





# The Board of Governors of the California Community Colleges

PRESENTED TO THE BOARD OF GOVERNORS  
 DATE: March 3-4, 2014

SUBJECT: Approval of Contracts and Grants		Item Number: 1.2	
		Attachment: No	
CATEGORY:	Executive	TYPE OF BOARD CONSIDERATION:	
Recommended By:	 Erik Skinner, Deputy Chancellor	Consent/Routine	X
		First Reading	
Approved for Consideration:	 Brice W. Harris, Chancellor	Action	
		Information	

**ISSUE:** This item presents contracts and grants for approval.

**BACKGROUND:** The Procedures and Standing Orders of the Board of Governors (Sections 318 and 319) require the chancellor to receive board approval before entering into contract or grants (or amendments of contracts or grants) which are: in excess of \$100,000; or over three years in duration; or with respect to consulting services, in excess of \$50,000.

For each board meeting, staff prepares a summary of all currently proposed contracts and grants that exceed any of the established thresholds. If there are no proposed contracts or grants that exceed the established thresholds, the board will be so informed at its meeting.

**RECOMMENDED ACTION:** It is recommended that the Board of Governors approve entering into the contracts and grants described in the January 2014 agenda.

## Contracts and Grants

The following are the summaries of contracts and grants that require board approval pursuant to Standing Orders Nos. 318 and 319, copies of which are attached.

### (1) College Finance and Facilities Division

<b>Reason for Board Approval:</b>	Contract Total Exceeds \$100,000
<b>Type of Agreement:</b>	Contract (Facilities/Outgoing funds)
<b>Contractor or Grantee:</b>	Kern County Office of Education
<b>Contract or Grant No.:</b>	C12-0022
<b>Term:</b>	Original: June 1, 2013 – June 31, 2014 Am. 1: Extended through June 30, 2015
<b>Total Project Length:</b>	25 months
<b>Amount of Agreement:</b>	Original: \$ 570,000 (12-13) Am. 1: <u>\$ 570,000 (13-14)</u> Total: \$1,140,000

**Purpose:** The Fiscal Crisis Management and Assistance Team via the Kern County Office of Education will conduct audits, examinations or reviews of any community college districts pursuant to authorities granted in Education Code Section 84041.

### (2) Communications Division

<b>Reason for Board Approval:</b>	Contract Total Exceeds \$100,000
<b>Type of Agreement:</b>	Contact (Media Campaign/Outgoing Funds)
<b>Contractor or Grantee:</b>	Santa Barbara Community College District
<b>Contract or Grant No.:</b>	C14-0033
<b>Term:</b>	July 1, 2014 – June 30, 2015
<b>Total Project Length:</b>	Year two (yearly renewals)
<b>Amount of Agreement:</b>	up to \$2,800,000
<b>Bid Process:</b>	Originally awarded through RFA

**Purpose:** Santa Barbara Community College District serves as the fiscal agent for implementation of the Statewide Financial Aid Media Campaign ([icanaffordcollege.com](http://icanaffordcollege.com)). The district shall subcontract for all aspects of the media campaign's implementation and coordination. The purpose of the campaign is to implement a media campaign to promote the availability of student financial aid and encourage students to enroll and attend one of the 112 community colleges.

### (3) Internal Operations Division

<b>Reason for Board Approval:</b>	Grant Total Exceeds \$100,000
<b>Type of Agreement:</b>	Grant (Internal Ops/Outgoing funds)
<b>Contractor or Grantee:</b>	The Academic Senate for CCCs
<b>Contract or Grant No.:</b>	14-355-001
<b>Term:</b>	July 1, 2014 – June 30, 2015
<b>Total Project Length:</b>	One year [12 months]

**Amount of Agreement:** Up to \$468,000  
**Purpose:** This grant is for the purpose of enabling The Academic Senate for California Community Colleges to fulfill its various roles as specified in section 53206 of title 5 of the California Code of Regulations and sections 332 and 334 of the Board of Governors Procedures and Standing Orders.

**(4) Internal Operations Division**

**Reason for Board Approval:** Contract Total Exceeds \$100,000  
**Type of Agreement:** Contract (Internal Ops/Outgoing funds)  
**Contractor or Grantee:** Los Rios Community College District  
**Contract or Grant No.:** C12-0028  
**Term:** Original: June 1, 2013 – December 31, 2013  
Am. 1: Extended through June 30, 2014  
**Total Project Length:** Seven months  
**Amount of Agreement:** Original: \$ 47,061  
Am. 1: \$ 40,338  
Total: \$ 87,399

**Purpose:** Interjurisdictional Exchange with Los Rios Community College District for the services of Karen Gilmer for a full-time position as an Administrative Assistant I.

**(5) Student Services Division**

**Reason for Board Approval:** Contract Total Exceeds \$100,000  
**Type of Agreement:** Interagency Agreement (Student Services/Incoming funds)  
**Contractor or Grantee:** California Department of Social Services  
**Contract or Grant No.:** 13-REC-03  
**Term:** July 1, 2013 – June 30, 2016  
**Total Project Length:** Three years  
**Amount of Agreement:** Fiscal Year 2013-2014 \$6,112,000  
Fiscal Year 2014-2015 \$6,112,000  
Fiscal Year 2015-2016 \$6,112,000  
**Bid Process:** Not applicable to interagency agreements

**Purpose:** These funds reimburse the Chancellor's Office for the federal share of costs in providing foster and kinship care education and training.

**(6) Student Services Division**

**Reason for Board Approval:**

Grant Total Exceeds \$100,000

**Type of Agreement:**

Grant (Student Services/DSPS/Outgoing funds)

**Contractor or Grantee:**

Foothill-De Anza Community College District

**Contract or Grant No.:**

14-288-001

**Term:**

July 1, 2014 – June 30, 2015

**Total Project Length:**

Up to five years

**Project Year:**

Year two

**Amount of Agreement:**

(Up to) \$1,100,000

Actual project amount will be determined by the Chancellor's Office and is subject to change depending on the availability of funding and authorized and budgeted amounts for DSPS categorical program and COLA.

**Purpose:** The High Tech Center Training Unit provides training for DSPS and other community college faculty, staff, and administrators in selecting and using assistive technologies, technical services, systemwide dissemination of information on assistive technologies, and testing and evaluation of new and emerging assistive technologies for students with disabilities. The High Tech Center Training Unit also provides statewide coordination and consultative services for the distance education, web design, and production of alternate media using assistive technology applications.

**(7) Student Services Division**

**Reason for Board Approval:**

Grant Total Exceeds \$100,000

**Type of Agreement:**

Grant (Student Services/DSPS/Outgoing funds)

**Contractor or Grantee:**

San Bernardino Community College District

**Contract or Grant No.:**

14-289-001

**Term:**

July 1, 2014 – June 30, 2015

**Total Project Length:**

Up to five years

**Project Year:**

Year four

**Amount of Agreement:**

(Up to) \$1,300,000

Actual project amount will be determined by the Chancellor's Office and is subject to change depending on the availability of funding and authorized and budgeted amounts for DSPS categorical program and COLA.

**Purpose:** The Alternate Text Production Center (ATPC) provides a coordinated system wide approach to the timely and efficient production of printed information in alternate media (such as Braille, large print, electronic text) format. The ATPC uses advanced networking, electronic document management and state-of-the-art format conversion technologies to provide high quality alternate media of required and essential instructional materials, "on-demand" non-instructional community colleges materials, and other special projects for the Chancellor's Office and the California community colleges districts.

**(8) Student Services Division**

**Reason for Board Approval:**

Grant Total Exceeds \$100,000

**Type of Agreement:**

Grant (Student Services/DSPS/  
Outgoing funds)

**Contractor or Grantee:**

Santa Clarita Community College  
District

**Contract or Grant No.:**

14-287-001

**Term:**

July 1, 2014 – June 30, 2015

**Total Project Length:**

up to Five years

**Project Year:**

Year two

**Amount of Agreement:**

(Up to) \$500,000

Actual project amount will be determined by the Chancellor's Office and is subject to change depending on the availability of funding and authorized and budgeted amounts for DSPS categorical program and COLA.

**Purpose:** Provide funding for live and off-line captioning and transcription services to ensure the accessible delivery of distance education courses.

**(9) Student Services Division**

**Reason for Board Approval:**

Contract Exceeds \$100,000

**Type of Agreement:**

Contract (Student Services/Outgoing  
Funds)

**Contractor or Grantee:**

Pasadena Area Community College  
District

**Contract or Grant No.:**

C14-0348

**Term:**

July 1, 2014 — December 31, 2015

**Total Project Length:**

18 months

**Amount of Agreement:**

Up to \$600,000

**Purpose:** Subsection (d) of section 78216 of the California Education Code authorizes the Board of Governors to designate up to five percent of the funds appropriated for matriculation programs, now known as the Student Success and Support Program, by the annual Budget Act for administrative support of matriculation/Student Success and Support Programs operated by districts. The activities to be carried out under this contract shall include, but not be limited to, 1) Regional and State Coordination and Consultation, 2) In-Service Training and Technical Assistance, and 3) Special Activities related to the Student Success Act of 2012.

**(10) Student Services Division**

**Reason for Board Approval:**

Contract in excess of \$100,000.00

**Type of Agreement:**

Contract (Student Services/EOPS  
PEAP/outgoing funds)

**Contractor or Grantee:**

Pasadena Area Community College  
District

**Contract or Grant No.:**

C14-0353

**Term:**

July 1, 2014 – October 31, 2015 (general  
performance and expenditures)

**Total Project Length:**

One year

**Project Year:**

Annual renewal

**Amount of Agreement:**

Up to \$150,000

**Purpose:** Pursuant to Education Code section 69648.5, the contract provides funding and technical assistance to support statewide program activities and conduct evaluation of Extended Opportunity Programs and Services /Cooperative Agencies Resources Education programs operated by the districts. The contract renewal will allow the contractor to: 1) provide services as the fiscal agent for the Extended Opportunity Programs and Services Program Evaluation and Accountability Project 2) be responsible for payments of travel claims and invoices from consultants, facilities and suppliers that conduct official state business for the purpose of facilitating evaluation, training, accountability, and communications activities for the Extended Opportunity Programs and Services Program Evaluation and Accountability Project; and 3) process reconciliation of Extended Opportunity Programs and Services Program Evaluation and Accountability Project expenditures for the contract.

**(11) Technology, Research, and Information Systems Division**

<b>Reason for Board Approval:</b>	Contract Total Exceeds \$100,000
<b>Type of Agreement:</b>	Contract (MIS/Outgoing funds)
<b>Contractor or Grantee:</b>	TelePacific Communication
<b>Contract or Grant No.:</b>	C13-0020
<b>Term:</b>	Original: July 1, 2013 – June 30, 2014 Am. 1: Extended through June 30, 2015
<b>Total Project Length:</b>	24 months
<b>Amount of Agreement:</b>	Original: \$ 97,500 Am. 1: <u>\$ 97,500</u> Total: \$195,000

**Purpose:** This contract is for the collocation of the agency data center for computer services which are comprised of network servers, attached storage, tape backups, and internet connectivity to safeguard the agency’s informational assets.

**(12) Workforce and Economic Development Division**

<b>Reason for Board Approval:</b>	Grant Total Exceeds \$100,000
<b>Title:</b>	Career and Technical Education (Non-Traditional Careers)
<b>Type of Agreement:</b>	Grant (Perkins 1B Leadership Funds/Outgoing Funds)
<b>Contractor or Grantee:</b>	Grossmont-Cuyamaca Community College District
<b>Contract or Grant No.:</b>	14-166-001
<b>Term:</b>	July 1, 2014 — June 30, 2015
<b>Total Project Length:</b>	One year
<b>Amount of Agreement:</b>	\$150,000
<b>Bid Process:</b>	Non-competitive bid

**Purpose:** The Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) requires a state mandated set aside to serve individuals seeking employment in non-traditional career. These funds are used to provide professional development opportunities to provide faculty and staff with tools and strategies to better recruit and serve students seeking employment in non-traditional careers.

**(13) Workforce and Economic Development Division**

**Reason for Board Approval:**

**Type of Agreement:**

**Contractor or Grantee:**

**Contract or Grant No.:**

**Term:**

**Total Project Length:**

**Amount of Agreement:**

**Purpose:** The Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) requires a state mandated set aside to serve individuals in state institutions, such as state correctional institutions and other state institutions that serve individuals with disabilities. The amount must be equal to and not to exceed one percent of Perkins IV funds received by the Chancellor's Office.

Contract Total Exceeds \$100,000

Contract (Interagency Agreement)

(Perkins Funds/Outgoing Funds)

California Department of Corrections and Rehabilitation

R14-0366

July 1, 2014 — June 30, 2015

One year

Up to \$600,000

**(14) Workforce and Economic Development Division**

**Reason for Board Approval:**

**Type of Agreement:**

**Contractor or Grantee:**

**Contract or Grant No.:**

**Term:**

**Total Project Length:**

**Amount of Agreement:**

**Bid Process:**

**Purpose:** The purpose of the interagency agreement with the California Department of Education is to support local assistance of the Career Technical Education program. These funds are used by the field to provide professional development opportunities to faculty, to create advisory councils, to develop regional collaboratives, and to design and share strategies that support the objectives of the Carl D. Perkins Career Technical Education Act.

Contract Total Exceed \$100,000

Contract (Interagency

Agreement/Incoming Funds)

California Department of Education

14-REC-01

July 1, 2014 — June 30, 2015

One year

To be determined by federal actions

Exempt for Interagency Agreements

**(15) Workforce and Economic Development Division**

**Reason for Board Approval:**

**Type of Agreement:**

**Contractor or Grantee:**

**Contract or Grant No.:**

**Term:**

**Total Project Length:**

**Amount of Agreement:**

**Bid Process:**

**Purpose:** The purpose of the interagency agreement with the California Department of Education is to support agency administration of the Carl D. Perkins Career Technical Education Act. These funds are used internally to support the objectives of the Carl D. Perkins Career Technical Education Act.

Contract Total Exceed \$100,000

Contract (Interagency Agreement/Incoming Funds)

California Department of Education  
14-REC-02

July 1, 2014 — June 30, 2015

One year

To be determined by federal actions

Exempt for Interagency Agreements

**(16) Workforce and Economic Development Division**

**Reason for Board Approval:**

**Funding Source:**

**Type of Agreement:**

**Contractor or Grantee:**

**Contract or Grant No.:**

**Term:**

**Total Project Length:**

**Project Year:**

**No. of Grants Awarded:**

**Total Amount Awarded:**

**Bid Process:**

**Amount of Agreement:**

**Purpose:** The purpose of AB 86, Section 76, Article 3, Adult Education Regional Planning is to provide grant funds to each regional consortium to create and implement a plan to better provide adults in its region with elementary and secondary basic skills, including classes required for a high school diploma or high school equivalency certificate; classes and courses for immigrants eligible for educational services in citizenship and English as a second language, and workforce preparation classes in basic skills; education programs for adults with disabilities; short-term career technical education programs with high employment potential; and, programs for apprentices. Over the next year, each consortium will map the region to identify the current levels and types of adult education programs. Included in the evaluation will be education services for adults in correctional facilities; credit, noncredit, and enhanced noncredit adult education coursework; and programs funded through Title II of the federal Workforce Investment Act. Regions will identify the current needs for adult education programs and create plans to address identified gaps.

Grant Total Exceeds \$100,000

AB 86, Section 76, Article 3

Grant (WEDD/Outgoing)

See below

See below

March 5, 2014 — June 30, 2015

One year, four months

Year 1

70

\$22,500,000

Non-Competitive Bid

See below



<b>Grant No.</b>	<b>Contractor or Grantee</b>	<b>Agreement Amount</b>
13-328-001	Allan Hancock Community College District	\$240,319
13-328-002	Antelope Valley Union High School District	\$298,559
13-328-003	Barstow Unified School District	\$191,057
13-328-004	Butte-Glenn Community College District	\$248,312
13-328-005	Cabrillo Community College District	\$226,800
13-328-006	Cerritos Community College District	\$274,702
13-328-007	Chabot-Las Positas Community College District	\$329,938
13-328-008	Chaffey Joint Union High School District	\$392,837
13-328-009	Monrovia Unified School District	\$211,056
13-328-010	Coast Community College District	\$326,585
13-328-011	Paramount Unified School District	\$238,952
13-328-012	Contra Costa Community College District	\$442,433
13-328-013	Copper Mountain Community College District	\$192,886
13-328-014	Desert Community College District	\$306,172
13-328-015	El Camino Community College District	\$317,128
13-328-016	Feather River Community College District	\$179,549
13-328-017	Mountain View Los Altos High School District	\$258,539
13-328-018	Gavilan Joint Community College District	\$223,912
13-328-019	Glendale Community College District	\$211,712
13-328-020	Grossmont-Cuyamaca Community College District	\$307,205
13-328-021	Salinas Union High School District	\$260,572
13-328-022	Imperial Community College District	\$233,034

13-328-023	Kern Community College District	\$472,166
13-328-024	Lake Tahoe Community College District	\$159,865
13-328-025	Lassen Community College District	\$184,189
13-328-026	Long Beach Unified School District	\$300,390
13-328-027	Los Angeles Community College District	\$1,751,663
13-328-028	Los Rios Community College District	\$633,189
13-328-029	Marin Community College District	\$217,558
13-328-030	Mendocino-Lake Community College District	\$201,937
13-328-031	Merced Community College District	\$259,693
13-328-032	Mira Costa Community College District	\$252,166
13-328-033	Monterey Peninsula Community College District	\$184,270
13-328-034	Mt. San Antonio Community College District	\$374,205
13-328-035	Mt. San Jacinto Community College District	\$411,630
13-328-036	Napa Valley Unified School District	\$188,708
13-328-037	North Orange Community College District	\$409,132
13-328-038	Ohlone Community College District	\$219,423
13-328-039	Palo Verde Community College District	\$185,006
13-328-040	Vista Unified School District	\$385,690
13-328-041	Pasadena Area Community College District	\$263,724
13-328-042	Piedmont Unified School District	\$334,914
13-328-043	Rancho Santiago Community College District	\$326,047
13-328-044	Redwoods Community College District	\$228,848
13-328-045	Rio Hondo Community College District	\$272,356

13-328-046	Riverside Community College District	\$435,294
13-328-047	San Bernardino Community College District	\$336,883
13-328-048	San Diego Community College District	\$439,517
13-328-049	San Francisco Community College District	\$382,950
13-328-050	San Joaquin Delta Community College District	\$400,227
13-328-051	*San Jose – Evergreen Community College District	\$657,493
13-328-052	San Luis Obispo County Community College District	\$248,542
13-328-053	San Mateo Union High School District	\$344,336
13-328-054	Santa Barbara Community College District	\$205,147
13-328-055	Santa Clarita Community College District	\$221,880
13-328-056	Santa Monica – Malibu Unified School District	\$180,901
13-328-057	Visalia Unified School District	\$296,996
13-328-058	**Shasta-Tehema-Trinity Joint Community College District	\$436,821
13-328-059	Roseville Joint Union High School District	\$306,317
13-328-060	Solano Community College District	\$266,684
13-328-061	Sonoma County Junior College District	\$308,051
13-328-062	South Orange County Community College District	\$388,469
13-328-063	Southwestern Community College District	\$292,434
13-328-064	State Center Community College District	\$495,508
13-328-065	Ventura County Community College District	\$401,754
13-328-066	Victor Valley Community College District	\$295,332
13-328-067	West Hills Community College District	\$212,523
13-328-068	West Kern Community College District	\$158,560

13-328-069	Yosemite Community College District	\$362,912
13-328-070	Yuba Community College District	\$265,442
	<b>Total Allocation Amount</b>	<b>\$22,500,000</b>

\*San Jose-Evergreen & West Valley Mission Merged

\*\*Shasta-Tehema-Trinity & Siskiyou Joint Merged

**(17) Workforce and Economic Development Division**

**Reason for Board Approval:**

**RFA Specification No.:**

**RFA Specification Title:**

**No. of Grants Awarded:**

**Total Amount Awarded:**

**Funding Source:**

**Type of Agreement:**

**Contractor or Grantee:**

**Contract or Grant No.:**

**Term:**

**Total Project Length:**

**Project Year:**

**Amount of Agreement:**

**Bid Process:**

**No. of Proposals Recvd:**

**No. That Met Min. Score:**

**Readers:**

Grant Total Exceeds \$100,000

13-177

Proposition 39 Clean Energy Workforce Program Grant

Five

\$5,000,000

SB 73 – Clean Energy Job Creation Fund of the California Clean Energy Jobs Act Grant (WEDD/Outgoing Funds)

See below

See below

March 5, 2014 — March 31, 2015

One year, one month

Year one

\$5,000,000

Competitive

Six

Six

Eight

**Purpose:** The purpose of the Clean Energy workforce Program Grant is to fund eligible projects that create jobs in California to improve energy efficiency and expand clean energy generation through renewable energy. Existing law provides for the allocation of available funds to public school facilities, university and college facilities, and other public buildings and facilities, as well as job training and workforce development and public-private partnerships for eligible projects associated with energy related building commissioning and re-commissioning.

<b>Grant No.</b>	<b>Contractor or Grantee</b>	<b>Agreement Amount</b>
13-177-001	Peralta Community College District	\$1,091,554
13-177-002	Kern Community College District	\$868,166
13-177-003	Grossmont-Cuyamaca Community College District	\$680,598
13-177-005	Los Angeles Community College District	\$1,491,712

**(18) Workforce & Economic Development Division**

<b>Reason for Board Approval:</b>	Contract Total Exceeds \$100,000
<b>Total Amount Awarded:</b>	\$1,800,000
<b>Funding Source:</b>	SB 1070 Career Technical Education Pathways Program
<b>Type of Agreement:</b>	Contract (SB1070/Outgoing Funds)
<b>Contractor or Grantee:</b>	Los Rios CCD
<b>Contract or Grant No.:</b>	C13-0038
<b>Term:</b>	March 5, 2014 — June 30, 2017
<b>Total Project Length:</b>	Three years, three months
<b>Project Year:</b>	One
<b>Amount of Agreement:</b>	\$1,800,000
<b>Bid Process:</b>	N/A
<b>No. of Proposals Recvd:</b>	N/A
<b>No. That Met Min. Score:</b>	N/A
<b>Readers:</b>	N/A

**Purpose:** The purpose of this three year contract is to fund a Linked Learning Greater Sacramento Region Work-Based Learning & K-14 Pathway Pilot to respond to the skills gap by increasing coordination and alignment between K-12 and postsecondary career pathways through a focus on supporting community college districts that have entered into partnerships with K-12 districts. The pilot would focus on the following sectors: Health, Advanced Manufacturing, ICT/Digital Media, and Agriculture, Water & Environmental Technologies. A K-14 Pathway Coordinator will work across the region in each of the sectors and serve as the key liaison between college districts, K-12 districts, and industry partners. The K-14 Pathway coordinator will build upon the Doing What Matters initiative and work closely with Deputy Sector Navigators, regional consortia, and currently funded SB 1070 regional project directors.

The funds will provide capacity for increasing student success, participation, and completion of work-based learning along a K-14 continuum, and dual or concurrent enrollment within the context of a K-14 (or K-16) career pathway. Los Rios Community College District will work closely with the Foundation for California Community Colleges and build upon their current investments in Linked Learning and the

statewide work-based learning infrastructure. This contract would fund Statewide Linked Learning Navigator and a K-14 Pathway Coordinator positions for three years with the goal developing a statewide work-based learning infrastructure. SB 1070 mandated that funds would be committed to the Linked Learning initiative, and \$3,000,000 was approved by the Board of Governors and the Department of Finance in the SB 1070 expenditure plan.

**(19) Workforce and Economic Development Division**

**Reason for Board Approval:**

Contract Total Exceeds \$100,000  
Interagency Agreement (Educational Services/Incoming Funds)

**Type of Agreement:**

**State Agency:**

State Energy Resources Conservation and Development Commission

**Agreement Number:**

09-REC-04

**Term:**

Original: August 14, 2009 — June 30, 2012

Am. 1: Extend through December 31 2014

**Total Project Length:**

Up to 5 years

**Amount of Agreement:**

Original: \$4,500,000

Am. 2: \$1,000,000

Total: \$5,500,000

**Bid Process:**

N/A to Interagency Agreements

**Purpose:** The purpose of this grant is to support the Alternative and Renewable fuel and Vehicle Technology Program. The California Community Colleges Chancellor's Office and the California Energy Commission are supporting eligible colleges in the development and procurement of training resources to address immediate unmet workforce training needs related to clean, efficient, and low carbon alternative fuels and/or vehicle technologies in their region.

## STANDING ORDERS NOS. 318 AND 319 OF THE BOARD OF GOVERNORS

### 318. Contracts.

(a) Except as provided in subsection (b), whenever the power to contract is invested in the Board, or when, in the judgment of the Chancellor, such contracts are expressly or impliedly authorized to fulfill responsibilities or authorities vested in the Office of the Chancellor, the Chancellor is authorized in the name of the Board of Governors to enter into such contracts.

(b) The Chancellor shall secure Board approval before entering into any contract:

- (1) In excess of \$100,000; or
- (2) Over three years in duration; or
- (3) With respect to consulting services, in excess of \$50,000.

The requirement for Board approval shall apply to any amendment of a contract which results in the original contract exceeding the specified limits, as well as the amendment of a contract where the amendment itself exceeds the specified limits. Under circumstances when the need to contract was not foreseeable, and when delaying approval of the contract until the next Board meeting would jeopardize the contract or frustrate its purpose, the Chancellor shall have the authority to enter into contracts in excess of the limits specified in this subsection. Before entering into such contracts, however, the Chancellor shall consult with the President of the Board.

(c) In securing the approval of contracts by the Board pursuant to subsection (b), the Chancellor shall apply the following procedures:

(1) In determining the nature, extent and need for any such contract, the Chancellor shall provide a summary of the Request for Proposal (RFP), Invitation for Bid (IFB), or other summary of the purpose and need for a contract to the Board of Governors prior to publicly releasing any such RFP or IFB, or prior to making any informal commitment to contract. The Chancellor may proceed with the release of the RFP, IFB, or other contract negotiations, unless the Board President, with or without the advice of any appropriate Board Committee designated by the President, directs the Chancellor to withhold action within a 10 day period from the date the summary is provided.

(2) In developing language for such contracts, the Chancellor shall include a provision which allows any aggrieved bidder on an RFP or IFB to protest the awarding of a contract to the Chancellor. The Chancellor shall inform the Board of any such protests, including the results of such protests. This remedy shall be in addition to the bidder's right to protest the matter to the Department of General Services.

(3) The Chancellor shall ensure that each panel of evaluators who score proposals is made up of staff from more than one division in the Chancellor's Office, including outside evaluators as appropriate; and the Chancellor shall take such other steps as necessary to ensure that evaluations and scoring are objective and fair.

(4) In requesting approval of said contracts, the Chancellor shall, at the time of distributing each regular meeting agenda to the Board of Governors, include a summary of contracts for Board approval. The summary for each contract shall indicate: the purpose of the contract; the amount of the contract; the time for performance of the contract, including whether it was advertised as a multi-year contract; the number of proposals received or whether the contract is a sole source contract; the number of proposals which met the minimum score for cost opening; and the party awarded the contract.

The provisions of subparagraphs (1) through (3) above shall not apply to interagency agreements with other state agencies, and other agreements necessary for the agency to receive public funds.

(d) The authorization contained in subsection (a) includes agreements, leases, contracts, and other documents, including but not limited to: service agreements, insurance agreements, fiscal, budgetary, and personnel documents, travel requests, contracts for the purchase of apparatus, furniture, equipment, supplies and books, as well as contracts entered into as necessary to receive federal funds allocated to the California Community Colleges, all within the limits of fiscal ability and sound budgetary controls and subject to such policies as may be established by the Board. (EC § 70901(b)(5).)

### 319. Grants.

(a) Except as provided in subsection (b), whenever the power to enter into a grant is invested in the Board, or when, in the judgment of the Chancellor, a grant is expressly or impliedly authorized to fulfill responsibilities or authorities vested in the Office of the Chancellor, the Chancellor shall have the authority to enter into such grants.

(b) The Chancellor shall secure Board approval before entering into any grant:

- (1) In excess of \$100,000; or
- (2) Over three years in duration; or

The requirement for Board approval shall apply to any amendment of a grant which results in the original grant exceeding the specified limits, as well as the amendment of a grant where the amendment itself exceeds the specified limits. Under circumstances when the need to enter into a grant was not foreseeable, and when delaying approval of the grant until the next Board meeting would jeopardize the grant or frustrate its purpose, the Chancellor shall have the authority to enter into grants in excess of the limits specified in this subsection. Before entering into such grants, however, the Chancellor shall consult with the President of the Board.

(c) Prior to submitting grants to the Board for approval pursuant to subsection (b), the Chancellor shall either:

- (1) present to the Board for its review and approval an expenditure plan outlining the nature, extent and need for any such grants; or
- (2) provide a summary of the Request for Application (RFA) or other summary of the purpose and need for a grant to the Board of Governors prior to publicly releasing any such RFA or prior to making any informal commitment to award a grant. The Chancellor may proceed with the release of the RFA unless the Board President, with or without the advice of any appropriate Board Committee designated by the President, directs the Chancellor to withhold action within a 10 day period from the date the summary is provided.

(d) All grants awarded by the Board of Governors or the Chancellor on or after January 1, 1996, shall be awarded through competitive processes or through allocation formulas reviewed and approved by the Board of Governors, except that:

- (1) Grants may be awarded competitively within regions.
- (2) Grants for regional or statewide coordination activities for the Extended Opportunity Programs and Services (EOPS), Disabled Students Programs and Services (DSPS), Matriculation, and Economic Development programs need not be competitively bid.

(3) Where there are conditions beyond the control of the Chancellor which limit competition, such as matching fund requirements or other agencies being required to select



grantees, the Chancellor, in consultation with the President of the Board and the Chairperson of the appropriate committee, shall have authority to award grants without competition.

(e) Panels evaluating or scoring grant proposals will include or be comprised of outside readers as appropriate and will be comprised so as to assure objectivity and prevent conflicts of interest. In the event that outside readers are not used, the evaluation panel shall be comprised of staff from more than one division in the Chancellor's Office. The Chancellor shall ensure that readers are appropriately trained with respect to the process for review of grant applications.

(f) Grants for the performance of functions which are ongoing in nature will be awarded in cycles of between one and five years in length. In advertising a grant for an ongoing function, district personnel will be apprised of the length of the cycle and the funding anticipated to be available for the duration of the project; provided however, that nothing in this Section shall be construed to preclude subsequent adjustment of actual funding levels to reflect unforeseen circumstances. Districts shall be further informed that continuance of the grant will depend on year-to-year funding, and continued satisfactory performance. The Chancellor shall have the authority to exempt grants described in Subsection (d)(2) or those awarded under the Mathematics, Engineering, and Science Achievement (MESA) program, the Middle College High School program, or the Puente project from the duration limitations imposed by this paragraph.

(g) A district which, prior to January 1, 1996, has been awarded a grant on a non-competitive basis for the performance of an ongoing function may continue to be awarded that grant, at the discretion of the Chancellor, for a period of up to three additional fiscal years. Retention of the grant shall depend on continued availability of funds and satisfactory performance. At the conclusion of the term, the grant for the ongoing function shall be awarded on a competitive basis.

(h) To the extent that a grantee contracts with a private or public entity to perform certain parts of the grant, the grantee shall be required to disclose the intended purpose and amount of such subcontracting, shall agree to follow locally applicable competitive bidding processes in doing such subcontracting, and shall agree to name the subcontractors chosen.

(i) The procedures specified above shall not apply to grants which are distributed on an allocation formula basis which has been reviewed and approved by the Board of Governors.