

PROCUREMENT

All college procurement shall be under the supervision of the Vice President for Administrative Affairs or designee in order to promote economies through quantity buying; eliminate duplicate effort; facilitate a system of budgetary control through the use of purchase requisitions; ensure receipt, entry, and auditing of invoices and other documents relating to expenditures; and lend objectivity to the procurement process.

No expenditure for unauthorized purchases shall be approved by the college, but shall be the sole responsibility of the person making the unauthorized purchase.

The Vice President for Administrative Affairs or designee shall maintain a list of reliable vendors for each type of materials or services for which bids are solicited. In determining the reliability of a vendor, the following will be considered: quality of products, prior experience with the vendor, number of years in business, financial stability of the vendor, and other accounts served by the vendor.

All purchases for commodities must be initiated by requisition and must carry a budget account code number to ensure that funds are available in the proper category to maintain the necessary encumbrance control.

01. Quotations, Bids, and Non-Biddable Purchases

The Vice President for Administrative Affairs or designee shall administer all purchases of budgeted items in accordance with the following regulations:

01.1 Purchases between \$5,000 and \$25,000

Three written quotations must be secured when possible from responsible vendors on any item or group of items ranging in cost from \$5,000 to \$25,000.

The Vice President for Administrative Affairs or designee has authorization to make an award in the best interest of the college, providing the item(s) has been budgeted. When practical, preference shall be given to Disadvantaged Business Enterprises (DBE) and to businesses and firms located within the boundaries of the college district. For informational purposes, a summary report of purchase awards will be provided to the Board of Trustees on a monthly basis for purchases made in the amount of \$5,000 to \$25,000.

01.2 Purchases in excess of \$25,000

After due advertisement, all competitive bids for contracts involving an expenditure expected to exceed \$25,000 must be sealed by the bidder and must be publicly opened by the Vice President for Administrative Affairs or designee and one other staff member. At this time, the contents of the bids must be publicly announced.

Due advertisement includes, but is not limited to, a minimum of one public notice at least ten days prior to the bid date in a newspaper published within the community college district. Bids shall be solicited directly from responsible vendors that are deemed reliable and competent to furnish the required items. Awards shall be made to the lowest, most responsible bidder whose bid is in accordance with the terms, conditions, and specifications as outlined in the bidding document. The Board of Trustees has the right to accept or reject any or all bids, in whole or in part, when deemed in the best interest of the college. In the case of identical bids, preference shall be given to firms having places of business within the community college district.

A bid summary accompanied by a recommendation for award of contract shall be submitted to the Board of Trustees for formal approval, and no award shall be made prior to or without such approval.

Following the award of a contract, any change order that exceeds 10% of the contract price shall be competitively bid in accordance with 110 ILCS 805/3-27.1.

01.3 Non-biddable purchases

By Illinois Compiled Statutes 110 ILCS 805/3-27.1, the purchase of certain supplies, materials or work, involving \$25,000 or more, may be exempt from the competitive bidding process. Procedures for determining and approving non-biddable purchases shall be established by the Vice President for Administrative Affairs, or designee, based on exemptions provided for in Illinois Compiled Statutes.

The Board of Trustees shall approve all non-biddable purchases in excess of \$25,000 on an annual basis for a single scope of work. The Board of Trustees reserves the right to consider the location of a business or firm within the boundaries of the college district as a criterion for award of such contracts.

02. Construction Contracts in Excess of \$50,000

After due advertisement, all competitive bids for construction contracts involving an expenditure expected to exceed \$50,000 must be sealed by the bidder and must be publicly opened by the Vice President for Administrative Affairs or designee and one other staff member. At this time, the contents of the bids must be publicly announced.

02.1 Construction contracts between \$5,000 and \$50,000

Three written quotations must be secured when possible from responsible contractors on construction contracts ranging in cost from \$5,000 to \$50,000.

The Vice President for Administrative Affairs or designee has authorization to make an award in the best interest of the college, providing the project has been budgeted. For informational purposes, a summary report of construction contract awards will be provided to the Board of Trustees on a monthly basis for construction contracts made in the amount of \$5,000 to \$50,000.

02.2 Bonding requirements, insurance and change orders

All competitively bid construction contracts in excess of \$50,000 shall require bidders to provide a ten percent bid bond, cashier's check, or money order made payable to the College of Lake County, to secure their bid until the award process is complete. Upon award, bid bonds shall expire, and checks will be returned to respective bidders. All construction contracts in excess of \$50,000 shall require successful bidders to submit and maintain for the duration of the contract performance, and material and labor payment bonds for 100% of the total contract amount.

The college shall require all contractors working on college property to provide the college with a certificate of liability insurance naming the college as additional insured.

For construction contracts exceeding \$50,000, any change order that exceeds 10% of the contract price shall be competitively bid in accordance with 110 ILCS 805/3-27.1.

02.3 Illinois Prevailing Wages

The college shall require all contractors and subcontractors to comply with the Illinois Prevailing Wage Law 820 ILCS 130/0.01 through 130/12.

03. Procurement Consortia

Procurement consortia have been developed for educational institutions or government entities to incur cost savings that can be achieved through participation in additional procurement options. The goal of these consortia is to offer cooperative, consolidated, and competitive selection bids and awards to achieve cost savings for all of their members. These consortia follow stringent guidelines for proper sealed bidding procedures. The Vice President for Administrative Affairs or designee is authorized to access consortia that offer purchasing opportunities that will provide the most cost effective option for acquiring a product or service for the college.

04. Selection of Professional Services

For services expected to exceed \$50,000, and after due advertisement, proposals may be obtained using one or a combination of Quality Based Selection, Request for Proposals, Request for Qualifications/Information, Request for Statements of Interest, or Invitation for Sealed Bids. The Board of Trustees requires that the firms be the most qualified and that their services are offered at a reasonable price. The Board of Trustees may determine that a service does not require competitive bidding because of the lack of a competitive environment, or the uniqueness of the service and/or the provider.

Services shall be determined on the basis of demonstrated competence and qualifications for the type of services required and at a fair and reasonable compensation, unless the college has determined that it has an established satisfactory relationship for such services with one or more firms.

05. Disadvantaged Business Enterprises (DBE)

The College recognizes the importance of increasing the participation of businesses owned by minorities, females and persons with disabilities¹ in public contracts in an effort to overcome the discrimination and victimization such firms have historically encountered.² It is the College's policy to promote the economic development of businesses owned by minorities, females and persons with disabilities by setting aspirational goals to award contracts to businesses owned by minorities, females, and persons with disabilities for certain services as provided by the Business Enterprise for Minorities, Females and Persons with Disabilities Act, 30 ILCS 575/0.01 *et seq.* (the "Act") and the Business Enterprise Council for Minorities, Females, and Persons with Disabilities (the "Council").³

In support of this policy, the College will encourage the participation of qualified minority, female and persons with disability owned businesses by advertising, whenever possible, with trade associations, service organizations, minority newspapers and other appropriate media and other organizations focused on the needs of businesses owned by minorities, females and persons with disabilities to alert potential contractors and suppliers of opportunities. The College will support key administrative and staff members to attend and participate in training sessions, workshops, conferences and seminars dealing with procurement through qualified minority, female and persons with disability-owned businesses in compliance with the Act.

In furtherance of the above:

1. The College President⁴ shall appoint a liaison to the Council;
2. The College Liaison shall file an annual compliance plan with the Council, which shall include a copy of this Policy, signed by the College President, which shall outline and summarize the College's goals for contracting with businesses owned by minorities, females and persons with disabilities for the current fiscal year, the manner in which the College intends to reach these goals, a timetable to reach these goals, and procedures to support this Policy as specified by the Act⁵;

¹ As defined in 30 ILCS 575/2.

² See 30 ILCS 575/1.

³ This Council was created to implement, monitor, and enforce the goals of the Act. See 30 ILCS 575/5.

⁴ *Id.*

⁵ 30 ILCS 575/6-(a).

3. The College Liaison shall file an annual report with the Council⁶;
4. The College Liaison shall provide notice to the Council of proposed contracts for professional and artistic services⁷;
5. The College shall use bid forms identifying the bidder's percentage or disadvantaged business utilization plans; and percentage of business enterprise program utilization plan⁸; and
6. The College shall comply with all other requirements of the Act.

The Vice President for Administrative Affairs or his designee shall establish DBE goals for all construction bids that exceed \$250,000. The goals shall be calculated and established using the known firms in the trades identified within the bid and as documented by the State of Illinois DBE Program. Goals shall be established by project and/or bid. Once goals are established, bidders shall include evidence of their attempt to meet the established goals.

06. Local Business Procurement

State law mandates an open and competitive bidding process and requires contracts be awarded to the lowest responsive and responsible bidder.

To the extent permitted by law, the College of Lake County will promote economic development by encouraging the participation of Lake County businesses.

Wherever and whenever possible, language will be included in bid specifications that will maximize and support participation from local businesses. In the event of tie bids, an award preference may be given to persons or firms located within the confines of the college district.

The Vice President for Administrative Affairs or designee is responsible for establishing a local vendor list to allow for ease of bid notification and provide College employees a resource for procuring goods and services from local vendors.

⁶30 ILCS 575/6(c).

⁷ 30 ILCS 575/6a.

⁸ 30 ILCS 575/7(5).

07. Blackout Period

During the period when a commodity, contractual, or service is advertised for sealed bid or proposal, the competitive environment will be enhanced when all prospective bidders and proposers have access to identical information. Therefore, until it is approved by the Board of Trustees, members of the college community are prohibited from communicating with prospective bidders or proposers in the procurement of said commodities, contractals or services. All questions, requests for clarifications or additional information must be referred to the Vice President for Administrative Affairs or designee. Procedures for responding to all such inquiries shall be established by the Vice President for Administrative Affairs or designee.

08. Sustainability

In order to promote sustainability and reduce carbon emissions, the College of Lake County shall consider the procurement of products or services that minimize potentially negative impacts on the environment and human health, in addition to the established purchasing considerations of price and performance, DBE Enterprises, and Local Business Procurement for competing products or services that serve the same purpose.

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