AP 6330 Purchasing Procedure

Purpose

The purpose of this procedure is to ensure that all purchasing and contracting for goods and services shall be conducted in accordance with the Education Code, the Public Contract Code, and all other applicable State and Federal regulations. Expenditures must not exceed the approved appropriation as itemized in the official or amended budget unless specifically authorized by action of the Board of Trustees in most instances.

Pursuant to Education Code section 81656, the Board of Trustees, by majority vote, delegates to designated officers or employees of the District the authority to purchase supplies, materials, apparatus, equipment, and services on behalf of the District, subject to limits prescribed by the Board as to time, money, and subject matter. No delegation of authority shall permit any officer or employee to make a purchase or enter into a contract that exceeds the competitive bidding thresholds set forth in Public Contract Code section 20651, as annually adjusted by the California Community Colleges Chancellor's Office. All transactions entered into under this delegation of authority shall be reviewed by the Board of Trustees at intervals not to exceed 60 days.

General Information

Purchases for Victor Valley College's (VVC) must be made in a manner that is prudent and fiscally responsible and must follow all purchasing procedures which satisfy the requirements of federal, state, and independent auditors. Purchasing procedures include: requisitions, Cal-Cards, reimbursement, etc.

Purchase Requisition Process

The District uses the San Bernardino County Superintendent of Schools software called COMPASSedu to create electronic requisitions. Users are assigned logons and create their own passwords. Access to Department's account numbers are given to users. Users need to verify funds that are available to purchase goods and services. If funding is not available in the correct account, a budget transfer must be requested and electronically communicated to the Budget Office or Fiscal Services, as appropriate. All budget transaction requests must be approved by the budget manager.

Supplies and services must be acquired from district-approved vendors. The department should receive at least three (3) quotes/proposals to secure the best value. Make sure the quote/proposal includes shipping charges, tax and any additional charges when applicable. Upon selection of a vendor ensure the "remit to" address and fax numbers are accurate. If not an existing vendor, a W-9 form must be received from the vendor and sent to the Purchasing Department. If the request is for services, the original contract must be signed and sent to the Purchasing Department. Equipment,

Approved by College Council: October 7, 2026
Approved by Superintendent/President: October 19, 2026

supplies and services that affect operations of the institution must gain approval of the pertinent administrator with oversight of the commodity/service being acquired. Any services in excess of the Board of Trustees approved limits must be submitted to the Board of Trustees for ratification and/or prior-approval.

Purchases go through an electronic approval process before arriving in Purchasing. The department budget manager must approve all budget transfers. Make sure the requisition is itemized each line item from the quote/contract/agreement is to be added. It is the department's responsibility to attach all required backup documentation (contracts, agreements, board approvals, W-9s, etc.) to the electronic requisition prior to routing to the Purchasing Department. If a requisition is created but not approved, it is the department's responsibility to void it.

Once a requisition is received in the Purchasing Department, a purchase order will be issued within seven (7) business days, contingent upon receipt of all required documentation. In the event documentation is needed, the Purchasing Department will contact the appropriate department to advise them of what is needed. If the requested information is not obtained, the requisition will be rejected.

The Purchasing Department reviews each requisition for completeness, budget availability, and ensures the account number aligns with the type of purchase. If the item ordered is a fixed asset or equipment costing $500 or more, it will be flagged as a fixed asset in the COMPASSedu system. The Director of Fiscal Services, or other authorized signatory, reviews each purchase order before signing. Once the purchase order is approved, the distribution of the purchase order shall include electronic transmission to the vendor and requestor, with a complete copy and all supporting documentation provided to Accounts Payable.

If purchases are made without following the above procedures, an After-the-Fact Acquisition Justification form must be completed and sent with the requisition to the Fiscal Services Department for processing.

Federal Grants

Prior to issuing a purchase order using federal funds, the Purchasing Department shall verify that the vendor is not excluded or debarred by checking the System for Award Management (SAM.gov), consistent with federal suspension and debarment requirements (e.g., 2 CFR part 180).

Public Works

CUPCCAA: The District is a participant in the California Uniform Public Construction Cost Accounting Act. Public works projects shall be processed in accordance with CUPCCAA thresholds and procedures. Bid splitting or separation of projects for the purpose of avoiding CUPCCAA thresholds or Board approval is strictly prohibited.

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Competitive Bidding – Non-Construction

Pursuant to Public Contract Code section 20651(a), contracts for the purchase of equipment, materials, or supplies; services that are not construction services; and repairs or maintenance that are not public works projects, exceeding the threshold shall be competitively bid unless a statutory exemption applies. Cooperative and piggyback contracts such as CMAS or WSCA may be used when legally permissible. Refer to Purchasing One-Sheet for bid thresholds.

Exceptions to Competitive Bidding

The following statutory or legally recognized exceptions may be used when applicable. Departments must still follow District purchasing procedures, obtain required approvals, maintain documentation supporting the exception, and comply with all grant, restricted fund, Board Policy, and conflict-of-interest requirements.

Instructional supplies - Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount needed for District operations without taking estimates or advertising for bids (EDU § 81651).

Perishable foodstuffs and seasonal commodities - needed for cafeteria or food service operations may be purchased pursuant to District rules and regulations adopted by the Board, even if those rules do not require bidding for those goods (PCC § 20660).

Emergency contracts - Work or services for the immediate preservation of public health, welfare, safety, or protection of state property may be procured without the standard competitive bidding process when authorized by applicable law (PCC §§ 1102, 10340).

Interagency contracts - Contracts with other California state agencies, California State University campuses, and University of California campuses may be exempt from standard competitive bidding when authorized by law (PCC §§ 10335(a), 10340(b)(3); GC § 11256; see also SCM 1, section 3.03).

Contracts with other public entities - Contracts with another state, local, or federal agency, auxiliaries of CSU or the California community colleges, or an organization acting as a governmental agency under a joint powers contract may be exempt from standard competitive bidding when authorized by law (PCC §§ 10335(a), 10340(b)(3); see also SCM 1, section 3.06.A).

Professional services – **S**pecially trained and experienced person, firm, or corporation for special services and advice in financial, economic, accounting, engineering, legal or administrative matters California Government Code § 37103).

Cooperative Agreements

The District may procure goods and services through cooperative purchasing agreements, including piggyback contracts and CollegeBuys agreements, when such contracts have been competitively awarded in accordance with applicable law and are determined to be in the District's best interest. These agreements satisfy competitive bidding requirements and may be used to achieve cost savings,

operational efficiencies, and timely procurement. When required by statute or Board Policy, piggyback agreements shall be submitted to the Board of Trustees for approval prior to execution.

No-Cost Agreements

To ensure appropriate oversight and legal compliance, any agreement that does not require the expenditure of District funds must be submitted to the Board of Trustees for review and approval prior to execution unless expressly exempted by Board Policy or delegated authority. No-cost agreements may nevertheless establish obligations, liabilities, or commitments affecting District operations and, therefore, are subject to the District's contract review and approval requirements.

Restricted Funds

It is the responsibility of the project manager to verify that the expenditures follow the restrictions of the grantor by familiarizing themselves with the terms of the contract/agreement and grants and by seeking advanced clarification from the Fiscal Services staff.

Warehousing / Receipt of Items

The District shall maintain a system of warehousing which includes provisions for receiving, shipping, storing, and distribution of supplies and equipment. ***ALL*** **items purchased by the District shall be delivered to the campus warehouse. NO deliveries shall be made to an employee's home, office, or other location.**

As deliveries are made to the warehouse, the warehouse staff will receive the merchandise in the COMPASSedu - Receiving module system. Items that are flagged as fixed assets will automatically transfer to the COMPASSedu – Fixed Assets module once they are received in the receiving module. The fixed assets module requires that the warehouse staff or an IT technician (if computer-related equipment) assign an asset/tag number to each item that is $500 or greater. If the item was purchased through Federal or State funding, a special inventory tag must be applied to the asset that identifies the restricted equipment either with Federal or State inventory tags. This process is completed prior to the merchandise leaving the warehouse for delivery.

Cal Cards

The District allows the use of corporate credit cards to expedite purchases of supplies, site licenses, and related expenses in accordance with the District's purchasing policy, BP 6330 - Purchasing. Purchases can be made in person, over the telephone, or on the internet.

Cardholder

A. Cardholder Responsibilities:
   1. Appropriate use of the VVC corporate credit card;
   2. Security of the VVC credit card;

3. Compliance with VVC purchasing policies and procedures;
4. Verifying the monthly billing statement from the credit card company, attaching all original receipts, and forwarding to Fiscal Services for approval within three (3) working days of receipt of the credit card statement;
5. The authorized card holder is responsible for the card use; and
6. Making arrangements to ensure paperwork is submitted to their supervisor in a timely manner in the event of their absence.

B. Prohibited Uses of Card:

The VVC corporate credit card may not be used to procure the following items:

a. Contracts/agreements;
b. Capitalized furniture and equipment;
c. Cash advances, leases, and maintenance services;
d. Personal purchases;
e. Alcohol, narcotics, and other controlled substances; and
f. Services of any contractual nature (excluding car rentals and hotel reservation).

In the event of intentional abuse of the VVC corporate credit card policy or procedures, the card will be revoked, and the employee may be subject to disciplinary action up to and including termination of employment and/or criminal prosecution.

Petty Cash Fund

Petty cash reimbursements are meant to provide a convenient method for reimbursing a board member or employee without having to go through the requisition process.

a. Employees may be reimbursed for a maximum of $200 per occurrence for a work-related, out-of-pocket expenditure where a requisition could not be obtained in advance. These must be approved by the department supervisor, since the expense is a budgetary obligation that could not be encumbered ahead of time. In the event that a budget balance is insufficient to reimburse a petty cash expenditure, the department supervisor will need to complete a budget transfer to provide funds to the appropriate account.
b. Board Members will be allowed to be reimbursed up to a maximum of $50 per occurrence for miscellaneous expenses such as meals. Receipts must be turned in to the Superintendent/President's Office. Once approved by the Superintendent/President, funds will be made available for reimbursement.

Change Orders

a. A "Change Order" denotes a change to the original contract and may be additive or deductive.
b. Total cumulative change orders may not exceed the greater of 10% of the original contract amount or $15,000, whichever is greater.
    1. Must remain in compliance with contract limits
    2. Cannot exceed board approved amount
c. A copy of each change order is required and each must be numbered consecutively. Even if the monetary amount is 0 (as for completion time change only), a change order must be submitted by number and must be noted on the Building Payment Record. Each change order must be approved by the Governing Board of the District or designee.

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d. Since they are changing the contract, change orders must contain the following elements required by the original contract:
    1. District, project, and contractor's name;
    2. Change order number and date;
    3. Description of change(s) being made;
    4. The monetary change(s) amount (increase/decrease);
    5. Total of previous change orders and revised contract amount;
    6. Signature of district architect, contractor and district representative (Refer: No. 2.B. Contract Signature for school district representative); and
    7. Change order for structural changes must be approved by D.S.A. If there is no structural change, a statement from the architect stating "there are no structural changes contained in this change order" shall be submitted.

Payments before receiving goods/services (prepayments)

The District shall not issue payment for goods or services before the goods have been received or the services have been satisfactorily performed, except as specifically authorized under AP7400 – Trave. Per California Department of General Services and Department of Finance, an advance payment or prepayment is considered a gift of public funds since the District has received no benefit and subsequent receipt of goods or services cannot be guaranteed.

Exceptions

Advance payment or prepayment may be approved when required by the vendor and determined to be in the best interest of the District. Examples of allowable exceptions include:

- Conference, workshop, and training registration fees.
- Membership dues and professional subscriptions.
- Periodicals, journals, and publications.
- Software licenses, software maintenance, and cloud-based subscription services.
- Travel-related deposits and lodging reservations.
- Examination, licensing, accreditation, or testing fees.
- Prepayments required by contract.

Reference:

California Public Contract Code, Section 1102, 10335(a), 10340(b)(3), 10335.5(c)(4), 10340, 20650-20651, 20111/20651, 20118.4, 20660, 20113/20654, 22002(c)
California Education Code 81600,81651, 81656
California Government Code § 11256, 37103
California Department of General Services, State Contracting Manual, Advance Payments

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Guidance [dgs.ca.gov]
California Department of Finance, Fiscal Systems and Consulting Unit FAQs regarding Advance Payments [dof.ca.gov]

San Bernardino County Public Works Building Contract Procedures
Purchasing One-Sheet

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