



EL CAMINO COMMUNITY COLLEGE DISTRICT

16007 Crenshaw Boulevard, Torrance, California 90506-0001

Telephone (310) 532-3670 or 1-866-ELCAMINO

www.elcamino.edu

May 12, 2016

Board of Trustees
El Camino College

Dear Members of the Board:

It is a busy week with Commencement activities on May 12 (Compton Educational Center) and May 13 (El Camino College). I know you join me in congratulating our students, faculty and staff on all their successes this year!

I am pleased to present to you the Monday, May 16, 2016 Board agenda. At 4:00 p.m., we will open the meeting with the Roll Call and Public Comment on Closed Session Items. We will then adjourn to Closed Session. Following Closed Session, we will reconvene in Open Session at 4:30 p.m.

Open Session will begin with a recognition of the 2015/16 Student Trustee, Mr. Eman Dalili. Mr. Dalili has served El Camino College with distinction and we are pleased to recognize his contributions to the District. We will also hear a presentation by Irene Graff on the IEPI Framework and the Student Success Scorecard. Each College must adopt its IEPI goals and submit them by June 15, 2016. In addition, each College must ensure that its governing Board annually reviews the Student Success Scorecard.

The consent agenda includes the following:

- A. **Academic Affairs** presents for second reading and adoption two Board Policies. Board Policy 3750 *Use of Copyrighted Materials* and Board Policy 4250 *Probation Dismissal and Readmission* were both presented for first reading at the April Board meeting. Administrative Procedure 3750 and Administrative Procedure 4040 (Library Services) are presented as information items.

Academic Affairs also recommends the approval of a summer research opportunity for STEM students at the UCLA School of Engineering. Six El Camino students will receive a stipend of \$2500 each for their participation in this research program. The HSI STEM Collaborative grant with Mount St. Mary's College will cover the cost of the student stipends.

Included in the agenda is a recommendation to approve the following International Education/Study Abroad Program for Summer 2016 in Florence, Italy. The contractor for this trip is Accent International Consortium for Academic Programs Abroad. The Board approved this contract in August 2015. Now the fun begins as we move forward with this trip. There are two faculty members teaching in this program: Mike Stallings (Architecture) and Nancy Currey (English). Fees paid by participating students will cover the cost of faculty travel and lodging.

Academic Affairs also recommends approval of proposed curriculum changes effective for the 2017/18 academic year. These curricular actions have been approved by the College Curriculum Committee and include such items as new courses, CTE two-year course review, changes in course requirements, changes in majors, changes in program descriptions, the addition of new major and/or certificates, and the inactivation of courses.

- B. **Student and Community Advancement** has eight items on the agenda. These include a request to ratify travel expenses for the Coordinator of the International Student Program at El Camino College. Expenses for this travel have been covered by the National Association for Foreign Student Advisors (NAFSA).

Student and Community Advancement is also recommending the approval and acceptance of three grants for performance year 2016/17 through the California Community College Chancellor's Office Economic and Workforce Development Program. These grants are in the fourth year of the five-year grant cycle. In addition, two other CCCCCO EWD grants have been extended through December 31, 2016. The two extended grants provide funding for the Sector Navigator for Retail/Hospitality/Tourism and the Deputy Sector Navigator for Advanced Manufacturing. The extension of these grants require Board approval and are therefore, included in the agenda.

The agenda also includes a request for approval of El Camino College's portion of the State of California Adult Education Block Grant funding for the South Bay Regional Consortium. The Consortium opted to have each member receive its allocation directly rather than through El Camino as the fiscal agent. El Camino's 2016/17 allocation is \$270,376 and will be used to support activities under the Adult Education regional plan.

The agenda also includes a request for approval of the CCCCCO Student Services and Special Programs – Historically Black Colleges and Universities (HBCU) Transfer Agreement Project. You might recall that the April Board agenda included a recommendation to apply for this grant. El Camino was awarded this 12-month project which is renewable for up to 48 additional months and represents a total of \$1.6M over a five-year period.

- C. **Administrative Services** agenda items includes a number of contracts under \$87,800. Of note is an agreement with City College of San Francisco through our ETP contract so that City College can provide training in Northern California to Bay Area Rapid Transit (BART). El Camino College partners with a few colleges in the State to offer ETP program funds so they can provide training to their local employers.

You will also note an agreement with Ferilli to provide the District with a business process review for the Ready to Package Report. This relates to the preparation of financial aid packages for students. The other contracts under \$87,000 are fairly routine in nature.

Letter to the Board of Trustees
May 12, 2016

In the section covering contracts over \$87,000 you will note two agreements relating to Adult Education. The proposed agreements with the Centinela Valley Union High School District and the Inglewood Unified School District are designed to implement activities within the South Bay Adult Education Consortium Regional Comprehensive Plan and related plans created by AB86 and AB104. The April Board agenda included similar agreements with Torrance and Redondo Beach School Districts. These contracts will be paid through the Adult Education Consortium Grant.

We are recommending approval of a contract with CDW-G for upgrading switches and wireless equipment throughout the campus. This is routine technology equipment replacement activity and will be using a cooperative agreement with the Foundation for the Community Colleges in order to secure the best possible pricing for this activity. You will also note a request to enter into an agreement with RICOH to provide a Data Management System throughout the campus using the US Communities Contract.

Two amendments for existing agreements are included in the agenda. The amendment to the agreement with Lend Lease Construction relates to adding State-funded Instructional Building # 1 at the Compton Center to the list of projects.

Item E recommends the Board Award Bid No. 2015-5 to E.J. Enterprises for a door replacement project. The agenda also includes a recommendation that the Board accept as complete and authorize payment to the Lighting Retrofit project by GonLED.

Routine purchase orders and blanket purchase orders are presented for your ratification.

- D. **Measure E** includes a recommendation to contract with AT&T for the relocation of the existing main point of entry for the college communication hub in the Administration Building. There is also a recommendation to approve a contract amendment with tBP Architecture. The amendment is necessary due to the increase in building size, and expenses for work relating to the main campus entrance which was not included in the original contract. Supplemental Reading Memo #1 is included on this item.

Routine purchase orders and blanket purchase orders are also included for ratification.

- E. **Human Resources** is recommending employment and personnel changes, and the approval of temporary and non-classified service employee actions.

You will note four retirement announcements as well as a number of academic personnel employment recommendations. Robert Daily, Elaine Cannon, Ronald La Fond, and Norbert Maler have submitted their intention to retire effective this month. In addition, two classified employees have submitted their intention to retire: Willie Peterson and Dwayne Hayden.

Letter to the Board of Trustees
May 12, 2016

The agenda also reflects the volume of hiring activity this spring. It includes a recommendation for fifteen new full-time faculty hires for Fall 2016. Stipend Assignments and Special Assignments for summer activities are also included in the agenda.

- F. **Compton Center** report includes a request for approval of 31 El Camino College Compton Center students and four faculty/staff chaperones in the Hispanic Serving Institutions (HSI) College Tour in May 2016. The Compton Center student equity funds will cover the cost of the tour, which will include visits to four HSI universities in Texas. The Compton Center report also includes an update on accreditation, Compton Center enrollment, the 2016/17 Compton Center Tentative Budget Assumptions, and an update on Compton Center hiring activities.

Supplemental Reading Memo #2 is a recommendation regarding Board Member travel. Board Policy 2735 stipulates that the members of the Board shall have travel expenses paid whenever traveling as representatives of and perform services directed by the Board. There is no associated Administrative Procedure for this policy. Included with the memo is background on the past three years of Board travel and budget information. My recommendation is that the Board annually determine its plan for conference and professional development activities within the budget provided by the District.

Supplemental reading includes the following:

1. Memo from Ms. Jo Ann Higdon regarding Contract Amendment: tBP Architecture – Administration Building Replacement Project
2. Memo from Superintendent/President Dena Maloney regarding Recommendation for Board Member Professional Development/Travel
3. Memo from Ms. Ann Garten regarding Follow Up from April Board Meeting

If you have any questions, comments or concerns about the agenda, please feel free to call me or Ms. Cindy Constantino prior to the Board meeting. I will be available in my office at 3:00 p.m. to meet with you prior to the Board meeting which follows at 4:00 p.m. on Monday, May 16, 2016.

Sincerely,



Dena P. Maloney, Ed.D.
Superintendent/President



EL CAMINO COMMUNITY COLLEGE DISTRICT

16007 Crenshaw Boulevard, Torrance, California 90506-0001

Telephone (310) 532-3670 or 1-866-ELCAMINO

www.elcamino.edu

May 10, 2016

To: President Dena P. Maloney

From: Jo Ann Higdon, M.P.A.

Subject: Contract Amendment: tBP Architecture - Administration Building
Replacement Project - Item C, Page E3

Throughout the planning and programming of the Administration Building, staff, faculty, and students have expressed concern with the traffic congestion and safety on the frontage road and intersection onto Crenshaw Boulevard. The citing of the Administration Building is dependent upon a resolution of this traffic challenge. Thus, the modification to the entrance of the campus must be included in their plans. The additional cost for these services is \$53,000.

The initial contract with tBP was based upon a 20,000 square foot building. As design progressed, the building size and cost have increased. The estimated cost of \$1.2 million, results in an increased fee of \$96,000 (8% of \$1.2 million).


These two items combined result in the \$149,000 change order.

Jo Ann Higdon, M.P.A.

Vice President Administrative Services

DATE: May 10, 2016

TO: El Camino College District Board of Trustees

FROM: Dena P. Maloney, Ed.D. 
Superintendent/President

RE: Recommendation for Board Member Professional
Development/Travel

Board Policy 2735 stipulates that “members of the Board shall have travel expenses paid whenever they travel as representatives of and perform services directed by the Board.” This policy references Education Code Section 72423. The policy was adopted January 16, 2001 and was last reviewed by the Board of Trustees on April 13, 2015.

There are two important parts to Board Policy 2735. First, the policy indicates that expenses will be paid when Board members travel as representatives of the Board. Second, expenses shall be paid when Board members perform services directed by the Board. Absent these two components, Board member travel will not be paid by the District.

For the past three years, the District has budgeted \$12,000 for Board member travel. Supplemental Reading #2 details a four-year history of Board professional development/travel expenditures.

I recommend that the Board annually establish its professional development goals and associated conference attendance and travel plans for the year. This practice will ensure that the Board is meeting the two components of the policy through the intentional establishment of Board representation and direction by the Board for travel.

There are no written administrative procedures for Board Policy 2735. Over the coming months, I will develop an administrative procedure and will bring it to the Board as an information item.

Board of Trustees Conferences Account 11-55220-00-660000-5001

Three Year Comparison

Date of Report: May 9, 2016

	2012-13	2013-14	2014-15	2015-16
Budgeted	6,000	12,000	12,000	12,000
Total Expended	3849.25	5890.22	6133.29	7350.88

Conferences Attended 2012-13

Ken Brown	CCLC Trustee/Legislative Conference	January 25-28, 2013
Ray Gen	CCLC Trustee/Legislative Conference	January 25-28, 2013
Student Trustee	CCLC Student Trustee Conference	August 2013

Conferences Attended 2013-14

Ken Brown	CCLC Trustee Legislative Conference	January 25-27, 2014
Mary Combs	CCLC Trustee Legislative Conference	January 24-27, 2014
John Vargas	CCLC Trustee Legislative Conference	January 24-27, 2014
Student Trustee	CCLC Trustee Legislative Conference	January 25-27, 2014

Conferences Attended 2014-15

Student Trustee	CCLC Student Trustee Conference	August 8-9, 2014
John Vargas	LACOE Superintendent Fall Convocation	October 30, 2015
Ken Brown	CCLC Trustee Legislative Conference	January 23-26, 2015
John Vargas	CCLC Trustee Legislative Conference	January 23-26, 2015
Ken Brown	CCLC Trustee Conference	May 1-2, 2015

Conferences Attended 2015-16 (Through May 1, 2016)

Ken Brown	CCLC Annual Conference	November 20, 2015
Ken Brown	CCLC Trustee Legislative Conference	Jan. 30-Feb. 2, 2016
Cliff Numark	CCLC Trustee Legislative Conference	Jan. 30-Feb. 1, 2016
John Vargas	CCLC Trustee Legislative Conference	Jan. 29-Feb. 1, 2016
Bill Beverly	CCLC Excellence in Trusteeship Training Program	
Ken Brown	CCLC Excellence in Trusteeship Training Program	
Mary Combs	CCLC Excellence in Trusteeship Training Program	
Cliff Numark	CCLC Excellence in Trusteeship Training Program	
John Vargas	CCLC Excellence in Trusteeship Training Program	
John Vargas	LACSTA Association Meeting	February 29, 2016
Ken Brown	Inglewood State of the City	April 21, 2016
Ken Brown	CCLC Annual Trustee Conference	Apr. 29-May 1, 2016
John Vargas	CCLC Annual Trustee Conference	Apr. 29-May 1, 2016



EL CAMINO COMMUNITY COLLEGE DISTRICT

16007 Crenshaw Boulevard, Torrance, California 90506-0001

Telephone (310) 532-3670 or 1-866-ELCAMINO

www.elcamino.edu

M-E-M-O-R-A-N-D-U-M

Date: May 16, 2016

To: President Maloney

From: Ann M. Garten
Director, Community Relations

Re: Follow Up From April Board Meeting

This memorandum includes information in response to questions from the Board of Trustees during the April 18, 2016 meeting. The first item is in reference to an increase in the contract amount for Angalet & Associates.

Angalet and Associates provides marketing services for the Business Training Center's (BTC) Employment Training Panel (ETP) program. According to information provided by BTC Dean Jose Anaya, the increase in the contract amount is based on the BTC's request for increased marketing activities from Angalet and Associates. The ETP market has become very competitive in the past 3 years. Today we are competing for clients with Santa Monica, Los Angeles and Glendale CCDs, as well as other organizations. Three years ago our only competition was Glendale CCD.

The second Board follow up item relates to the RFQ and bid process utilized by the Purchasing Department. Information on this item is attached. Please note, this information from VP Higdon, was previously provided following similar questions during the December 2013 Board meeting.

The attached information includes:

1. Question and Answer in reference to the process for selecting contractors for significant capital projects
2. Board Policy 6340 – Contracts
3. Procedure 501 - District Purchasing Procedures
4. Education Code Sections 20651-20662 - Public Contract Code

Please let me know if additional information is needed.

BOARD MEMBER FOLLOW UP RE: CONTRACTS**December 16, 2013**

Question: Please describe the process for selecting contractors for significant capital projects (e.g., those exceeding \$500,000), such as International Parking Design, Inc.

Answer:

There is no code requirement for professional services to be bid. Professional services include architects, engineers, legal, accounting, DSA inspectors, etc. The contract for International Parking Design (IPD) falls within this classification. IPD provided services for our multi-story parking structure which opened in 2009. They were also selected for this upcoming project based upon their expertise in parking structure design and prior experience with the college.

The architect selection process for most projects includes solicitation of proposals from architects with experience designing similar types of California community college facilities. A college committee comprising facilities staff, construction management firm staff and users of the proposed facility participate in interviewing and making selection recommendations to the President. The President reviews the committee recommendation, and then presents her recommendation to the Board of Trustees.

Public Contract Code 20651 requires community college districts to competitively bid and award a contract to the lowest responsible, responsive bidder for contracts involving construction exceeding \$15,000 or equipment, material, supplies exceeding \$83,400 (this amount is adjusted annually by the State). For construction projects, the following steps are typical standard operating procedure:

Bid document prepared (by architect, engineer) and reviewed by construction management firm, staff and attorney.

1. Advertising placed.
2. Mandatory pre-bid meeting held; bid document distributed; questions answered; due date of bid reviewed.
3. Prior to the due date of the bid, potential bidders may present questions (RFIs) (normally electronically).
4. Architect/engineer responds to each question and all potential bidders are provided question and answer. Architect may issue drawing addendum.
5. Sealed bids are opened at a specified time in an open venue.
6. Bids are carefully reviewed by college staff and construction management firm. Licenses are verified. Required insurance coverage is documented. Bonds are reviewed. Bid details are review for completeness.
7. Incomplete bids or those not meeting bonding, insurance, licensing requirements are rejected.
8. Responsive bids are then listed and compared to our estimate. If low bid is beyond our dollar value estimate, code allows for the rejection of all bids.
9. Lowest responsible, responsive bidder is moved forward to the Board for their approval. A listing of all viable bidders is also provided in the Board Agenda item.

There are exceptions to the above bidding requirements. One exception is the ability to purchase from the bids of other public agencies. The college does use this exception at times (see example on page 56 of the Board agenda, Item H). Other allowed exceptions are seldom used by the college: energy savings projects, electronic sole source/compatibility, emergencies.

Board Policy 6340**Contracts**

The Board delegates to the Superintendent/President the authority to enter into contracts on behalf of the District and to establish administrative procedures for contract awards and management, subject to the following:

1. Contracts are not enforceable obligations until they are ratified by the Board.
2. Contracts for work to be done, services to be performed or for goods, equipment or supplies to be furnished or sold to the District that exceed the amounts specified in Public Contracts Code Section 20651 shall require prior approval by the Board.
3. When bids are required according to Public Contracts Code Section 20651, the Board shall award each such contract to the lowest responsible bidder who meets the specifications published by the District and who shall give such security as the Board requires, or reject all bids.

If the Superintendent/President concludes that the best interests of the District will be served by pre-qualification of bidders in accordance with Public Contracts Code Section 20651.5, pre-qualification may be conducted in accordance with procedures that provide for a uniform system of rating on the basis of a questionnaire and financial statements.

If the best interests of the District will be served by a contract, lease, requisition or purchase order through any other public corporation or agency in accordance with Public Contracts Code Section 20652, the Superintendent/President is authorized to proceed with a contract.

Reference:

Education Code Sections 81641, et seq.;
Public Contracts Code Sections 20650, et seq.

El Camino College
Adopted: June 11, 2001

Replaces Board Policy # 3538

**Purchasing
Procedure 501
District Purchasing Procedures**

The Purchasing function is one of the major business responsibilities of the Board of Trustees and shall be centralized in the Purchasing Division of the Office of Administrative Services. The Purchasing function shall be under the immediate supervision of the Director of Purchasing, and no other may obligate the District for any expenditure of funds without the prior approval of the Director of Purchasing, Vice President of Administrative Services, Vice President of Student and Personnel Services, or the Business Manager. The District may, at its discretion, decide that any obligation contracted without such Prior approval will become a personal expense of the employee.

The chief function of the Purchasing Division shall be to render an efficient centralized service to all departments, divisions, and offices of the District in the procurement of supplies, equipment, and services within budgetary limitations and established District standards.

To assure the proper satisfaction of requirements, purchase specifications are to be detailed and descriptive, yet sufficiently broad to promote competition among vendors. It is the purpose and intent of the Board of Trustees to provide equal opportunity to all vendors to transact business with the College regardless of race, color, religion, sex, national origin, age, marital status, handicap, or status as a Vietnam-era veteran. The College also seeks to insure that minority owned and/or operated businesses have an equal opportunity for the District's business.

Purchase decisions shall be based upon the philosophy of obtaining maximum value for each dollar expended considering factors of price, quality, applicability, delivery and service within the framework of pertinent County, State and Federal legislation.

The Board of Trustees must approve or ratify all contracts and purchase orders.

A. BOARD RELATIONS

1. All duties of purchasing for the Board of Trustees are centralized under the Purchasing Division with the mechanical function of procurement being delegated to the Purchasing Division by the Board. However, under law, the Board has the sole authority and responsibility for all purchase contracts of the District, and this authority and responsibility cannot be delegated.
2. The main purpose of the Purchasing Division is service to and for the District. To accomplish this purpose, the following fundamental functions must be fulfilled:
 - a. Buy the proper product for the purpose required.
 - b. Have the product available when needed.
 - c. Buy the proper amount of the product.
 - d. Pay the proper price
 - e. Buy without favor or prejudice
3. The Board shall designate District officials who shall be authorized to sign purchase orders and other purchase or contractual obligations of the District.
4. The Purchasing Division shall submit for approval/ratification a listing of all purchase orders written to the Board of Trustees at each scheduled meeting.
5. The action of the Board on all purchase orders shall be recorded in the minutes of the Board Meetings.

B. PURCHASING DIVISION DUTIES

1. The Purchasing Division shall establish practical and efficient office procedures, reports, records and systems for the proper conduct of the department.
2. The Purchasing Division shall conduct, or supervise, all District purchase transactions.
3. The Purchasing Division shall conduct all transactions in accordance with Federal and State laws, rules and regulations of the Board of Trustees, and as approved by legal counsel.
4. The Purchasing Division shall prepare and keep up-to-date a warehouse stock catalog of supplies for District use built around the principles of simplification. The District shall standardize and maintain a system of warehouse inventory control to account for available equipment and supplies to insure that sufficient materials are on hand to assure effective functioning of the District.
5. The Purchasing Division acts as a center of information on sources of supply for the many items used by the District.
6. The Purchasing Division shall maintain a file of current trade catalogs which shall be available for loan to all Divisions.
7. The Purchasing Division shall establish a Purchasing Calendar to consolidate orders, to buy seasonal items at the right time of the year, and to seek price benefits through proper timing and quantity buying. The Divisions shall submit their requests for materials in accordance with the Purchasing Calendar to assure availability of materials when needed and to provide an even work flow for the Purchasing Division.
The Calendar is issued in the fall of each year for the following fiscal year. Requisitions for materials, equipment, and services not listed will be handled as the needs arise.
8. The Purchasing Division shall handle the disposal of all surplus, obsolete or scrap material, as authorized by the Board of Trustees. Materials and equipment cannot be "dumped" or removed from the District even though they may have no further value to a division or program. The process for declaring property surplus is outlined in Management Procedure 503 - Request for Declaring Surplus Property.

C. PURCHASING AND STAFF RELATIONSHIPS

1. All purchasing of equipment, materials and services shall be made by and through the Purchasing Division.
2. Sales people visiting the campus for the purpose of selling products shall first make all contacts through the Purchasing Division.
3. All communications, both oral and written, with suppliers shall be through the Purchasing Division.
4. In interviews with salespeople, no one except members of Purchasing Division shall commit by implication or otherwise, a preference for any product, the District's source of supply, or give any information regarding performance or price which might in any way compromise the District or Purchasing Division.
5. The Purchasing Division shall strive to increase its knowledge of new materials and services and shall endeavor to keep interested parties informed.
6. Employees of the District shall not be financially interested in any contract for goods or services furnished to the District.
7. The Purchasing Division shall seek competent counsel from other divisions regarding matters of common interest.
8. Selection of the material needed is a prerogative of each using Division; however, the Purchasing Division shall have the authority to question the quality and kind of material requested and to make recommendations relative to safety, health, economy, and substitute materials.
9. Requests for rush orders or emergency orders should be held to a minimum.
10. The Purchasing Division will work with staff and committees to study and recommend adoptions and revisions of specifications for materials and equipment best suited for the purpose intended.
11. The District student organizations, Bookstore, and Food Services operations may request

D. PURCHASING AND VENDOR RELATIONSHIPS

1. All suppliers' representatives shall have a hearing relative to their products the first time they call. Subsequent visits shall be promptly acknowledged and interviews granted or not depending upon the circumstances.
2. The Purchasing Division shall not extend favoritism to any vendor. Each order shall be placed on the basis of quality, price, delivery, and past services.
3. All communications shall be answered and acknowledged promptly.
4. All price adjustments, exchanges, cancellations, returns, and negotiating shall be made through the Purchasing Division.
5. The Purchasing Division shall not solicit funds or materials from vendors however worthy the purpose. Arrangements shall be made through Purchasing for the evaluation of materials to be reviewed or examined "on approval".
6. The Purchasing Division shall maintain current vendor or bid lists including vendor names, addresses, and type of materials supplied. Any interested party may request to be placed on the vendor list.
7. Visiting suppliers at their places of business, when advisable, shall be a regular part of the purchasing practice.
8. The Purchasing Division shall assist vendors in obtaining prompt payment when necessary and/or resolution of invoice-connected problems.

E. REQUESTING GOODS AND SERVICES FROM PURCHASING

1. All requests for supplies and equipment shall be subject to the procedures as outlined in the Purchasing Procedures Manual
2. Requests shall be made on the forms provided:
 - a. Non-Stock Purchase Requisition, Form #20020, for materials purchased off campus.
 - b. Warehouse Stock Requisition, Form #20035, for materials listed in the warehouse stock catalog.
3. It shall be the responsibility of the Office of Administrative Services to determine whether or not a requisition is in accordance with the Board of Trustees' Policies, budget allocations, and prevailing laws, rules and regulations.

F. SOLICITATION OF BIDS AND QUOTATIONS

1. Competitive solicitation of prices for all materials, equipment, supplies and services is the responsibility of the Purchasing Division. To achieve this end, the Purchasing Division employs the methods of acquiring materials and services as follows:
 - a. (a) Materials and Equipment
 1. FORMAL BIDDING
By law, the District must solicit prices through a procedure of: advertisement to bid; acceptance of sealed bids; a public opening of bids; and an award to the lowest responsible bidder(s) by the Board of Trustees for all acquisitions over a statutory limit (Education Code #81640, 81641; Public Contract Code 20651).
 2. WRITTEN QUOTATIONS
For acquisition of materials and equipment from \$3,500.01, including tax, to the statutory limit for bidding, the Purchasing Division may issue a purchase order after obtaining a minimum of three (3) written quotations.
 3. ORAL QUOTATIONS
The acquisition of materials and equipment totaling \$3,500.00 or less, including sales tax, may be made by issuing a purchase order after receiving one or more competitive oral quotations.
 - b. Repairs and Services

3. FORMAL BIDDING

By law, the District must solicit prices through a procedure of: advertisement to bid; acceptance of sealed bids; a public opening of bids; and an award by the Board of Trustees to the lowest responsible bidder(s) for all contracted services over the statutory limit (Education Code #81640, 81641; Public Contract Code #20651).

4. WRITTEN QUOTATIONS

For acquisition of contracted services totaling \$3,500.01, including tax, to the statutory minimum limit for formal bidding, the Purchasing Division may issue a purchase order after obtaining at least three (3) written quotations.

5. ORAL QUOTATIONS

The acquisition of contracted services totaling \$3,500.00 or less, including sales tax, may be made by issuing a purchase order after receiving one or more oral quotations.

6. IN ADDITION, THE CONTRACTOR MAY BE REQUIRED TO FURNISH A:

- a. Bid Bond
- b. Performance Bond
- c. Payment Bond
- d. Worker's Compensation Certificate
- e. Public Liability Insurance Certificate

- Competitive bidding shall be practiced whenever practical or required by law and shall be clear and complete, setting forth all conditions necessary to bid.
- The Purchasing Division shall periodically estimate requirements of standard items or classes of items and make quantity purchases, thereby effecting savings. Whenever storage facilities or other conditions make it impractical to receive all of any items at one time, the total quantity should be bid and staggered delivery dates made a part of the bid specifications.
- The Purchasing Division shall seek bids from those sources able to offer the best prices, consistent with quality delivery, and service.
- Purchases will be made within the District whenever quality, price and service are equal to or lower than sources outside the District.
- Bids shall be opened in public at the prescribed time and place and tabulated for study.
- After bids have been opened and tabulated, they will be available for those interested to make notations or review. The bids shall not, however, be removed from the Purchasing Office.
- Awards shall be made to the lowest responsible bidder(s) meeting specifications. In the event of tie bids, the following procedures shall be followed:
 - a. Award to the bidder that offers an advantageous cash payment discount.
 - b. Award to the bidder offering a significantly favorable delivery promise.
 - c. Award to the bidder whose place of business is located in the El Camino Community College District.
 - d. Award to the bidder whose place of business is located in the County of Los Angeles.
 - e. Award to the bidder whose place of business is located within the State of California.
 - f. Award to the bidder that is awarded a substantial number of other items in a multiple item bid.
 - g. Award by the flip of a coin between the low bidders.

PUBLIC CONTRACT CODE

SECTION 20650-20662

20650. The provisions of this article shall apply to contracts by community college districts as provided for in Part 49 (commencing with Section 81000) of the Education Code.

20651. (a) The governing board of any community college district shall let any contracts involving an expenditure of more than fifty thousand dollars (\$50,000) for any of the following:

- (1) The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district.
- (2) Services, except construction services.
- (3) Repairs, including maintenance as defined in Section 20656, that are not a public project as defined in subdivision (c) of Section 22002.

The contract shall be let to the lowest responsible bidder who shall give security as the board requires, or else reject all bids.

(b) The governing board shall let any contract for a public project, as defined in subdivision (c) of Section 22002, involving an expenditure of fifteen thousand dollars (\$15,000) or more to the lowest responsible bidder who shall give security as the board requires, or else reject all bids. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security:

- (1) Cash.
- (2) A cashier's check made payable to the community college district.
- (3) A certified check made payable to the community college district.
- (4) A bidder's bond executed by an admitted surety insurer, made payable to the community college district.

Upon an award to the lowest bidder, the security of an unsuccessful bidder shall be returned in a reasonable period of time, but in no event shall that security be held by the district beyond 60 days from the time the award is made.

(c) This section applies to all equipment, materials, or supplies, whether patented or otherwise. This section shall not apply to professional services or advice, insurance services, or any other purchase or service otherwise exempt from this section, or to any works done by day labor or by force account pursuant to Section 20655.

(d) Commencing January 1, 1997, the Board of Governors of the California Community Colleges shall annually adjust the dollar amounts specified in subdivision (a) to reflect the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the prior fiscal year. The annual adjustments shall be rounded to the nearest one hundred dollars (\$100).

20651.2. (a) Notwithstanding any other law, including, but not limited to, the advertising, bidding, and protest provisions of this article and Division 7 (commencing with Section 70900) of Title 3 of the Education Code, but subject to Section 88003.1, the governing board of a community college district may award a contract for the acquisition of goods, services, or information technology that has an

estimated value of greater than five thousand dollars (\$5,000), but less than two hundred fifty thousand dollars (\$250,000), to a certified small business, including a microbusiness, or to a disabled veteran business enterprise, if the community college district obtains price quotations from two or more certified small businesses, including microbusinesses, or from two or more disabled veteran business enterprises.

(b) In carrying out subdivision (a), a community college district shall consider a responsive offer timely received from a responsible certified small business, including a microbusiness, or from a disabled veteran business enterprise.

(c) The definitions set forth in Section 14837 of the Government Code apply to this section.

20651.5. (a) The governing board of any community college district may require each prospective bidder for a contract, as described under Section 20651, to complete and submit to the district a standardized questionnaire and financial statement in a form specified by the district, including a complete statement of the prospective bidder's financial ability and experience in performing public works. The questionnaire and financial statement shall be verified under oath by the bidder in the manner in which civil pleadings in civil actions are verified. The questionnaire responses of prospective bidders and their financial statements shall not be deemed public records and shall not be open to public inspection.

(b) Any community college district requiring prospective bidders to complete and submit questionnaires and financial statements, as described in subdivision (a), shall adopt and apply a uniform system of rating bidders on the basis of the completed questionnaires and financial statements, in order to determine the size of the contracts upon which each bidder shall be deemed financially qualified to bid. The prequalification of a prospective bidder shall neither limit nor preclude a district's subsequent consideration of a prequalified bidder's responsibility on factors other than the prospective bidder's financial qualifications.

(c) Each prospective bidder on any contract described under Section 20651 that is subject to this section shall be furnished, by the community college district letting the contract, with a standardized proposal form that, when completed and executed, shall be submitted as his or her bid. Bids not presented on the forms so furnished shall be deemed nonresponsive and shall be rejected. A proposal form shall not be accepted from any person who, or other entity which, is required to submit a completed questionnaire and financial statement for prequalification pursuant to subdivision (a), but who or which has not done so at least five days prior to the date fixed for the public opening of sealed bids and has not been prequalified, pursuant to subdivision (b), at least one day prior to that date.

20651.7. (a) For the purposes of bid evaluation and selection pursuant to subdivision (a) of Section 20651, when a community college district determines that it can expect long-term savings through the use of life-cycle cost methodology, the use of more sustainable goods and materials, and reduced administrative costs, the community college district may provide for the selection of the lowest responsible bidder on the basis of best value pursuant to policies and procedures adopted by the governing board in accordance with this section.

(b) For purposes of this section, "best value" means the most

advantageous balance of price, quality, service, performance, and other elements, as defined by the governing board, achieved through methods in accordance with this section and determined by objective performance criteria that may include price, features, long-term functionality, life-cycle costs, overall sustainability, and required services.

(c) A community college district shall consider all of the following when adopting best value policies pursuant to subdivision (a):

(1) Price and service level proposals that reduce the district's overall operating costs, including end-of-life expenditures and impact.

(2) Equipment, services, supplies, and materials standards that support the community college district's strategic acquisition and management program direction.

(3) A procedure for protest and resolution.

(d) A community college district may consider any of the following factors if adopting policies and procedures pursuant to subdivision (c):

(1) The total cost to the community college district of its purchase, use, and consumption of equipment, supplies, and materials.

(2) The operational cost or benefit incurred by the community college district as a result of a contract award.

(3) The added value to the community college district, as defined in the request for proposal, of vendor-added services.

(4) The quality and effectiveness of equipment, supplies, materials, and services.

(5) The reliability of delivery and installation schedules.

(6) The terms and conditions of product warranties and vendor guarantees.

(7) The financial stability of the vendor.

(8) The vendor's quality assurance program.

(9) The vendor's experience with the provisions of equipment, supplies, materials, and services within the institutional marketplace.

(10) The consistency of the vendor's proposed equipment, supplies, materials, and services with the district's overall supplies and materials procurement program.

(11) The economic benefits to the local community, including, but not limited to, job creation and retention.

(12) The environmental benefits to the local community.

(e) A community college district awarding a contract under this section shall award a contract to the lowest responsible bidder whose proposal is determined, in writing by the community college district, to be the best value to the community college district based solely on the criteria set forth in the request for proposal.

(f) The governing board of a community college district shall issue a written notice of intent to award supporting its contract award and stating in detail the basis of the award. The notice of the intent to award and the contract file must be sufficient to satisfy an external audit.

(g) The governing board of a community college district shall publicly announce its award, identifying the bidder to which the award is made, the price proposal of the contractor awarded the contract, and the overall combined rating on the request for proposal evaluation factors. The announcement shall also include the ranking of the contractor awarded the contract in relation to all other responsive bidders and their respective price proposals and summary of the rationale for the contract award.

(h) The community college district shall ensure that all businesses have a fair and equitable opportunity to compete for, and participate in, district contracts and shall also ensure that discrimination, as described in subdivision (e) of Section 12751.3 of

the Public Utilities Code, in the award and performance of contracts does not occur.

(i) (1) If a community college district elects to purchase equipment, materials, supplies, and services by contract, let in accordance with this section, the community college district shall submit the following information to the Chancellor of the California Community Colleges on or before January 1, 2016:

(A) The community college district's policies adopted pursuant to subdivision (a).

(B) An annual list of district procurements for contracts with a brief description of the contract, the winning bid, the cost, and if the contract was done under best value acquisition policies.

(C) For a contract awarded under the best value acquisition policies, the bid announcement announcing the bidder to which the award was made, including that bidder's scoring rating compared to other bidders, the winning contractor's price proposal, the overall combined rating on the request for proposal evaluation factors, a description of the products, commodities, or services sought, and a summary of the rationale for the contract award.

(D) For each contract awarded using the best value acquisition policies at least one bid award announcement for a comparably priced contract using the traditional lowest responsible bidder process that specifies the bidder to which the contract was awarded, the amount of the award, and the request for bid for that contract that includes a description of the products, commodities, or services sought for at least one comparably sized contract, to the best value contract being let, awarded pursuant to the traditional lowest responsible bidder process including contracts awarded by the district in the three years prior to the adoption of best value acquisition policies by the district.

(E) For contracts awarded using best value, a summary of any additional economic benefit other than the price of the contract obtained, including an explanation of whether these benefits were realized as expected.

(F) The total number of bid protests or protests concerning an aspect of the solicitation, bid, or award of the agreement since the district adopted policies pursuant to subdivision (a) and the number of those protests that occurred under best value.

(G) A description of any written bid protest or protests concerning an aspect of the solicitation, bid, or award of the agreement including the resolution of the protest for any contract submitted pursuant to this section.

(2) The Legislative Analyst shall request the chancellor to provide the information specified in paragraph (1) to the Legislative Analyst on or before July 1, 2016. On or before February 1, 2017, the Legislative Analyst shall report to the Legislature on the use of competitive means for obtaining best value procurement by community college districts. The Legislative Analyst shall use the information provided by the chancellor to report all of the following:

(A) A summary of the overall benefits of best value acquisition.

(B) A comparison of the overall cost of contracts let under best value acquisition pursuant to this section to similar contracts let under traditional low bid procurement practices.

(C) An assessment of any benefits or disadvantages of best value procurement practices as compared to bids awarded to the lowest responsible bidder.

(D) An assessment of whether the use of best value procurement has led to a difference in the number of disputes as compared to contracts awarded using the traditional lowest responsible bidder method.

(E) An assessment of the policies adopted by the community college districts pursuant to subdivision (a) as well as an assessment of the overall performance criteria used to evaluate the bids and the

effectiveness of the methodology.

(F) Recommendations as to whether the best value at lowest cost acquisition procurement authority should be continued.

(j) This section shall remain in effect only until January 1, 2018, and as of that date is repealed.

20652. Notwithstanding any other provisions of Sections 81640 to 81654, inclusive, of the Education Code, or of Sections 20651 to 20659, inclusive, of this code, the governing board of any community college district without advertising for bids, and when that board has determined it to be in the best interests of the district, may authorize by contract, lease, requisition, or purchase order, any public corporation or agency, including any county, city, town, or district, to lease data-processing equipment, purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner in which the public corporation or agency is authorized by law to make the leases or purchases. Upon receipt of any such personal property, provided the property complies with the specifications set forth in the contract, lease, requisition, or purchase order, the community college district may draw a warrant in favor of the public corporation or agency for the amount of the approved invoice, including the reasonable costs to the public corporation or agency for furnishing the services incidental to the lease or purchase of the personal property. Alternatively, if there is an existing contract between a public corporation or agency and a vendor for the lease or purchase of the personal property, a community college district may authorize the lease or purchase of the personal property directly from the vendor by contract, lease, requisition, or purchase order and make payment to the vendor under the same terms that are available to the public corporation or agency under the contract.

20653. Nothing in this code shall preclude the governing board of any community college district from purchasing materials, equipment or supplies through the Department of General Services pursuant to Section 14814 of the Government Code.

20654. (a) In an emergency when 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, the board may by unanimous vote, with the approval of the county superintendent of schools, do either of the following:

(1) Make a contract in writing or otherwise on behalf of the district for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids.

(2) Notwithstanding Section 20655, authorize the use of day labor or force account for the purpose.

(b) Nothing in this section shall eliminate the need for any bonds or security otherwise required by law.

20655. (a) In each community college district, the governing board may make repairs, alterations, additions, or painting, repainting, or decorating upon school buildings, repair or build apparatus or equipment, make improvements on the school grounds, erect new buildings, and perform maintenance as defined in Section 20656 by day

labor, or by force account, whenever the total number of hours on the job does not exceed 350 hours. Moreover, in any district whose number of full-time equivalent students is 15,000 or greater, the governing board may, in addition, make repairs to school buildings, grounds, apparatus, or equipment, including painting or repainting, and perform maintenance, as defined in Section 20656, by day labor or by force account whenever the total number of hours on the job does not exceed 750 hours, or when the cost of materials does not exceed twenty-one thousand dollars (\$21,000).

(b) For purposes of this section, day labor shall include the use of maintenance personnel employed on a permanent or temporary basis.

20656. For purposes of Section 20655, "maintenance" means routine, recurring, and usual work for the preservation, protection and keeping of any publicly owned or publicly operated facility for its intended purposes in a safe and continually usable condition for which it was designed, improved, constructed, altered or repaired. "Facility" means any plant, building, structure, ground facility, utility system, or real property.

This definition of "maintenance" expressly includes, but is not limited to: carpentry, electrical, plumbing, glazing, and other craft work designed consistent with the definition set forth above to preserve the facility in a safe, efficient, and continually usable condition for which it was intended, including repairs, cleaning, and other operations on machinery and other equipment permanently attached to the building or realty as fixtures.

This definition does not include, among other types of work, janitorial or custodial services and protection of the sort provided by guards or other security forces.

It is the intent of the Legislature that this definition does not include painting, repainting, or decorating other than touchup, but instead it is the intent of the Legislature that such activities be controlled directly by the provisions of Section 20655.

20657. It shall be unlawful to split or separate into smaller work orders or projects any work, project, service, or purchase for the purpose of evading the provisions of this article requiring contracting after competitive bidding.

The district shall maintain job orders or similar records indicating the total cost expended on each project in accordance with the procedures established in the most recent edition of the California Community College Budget and Accounting Manual for a period of not less than three years after completion of the project.

Informal bidding may be used on work, projects, services, or purchases that cost up to the limits set forth in this article. For the purpose of securing informal bids, the board shall publish annually in a newspaper of general circulation published in the district, or if there is no such newspaper, then in some newspaper in general circulation in the county, a notice inviting contractors to register to be notified of future informal bidding projects. All contractors included on the informal bidding list shall be given notice of all informal bid projects, in any manner as the district deems appropriate.

20658. The governing board of any community college district may by majority vote authorize its district superintendent, or such person as he or she may designate, to expend up to two hundred fifty dollars

(\$250) per transaction for work done, compensation for employees or consultants, and purchases of equipment, supplies, or materials. Ratification by the governing board shall not be required with respect to transactions entered into pursuant to this section. In the event of malfeasance in office, the district official invested by the governing board with authority to act under this section shall be personally liable for any and all moneys of the district paid out as a result of such malfeasance.

20659. If any change or alteration of a contract governed by the provisions of this article is ordered by the governing board of the community college district, such change or alteration shall be specified in writing and the cost agreed upon between the governing board and the contractor. The board may authorize the contractor to proceed with performance of the change or alteration without the formality of securing bids, if the cost so agreed upon does not exceed the greater of:

- (a) The amount specified in Section 20651 or 20655, whichever is applicable to the original contract; or
- (b) Ten percent of the original contract price.

20660. Perishable food stuffs and seasonal commodities needed in the operation of cafeterias and food services may be purchased by a community college district in accordance with rules and regulations for the purchase adopted by the governing board of that district, notwithstanding any provisions of this code in conflict with the rules and regulations.

20661. (a) The Chancellor of the California Community Colleges is authorized to enter into a contract on behalf of one or more community college districts, subject to the following restrictions:

- (1) No district may be required to participate in any contract entered into pursuant to this section.
- (2) The cost to each district that is a party to or a beneficiary of a contract entered into pursuant to this section must be lower than the cost the district could obtain through its standard contracting procedures. No contract for the procurement of goods or services may be made when a bid has been received by a participating district for the procurement of the same goods or services unless the contract would result in a lower price for the goods or services upon the same terms, conditions, and specifications.
- (3) The state shall not incur any financial responsibility in connection with a contract entered into pursuant to this section.

(b) The Chancellor of the California Community Colleges is authorized to charge a fee, commission, or other charge to either or both of the following:

- (1) Each provider of goods or services under a contract entered into pursuant to this section.
- (2) Each community college district that the chancellor enters into a contract on behalf of pursuant to this section.

(c) On or before January 1, 2001, the Chancellor of the California Community Colleges shall report to the Legislature and the Governor on contracts entered into pursuant to this section and any resultant cost savings.

(d) The Board of Governors of the California Community Colleges shall adopt regulations to implement this section.

20662. The Chancellor of the California Community Colleges is authorized to enter into a contract or other agreement with the governing board of any community college district whereby the district performs services or acts as a fiscal agent on behalf of the California Community colleges. This section shall apply only when the funds for the contract or agreement are in satisfaction of the state obligation to provide funding pursuant to Section 8 of Article XVI of the California Constitution.
