



**Policy**

**6350 Contracts – Construction**

The Chancellor shall establish procedures that ensure appropriate compliance and planning for construction, alterations, renovations, leasing of facilities and repairs of buildings and grounds.

The District has adopted the California Uniform Public Construction Cost Accounting Act for all public projects involving construction and improvements (Public Contract Code Sections 22030 et seq.).

The letting of contracts for construction shall comply with procedures of the District. (See AP 6340 titled Bids and Contracts)

**Cross References (see also):**

YCCD Policy 6340 – Bids and Contracts

**References:**

Public Contract Code Sections [22030 et seq.](#)

**Adopted:** April 8, 2020

**Revision Adopted:** March 13, 2024

**Last Reviewed:** ~~April 8, 2020~~, March 13, 2024

## Administrative Procedure

### 6350 Contracts - Construction

Informal and formal bidding procedures under the Uniform Public Construction Cost Accounting Act (“UPCCAA”), adopted by resolution of the Board of Trustees:

Public Projects are defined in Public Contract Code Section 22002(c) as construction, reconstruction, erection, alteration, renovation, improvement, demolition, repair work, or painting or repainting of or involving any publicly owned, leased or operated facility. Public projects estimated to cost up to the competitive bidding threshold established by Public Contract Code Section 22036 (currently \$200,000) shall be let to contract by procedures described below.

It is unlawful to split or separate into smaller work orders or projects any project for the purpose of evading the provisions of this procedure requiring work to be done by contract after competitive bidding.

All bid notices for work to be done shall contain an affirmative statement requiring compliance with Labor Code Sections 1775 and 1776 governing payment of prevailing wages and Labor Code Section 1777.5 governing employment of apprentices. All bid submissions must contain all documents necessary to assure compliance with these Labor Code sections. Failure to provide such documentation shall cause any such bid to be deemed incomplete.

#### Procedures Not Covered by this Administrative Procedure

When this procedure does not establish a process for bidding Public Projects, the procedures described in AP 6340 titled Bids and Contracts shall govern.

#### Contractors List

Lists of contractors shall be developed and maintained.

#### Award to Low Bidder; No Bids

All contracts must be awarded to the lowest responsive and responsible bidder. If two or more bids are the same and lowest, the District may choose the one to accept. When no bids are received, the District may perform Public Projects with District employees or through a negotiated contract without further complying with this procedure.

#### Notice Inviting Informal Bids

When the District anticipates a Public Project to cost more than \$60,000 but less than the \$200,000, or as otherwise set forth in Public Contract Code Section 22032, the District shall prepare a notice of the opportunity to bid. The notice must describe the project in general terms, state the time and place for submission of bids and describe how to obtain more detailed information about the project. The District shall mail, fax, or email the notice to all contractors for the category for work to be bid, as shown on the Contractors List. The District may also mail, fax, or email a notice inviting informal bids to all construction trade journals specified in Public Contract Code Section 22036. Other contractors and/or construction trade journals may also be notified at the discretion of the department soliciting bids. Mailing, faxing, or emailing of notices shall be completed at least ten days before bids are due.

#### Award of Informally-Bid Contracts

1 The Chancellor or designee is authorized to award informally-bid contracts (defined as contracts greater  
2 than \$60,000 but less than \$200,000), except those contracts described below.

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4 **Bids Exceeding Informal Bidding Limit**

5 If all informal bids received exceed \$200,000, and the District determines that the cost estimate was  
6 reasonable, the District may award the contract up to \$21,500 to the lowest responsible bidder. The  
7 contract must be approved by Resolution receiving a four-fifths (4/5) vote of the Board of Trustees.

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9 **Bid Documents for Formal Bids**

10 The Chancellor or designee will see that plans, specifications, and working details for all Public Projects  
11 estimated to cost more than \$200,000 are adopted.

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13 **Notice Inviting Formal Bids**

14 When a Public Project, which is anticipated to cost in excess of \$200,000, or as otherwise set forth in  
15 Public Contract Code Section 22032, the District shall publish a notice inviting formal bids in a newspaper  
16 of general circulation. The notice shall be published at least 14 calendar days before the date of bid  
17 opening. The notice shall also be sent electronically, by facsimile or electronic mail, and mailed to all  
18 construction trade journals specified in Public Contract Code Section 22036. The notice to construction  
19 trade journals shall be sent at least 15 calendar days before the date of bid opening. Other contractors  
20 and/or construction trade journals may also be notified, at the discretion of the department soliciting  
21 bids.

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23 **Rejection of Bids; Re-solicitation; Use of District Employees**

24 If the District intends to reject all bids, it must mail the apparent low bidder a written notice of the  
25 District's intent to reject the bid at least two business days prior to the public hearing at which the bids  
26 will be considered.

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28 After rejecting all bids, the District may:

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- abandon the project;
  - re-advertise the project; or
  - perform the work with District employees, after passing a resolution by a four-fifths (4/5) majority  
33 of the Board of Trustees declaring that the project can be performed more economically by  
34 District employees.
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36 **References:**

37 Public Contract Code Sections [22030 et seq.](#)

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39 **Procedure Last Revised:** March 13, 2024

40 **Last Reviewed:** March 13, 2024