seq., and 53060
Public Contract Code Sections 10298 and 20650 et seq.

Approved by the Chancellor: February 19, 2013
Revised and approved by the Chancellor: January 3, 2014
Revised and approved by the Chancellor: June 15, 2015
Revised and approved by the Chancellor: December 6, 2019