

AP 6340 Bids and Contracts

References:

NWCCU 2010 Standard 2.A.26
ORS 279A, 279B
Community College Rules of Procurement

NOTE: Members of the Participating Oregon Community Colleges (POCC) that have adopted the Community College Rules of Procurement (CCRP) follow those rules related to public contracting and consistent with ORS 279A, and 279B.

Department: The Contract and Procurement Office is responsible to ensure that the following is completed and that all statutory requirements are met.

Contact: Contract and Procurement Director (541) 956-7200

Limits

To ensure fair competition and appropriate use of public funds, proposals, bids or quotations shall be obtained to obtain the lowest possible prices and best value as follows:

- Contracts for the purchase of goods or services in the amount of \$10,000 or more will require at least three (3) documented quotes.
- Contracts for the purchase of goods or services in the amount of \$75,000 or more will require a formal solicitation process (Request for Proposal, Invitation to Bid).
- Contracts for Architecture and Engineering and Related Services must be awarded through a formal solicitation process for any contract anticipated to be \$100,000 or more.

Contracts in the amount of \$50,000 or more must be approved by the College's Board of Education prior to purchase and/or award.

- The College President may approve an exception if it is determined that immediate action should be taken to avoid adverse action to College business or for circumstances that will impede educational processes. In the case of such an exception, the College President shall notify the Board of Education of the exception within a reasonable time period. Exceptions shall be documented and approved by the Board of Education through formal resolution at the next scheduled Board of Education Meeting.

Bid and/or Contract Specifications

Bid and/or Contract specifications shall include a definite, complete statement of work, what is required and, insofar as practical, shall include pertinent details of size, composition, construction, and minimum standards of efficiency, durability, or utility required of what is specified.

Formal Solicitation Requirements

Formal Solicitations are required for any contract for good or services in the amount of \$75,000 or more. Formal solicitations shall follow prescribed statutory requirements as indicated in the Oregon Revised Statute, Oregon Administrative Rule and the Community College rules of Procurement.

Formal Solicitations shall be prepared and maintained by The Contract and Procurement Office. All applicable statutory provisions and board policies shall be observed in preparation of all solicitations.

The Contract and Procurement Director or designee shall be responsible for insuring that the bid specifications are sufficiently broad to encourage and promote open competitive bidding.

The Contract and Procurement Director or designee shall be responsible for insuring that bidders comply with any requirements to provide bid bonds or performance bonds.

Contract and Procurement Director or designee shall make available to the prospective bidders/proposers all solicitation information including, bid forms, specifications and drawings online or through a builders exchange.

Awarding of Bids and Contracts

The awarding contracts from a formal solicitation shall be subject to the following conditions:

- Any and all bids and proposals may be rejected if not in the best interest of the College.
- Bids may be opened publicly so that the bidder is given the opportunity to make record of the bids received.
- Contract award recommendations to the Board of Education shall show a tabulation of the bids received in reasonable detail.
- Contract awards shall be made to the lowest responsible bidder substantially meeting the requirements of the specifications for solicitations by an Invitation to Bid or Request for Quote process. The College 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.
- Contract awards shall be made to the proposer with the highest ranking score who is found to be responsible and responsive to the Request for Proposal. The award should be in the best interest of the College and not necessarily based on the lowest cost.
- Contract awards for Architect, Engineering and Related Services shall be awarded based on the highest ranking in a Request for Qualifications process. Request for Qualifications (RFQ) scoring criteria is to be



determined and written in the RFQ and cannot consider pricing. The highest ranking proposer will be offered an opportunity to negotiate with the College to determine costs. Negotiations shall follow statutory requirements.

Contracts through a State of Oregon Price Agreement or an acceptable Cooperative Procurement Group that meets statutory requirements are exempt for the above solicitation requirements. These contracts do require approval by the Board of Education for \$50,000 or more.

Duration of Continuing Contracts for Services and Supplies

Continuing contracts for good or services furnished to the College are not to exceed five (5) years, unless Board of Education approved.

Emergency Contracts or Purchases

In the case of an emergency formal solicitation policies shall be waived and emergency procurements should be made consistent with all statutory requirements as designated under ORS 279B.080.

Rescinds Procedure Number: None

Approved: November 5, 2019