



## ADMINISTRATIVE PROCEDURE

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**TITLE: Bids and Contracts**

**ADMINISTRATIVE PROCEDURE # 6340**

**RELATED TO POLICY # 6340 BIDS AND CONTRACTS**

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*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.*

### **A. Limits**

1. To ensure fair competition and appropriate use of public funds, proposals, bids or quotations shall be obtained to ensure the lowest possible prices and best value as follows:
  - a. Contracts for the purchase of goods or services in the amount of \$10,000 or more require at least three (3) documented quotes.
  - b. Contracts for the purchase of goods or services in the amount of \$150,000 or more require a formal solicitation process (Request for Proposal, Invitation to Bid, etc.).
  - c. Contracts for Architecture, Engineering, and Related Services must be awarded through a formal solicitation process when anticipated to be \$100,000 or more. When a continuation of a project requires additional funds, the originally contracted firm may be retained up to \$250,000 without competitive process. (CCR.301).

### **B. 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.

### **C. Formal Solicitation Requirements**

1. Formal Solicitations are required for any contract for goods or services in the amount of \$150,000 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.

2. Formal Solicitations shall be prepared and maintained by the Purchasing department. All applicable statutory provisions and board policies shall be observed in preparation of all solicitations.
3. The Purchasing Manager or designee shall be responsible for insuring that the bid specifications are sufficiently broad to encourage and promote open competitive bidding.
4. Purchasing Manager or designee shall be responsible for insuring that bidders comply with any requirements to provide bid bonds or performance bonds.
5. Purchasing Manager or designee shall make available to the prospective bidders/proposers all solicitation information equally including, bid forms, specifications and drawings to ensure fairness and competitive balance.

#### **D. Awarding of Bids and Contracts**

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

1. Any and all Bids and Proposals may be rejected if not in the best interest of the College.
2. Bids may be opened publicly so that the bidders are given the opportunity to make record of the bids received.
3. Contract award recommendations to the Board of Education shall show a tabulation of the bids received in reasonable detail.
4. A contract award in a Bid or Quote process shall be determined on lowest cost received from a responsive and responsible Bidder that meets all the requirements of the Bid. 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.
5. Requests for Proposals seek outside expertise related to the project. Criteria such as process, planning, scheduling, staff experience, and qualifications may be considered along with cost. Contract awards for Proposals require a formal evaluation process, which is designed to determine the Proposal most advantageous to the College by taking all stated criteria into consideration. Awards shall be made to the responsive and responsible Proposer that is determined to best meet the requirements of the Solicitation and is determined to be in the best interest of the College.
6. 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.

7. 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 require approval by the Board of Education for \$150,000 or more.

**E. Duration of Continuing Contracts for Services and Supplies**

Continuing contracts for good or services furnished to the College are not to exceed seven (7) years, unless Board of Education approved.

**F. 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.

**REFERENCES:**

2 Code of Federal Regulations Part 200.318  
NWCCU Standard 2.A.26  
ORS 279A, 279B  
Community College Rules of Procurement

**RESPONSIBILITY:**

The Purchasing Manager is responsible for implementing and updating this procedure.

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**NEXT REVIEW DATE:**

**DATE OF ADOPTION: 2/10/2021 by CC**

**DATE(S) OF REVISION:**

**DATE(S) OF PRIOR REVIEW:**