

BFA Administrative Directive: #70-1

## **Contract Approval Process**

### 1.0 PURPOSE

The purpose of this administrative directive is to document procedures and timeframes related to processing all campus and auxiliary contracts and agreements for final execution. It ensures adequate time is available for a comprehensive and thoughtful review of materials submitted.

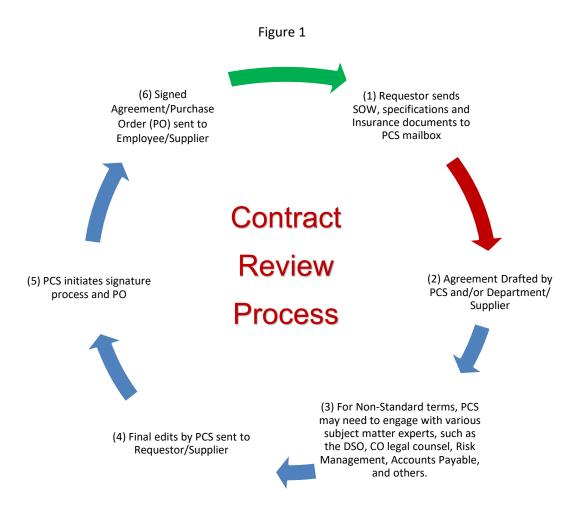
#### 2.0 BACKGROUND

The Procurement and Contract Services (PCS) department is responsible for providing technical direction, oversight, and management of the purchasing and contracting processes. The PCS staff manages several types of contracts requiring approval by the Vice President of Business and Financial Affairs, the President, and the California State University Chancellor's Office. Among them are:

- Memoranda of Understanding (MOU)
- Grants
- Service Agreements
- Public Works/Construction Agreements
- PW Project Agreements: Architect/Engineer/Soils testing/Hazmat/similar
- Maintenance Agreement
- Extra Services Authorizations (ESA)
- Task Order Service Agreements (TOSA)
- Independent Contractor Agreements
- IT Agreements/Software Agreements
- Lease Agreements
- Job Order Contracts (JOC)
- Auxiliary Agreements
- International Agreements; and
- Placement Agreements: Internship, Internship Agency, Nursing Clinical Affiliation

Thorough review and response, along with timely approval, require realistic scheduling and careful planning on the part of the agreement originator. This approval process is designed for due diligence and compliance with the policy for contracting. This will help to ensure fully executed agreements are in place prior to the start of the agreement term. This process will also ensure that legal and California State University contracting standards are met. The approval process is critical for the protection of the fiscal and reputational integrity of the University, faculty, and staff directly affected by the agreement, as well as students.

Early involvement of the PCS department is strongly encouraged. Figure 1 details the process for contract Review:



PCS will partner with the campus representative/s to guide them through the process to ensure contracts are developed and compliant to meet all State and Campus policies. (Reference Exhibits A & B)

Employees must be mindful of the time required to review agreements, considering the agreement's complexity. The timeframe for a contract can be 2 to 8 weeks, as the length of time will depend on supplier input with the terms. Agreement originators must account for this additional review time when initiating new projects or when proposing new contracts or agreements with non-University entities.

## 4.0 CITATIONS AND LINKS TO APPLICABLE STATE LAW, CSU POLICIES, ETC.

- CSU Channel Islands Policy on Procurement, Policy No. FA.60.003 effective 5/1/13
- CSU Channel Islands Procurement and Logistical Services Operations Manual
- CSU Contracts and Procurement Policy
- EO 1031, Systemwide Records Information Retention and Disposition Schedules Implementation

## 5.1 Agreement Routing

- 1. Each agreement routed for review and approval must be accompanied by the CSU Channel Islands Agreement Routing Form/Cover Sheet.
- 2. Prior to routing the agreement/contract to PCS for review the originator, in consultation with the appropriate Category Buyer, shall complete the top portion of the routing form, indicating the origin of the agreement and contact information, the type of agreement, the anticipated transaction amount, the original agreement number (if circulating an amendment to a prior agreement), a summary or purpose, and any special instructions.

#### 5.2 Timeframe

- All requests for new, renewed, or amended contracts or agreements, other than basic Purchase Orders or Service Orders, must allow ten (10) business days for preparation by PCS as referenced in Exhibits A & B.
- 2. All agreements or contracts requiring review and approval by the Vice President of Business and Financial Affairs (VPBFA) must allow an additional ten (10) business days for review and approval, including Risk Management and any other campus units deemed necessary. Contracts requiring review and approval by the President must allow an additional ten (10) business days for review and approval.

#### 5.3 Approvals

- 1. Approval by the Director of PCS is required for any agreement or contract wherein the transaction amount is \$100,000 or less.
- 2. Approval by the VPBFA or designee is required on any agreement or contract wherein the transaction amount exceeds \$100,000 and up through \$300,000.
- 3. The President will need to approve and sign any agreement or contract wherein the transaction amount is over \$300,000.
- 4. Approval by the VPBFA is required on all Memoranda of Understanding and Memoranda of Agreement.
- 5. Please note that these approval amounts above are delegated by the Chancellor's Office and Office of the President, CSUCI, during normal operating conditions. These amounts may be adjusted under emergency conditions such as COVID-19. Agreement originators are required to keep abreast of such changes to financial delegations.

#### 5.4 Electronic Filing of Agreements

- The CSU Procurement Office has introduced a system-wide platform for managing contracts and sourcing events called CSUBuy, a collaborative procure-to-pay marketplace. CSUBuy is hosted on the Jaggaer Platform.
- 2. The Jaggaer Platform allows for streamlining contract creation and management and

collaboration with different departments. The platform also provides a contract repository accessible campus-wide and CSU System-wide.

- 3. All approved active and historically valued contracts will be uploaded into the Jaggaer contract module.
- 4. Procurement and Contract Services Responsibilities:
  - PCS has delegated authority to review and enter into agreements on behalf of the campus. All contracts/requests should be forwarded to the PCS email purchasing@csuci.edu for review and execution.
  - Contracts sent through the centralized email will be assigned to a Contracts Specialist for review and execution.
  - PCS will circulate contracts for signature based on delegated signature authority.
  - PCS will enter the contracts into the Jaggaer contract module that they
    administer/distribute for signature. Contracts that do not pass-through PCS should be
    entered into the Jaggaer contract module by departmental staff; system access and
    training will be provided.
  - Confidential contracts can be entered by the department into the Jaggaer contract module with restricted access.

#### 5. Department Responsibilities:

- Divisions will send all contracts, grants, MOUs, leases, and Co-Sponsorship Agreements to PCS for review and execution.
- Divisions will send agreements to PCS's centralized email: <u>purchasing@csuci.edu</u>.
   Submitters should note in the email the associated requisition number, if applicable.

## 5.5 Procurement and Contract Services Timelines

- PCS strives to provide excellent customer service to the CSUCI campus community to
  ensure contracts are compliant and meet all State and Campus policies. PCS will partner
  with the campus representative/s to guide them through the process to help avoid
  contracting and compliance problems.
- 2. Please see Exhibit A for PCS Timeline Tables for information concerning purchasing documentation requirements and expected time for purchase.

#### 6.0 CONTACTS

Procurement and Contract Services	purchasing@csuci.edu	805 437-8581
Risk Management	risk@csuci.edu	805 437-8846
Division of Business and Financial Affairs	paula.robertson@csuci.edu	805 437-2098

#### 7.0 REVISION TRACKING

**Document Title:** Contract Approval Process

Author: Carolyn Meeks, Interim Director of Procurement and Contract Services

File Reference: New Administrative Directive

## **Approval History**

Approval Date	Approver Name	Approver Role
3/17/2022	Nathan Bowden	Director of Strategic Operations
	Stephanie Bracamontes	Assistant Vice President Financial Services/Controller
	Barbara Rex	Associate Vice President for Budget and Planning/Interim CFO

## **Revision History**

Revision Date	Revised By	Summary of Revisions	Section(s) Revised

## Exhibit A & B - Procurement Timeline Tables/Process Guides

Exhibit A
CSUCI Procurement & Contract Services – Goods, Services & IT Processing Chart

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	GOODS (ICSUAM 5301)		SERVICES (ICSUAM 5401)		Information Technology (ICSUAM 5602)	Information Technology (ICSUAM 5602)
	Purchase of Goods	Goods with Labor	By a Company	By an Individual	Hardware	Software/IT Services
Bid Level	\$0 - \$49,999 Quote¹ obtained by requesting department; provide a quote with specs. Note: Procurement encourages multiple quotes when possible. \$50K - \$99,999 Requirements and specifications² submitted to Procurement & Contract Services (PCS) for review. Department or PCS can request and receive quotes/bids. \$100,000 plus+ Formal bid led by PCS	\$0 - \$49,999  Quote¹ obtained by requesting department; provide a quote with specs. Note: Procurement encourages multiple quotes when possible. \$50K - \$99,999  Requirements and specifications² submitted to Procurement & Contract Services_(PCS) for review. Department or PCS can request and receive quotes/bids. \$100,000 plus+ Formal bid led by PCS	\$0 - \$49,999 Quote¹ obtained by requesting department; provide a quote with specs. Note: Procurement encourages multiple quotes when possible. \$50K - \$99,999 Requirements and specifications² submitted to Procurement & Contract Services_(PCS) for review. Department or PCS can request and receive quotes/bids. \$100,000 plus+Formal bid led by PCS	\$0 - \$49,999  Quote¹ obtained by requesting department; provide a quote with specs. Note: Procurement encourages multiple quotes when possible. \$50K - \$99,999  Requirements and specifications² submitted to Procurement & Contract Services. (PCS) for review. Department or PCS can request and receive quotes/bids. \$100,000 plus+ Formal bid led by PCS	\$0 - \$49,999 Quote¹ obtained by requesting department; provide a quote with specs. Note: Procurement encourages multiple quotes when possible. Or use leveraged contract (standardized equipment). \$50K - 99,999 Requirements and specifications² submitted to Procurement & Contract Services (PCS) for review. Dept goes out for written quotes or PCS can conduct an informal bid. \$100,000 plus+ Formal bid document led by PCS.	\$0 - \$49,999 Quote¹ obtained by requesting department; provide a quote with specs. Note: Procurement encourages multiple quotes when possible. Or use leveraged contract (standardized equipment). \$50K - 99,999 Requirements and specifications² submitted to Procurement & Contract Services (PCS) Once reviewed, Dept goes out for written quotes or PCS can conduct an informal Bid. \$100,000 plus+ Formal bid document led by PCS.
Timeline- once all documentation has been received	\$1,000 - \$49,999 - 2 weeks \$50K - \$99,999 - 2 weeks quotes provided by dept \$50K - \$99,999 - 4-6 weeks \$100K - 8 -10 weeks	\$1,000 - \$49,999 - 2 weeks \$50K - \$99,999 - 2 weeks quotes provided by dept \$50K - \$99,999 - 4-6 weeks \$100K - 8 - 10 weeks	\$1,000 - \$49,999 - 2 weeks \$50K - \$99,999 - 2 weeks quotes provided by dept \$50K - \$99,999 - 4-6 weeks \$100K - 8 - 10 weeks	\$1,000 - \$49,999 - 2 weeks \$50K - \$99,999 - 2 weeks quotes provided by dept \$50K - \$99,000 - 4-6 weeks \$100K - 8 - 10 weeks	\$1,000 - \$49,999 - 2 weeks \$50K - \$99,999 - 2 weeks (quotes provided by dept) \$100K - \$499,999 - 8- 10 weeks Over \$500K - 8 - 10 weeks If Bonds are required, it could take longer.	\$1,000 - \$49,999 - 2 weeks \$50K - \$99,999 - 2 weeks (quotes provided by dept) \$100K - \$499,999 - 8-10 weeks Over \$500K - 8 - 10 weeks
Required Documents and Processing by Department	CFS Requisition entered into PeopleSoft (W/quote and specs as attachments²) Use Goods and Services GPs and attach them to PO	CFS Requisition entered into PeopleSoft (W/quote and specs as attachments²) Use Goods and Services GPs and attach them to PO	CFS Requisition entered into PeopleSoft (W/quote and scope of work or contract as attachments²)  If a separate contract hasn't been developed; Use Services Cover Page: attachments – scope of work, Purchase Order, Services GPs and attach to	CFS Requisition entered PeopleSoft (w/quote and scope of work or contract as attachments²)  Independent Contractor vs. Employee Worksheet required when services are performed by the individual. Must be signed off by HR and template contract and IC	CFS Requisition entered into PeopleSoft (w/quote and specs as attachments²)  Agreement if appropriate; reference MEA or leveraged purchase. When possible use small business.  Use IT GPs and attach them to every PO	S CFS Requisition entered into PeopleSoft (w/quote, spec, scope of work, or contract as attachments²) Signed Contract, proof of insurance. If a separate contract hasn't been developed; use the Service cover page. IT GPS to be attached to every PO.

			PO	GPs must be used; attach to PO		
Required Documents from Vendor/Contrac tor	Payee Data Records (PDR) with all new vendors. Invoice after items received.	Payee Data Records (PDR) with all new vendors.  Insurance required  Invoice after items and/or services received.	Payee Data Records (PDR) with all new vendors.  Insurance required  Invoice after service is completed or progress payments spelled out in the contract.	Payee Data Records (PDR) with all new vendors.  Insurance required Invoice after service completed received.	Payee Data Records (PDR) with all new vendors.  Invoice after items received.	Payee Data Records (PDR) with all new vendors.  Insurance Required  Invoice after items received.
Special Considerations/ Processing	Items that use power: Requires FMS approval. Appliance: Energy-Star compliant. Logos items: Requires Public Affairs & Publication approval.	Certificate of Insurance must be received and approved by Risk Management before services.	Certificate of Insurance must be received and approved by Risk Management before services.	Certificate of Insurance must be received and approved by Risk Management before services.	Team Dynamics approval is required including Vendor Product Accessibility Template (VPAT).	Team Dynamics approval is required including Vendor Product Accessibility Template (VPAT).

<sup>&</sup>lt;sup>1</sup> Quotes: Online price sheet, vendor correspondence, and quotes. Informal competition is acceptable for commodities, equipment, or services of an amount less than \$50,000 unless PCS determines that competition is necessary to develop sources, validate prices, is in the interest of the University, or for other sound business reasons.

## Exhibit B

# CSUCI Procurement & Contract Services – Maintenance, Minor CAP, Major CAP, Construction Services Processing Chart

	MAINTENANCE <sup>†</sup> SERVICES (SUAM 9700/ICSUAM 5000) Maintenance Services	CONSTRUCTION SERVICES <sup>II</sup> (9200 – 9212) Minor Cap	CONSTRUCTION SERVICES (9200 – 92012) Major Cap	PUBLIC WORKS <sup>III</sup> MINOR CAP (ISUAM 9700)  Construction	PUBLIC WORKS MAJOR CAP (ISUAM 9700)  Construction
Bid Level	For involved projects use Minor Cap Process & Forms  \$0 - \$49,999 Quote® obtained by requesting department. provide a quote with specs. Note: Procurement encourages multiple quotes when possible. (or JOC) \$1,000 - \$929,000 Public agencies' labor can be used to complete this work.	Procured based on demonstrated competence and qualifications to perform the service at a reasonable cost. Solicit services based on RFP. Example of services below.  The campus may select and appoint any architectural firm based on their assessment of the firms from the current year's systemwide prequalified listing or the campus may establish its own prequalified list.	Procured based on demonstrated competence and qualifications to perform the service at a reasonable cost. Solicit services based on RFP. Examples of services are below.  The campus may select and appoint any architectural firm based on their assessment and evaluation of three firms from the current year's systemwide prequalified listing. The architect must be on CO/s yearly	\$0 - \$4,999 Quote obtained by requesting department. (or JOC) \$1,000 - \$929,000vi Public agencies' labor can be used to complete this work. \$5,000 - \$99,999 Department may go out for an informal bid process – use template written documents receive written responses on template bid documents and use bid abstract document to determine low bid (or use JOC).	\$929,000 and over Formal Bid document led by P&CS. Publication required.  Prequalification is required (prequalify on Planet Bid thru Chancellor's office). Advertise on Planet Bid.  DIR DWC-100

<sup>&</sup>lt;sup>2</sup> Attachments: Vendor Quote w/model/part #, brand, catalog #, detailed description, engineering drawings, expected delivery dates.

	\$50 - \$99,999 Written quotes 'are required, written scope of work/specification is required; Requirements and specifications are submitted to Procurement & Contract Services (PCS) for review. Department or PCS can request and receive written quotes/bids. Bid Abstract used if possible \$100,000 plus+ Formal Minor Cap bid led by PCS	For projects, the Engineer campus may either solicit its own proposals or use its yearly appointed consulting engineer.	prequalified list.  For projects, the Engineer campus may either solicit its own proposals or use its yearly appointed consulting engineer.	\$15,000 and over is PCS required to advertise in e-procure. Over \$100,000 Formal advertised Minor Cap bid document led by P&CS	
Timeline- once all documentati on has been received	JOC - 2 weeks \$1,000 - \$49,999 - 2 - 4 week \$50K - \$99,000 - 2 weeks quotes provided by dept \$50K - \$99,000 - 6 - 10 weeks \$100K - 6-10 weeks	Projects up to \$929,999 Up to 10 weeks	A project over \$929,000 Up to 8 weeks CO General Council Signature Required	JOC – 2 weeks \$0 - \$4999 – 2 weeks \$5K - \$99,999 – 2 - 6 weeks (quotes provided by dept) \$1K - \$99,999 – 8 - 10 weeks \$100K over – 8 -10 weeks	Over \$929,000 Depends on Deliverable 8 – 12 weeks
Required Documents and Processing by Department	CFS Requisition entered into PeopleSoft (w/quote, Scope of Work, and specs as attachments. Signed contract, proof of insurance, bid docs/quotes.  Over \$1,000 prevailing wage required. Over \$15,000 DIR DWC-100 filing is required. Over \$25,000 Payment and Performance Bonds may be required \$50,000 - \$99,000 written quotes and written evaluation required. \$100,000 and over — Formal written bid/RFP. Depending on the work type, Project Bid documents may be used. If using Project Documents; bonds are required.	CFS Requisition entered into PeopleSoft (w/quote, Scope of Work, and specs as attachments. Signed contract, proof of insurance, RFP, or statement of the selection process. Use Project contract forms from the CO website: https://www.calstate.edu/csu-system/doing-business-with-the-csu/capital-planning-design-construction/operations-center/Pages/professional-service-agreements.aspx	CFS Requisition entered into PeopleSoft (w/quote, Scope of Work, and specs as attachments. Signed contract, proof of insurance, RFP, or statement of the selection process. All Service contracts associated with a Major Cap project must be signed by Campus CO's assigned General Counsel. Use Project contract forms from the CO website: https://www.calstate.edu/csu-system/doing-business-with-the-csu/capital-planning-design-construction/operations-center/Pages/professional-service-agreements.aspx	Signed contract, proof of insurance. Bid doc/quotes/Prevailing wage/ Over \$1,000 Prevailing wage required. Over \$25,000 — payment and performance bonds required (100% of the contract amount). And DIR DWC-100 filing required \$100,000 — \$928,999 — DIR DWC-100 filing required. Bid bond (10%), Payment Bonds required; Performance Bonds optional — Over \$100,000. (100% of the contract amount). Notice to Proceed and Notice of Completion	Signed Contract, proof of insurance, Bid doc, bid bond//performance bond/payment bond (100% of the contract amount), Notice to Proceed.  Prevailing wage  DIR DWC-100 filing required.
Required Documents from Vendor/Contr actor	Payee Data Records (PDR) with all new vendors. Insurance Required.	Construction Services that include on-site labor: labor portion is subject to Prevailing Wage. i.e. Hazardous materials Abatement.	Construction Services that include on-site labor: labor portion is subject to Prevailing Wage. i.e. Hazardous materials Abatement.	Certified Payroll.to Facilities Progress payments per contract/bid	Certified Payroll to Facilities Progress payments per contract/bid
	Certified Payroll to Facilities may be required Progress Payments	Insurance Required.  Certified payroll to Facilities may be required	Insurance Required.  Certified payroll to Facilities may be required.	Insurance Required	Insurance Required - - CSU Builder's Risk Insurance Program Required.
	per contract/bid.				

Special Consideratio ns/ Processing  Prevailing wage requirements app for \$1,000 and or  Certificate of Insurance must before services.	over for the labor portion of the contract.  Certificate of Insurance must be received and	The prevailing wage applies to \$1,000 and over for the labor portion of the contract.  Certificate of Insurance must be received and approved by Risk Management before services.	Prevailing wage requirements apply for \$1,000 and over; 3% DVBE is Required for a formal bid project.	Based on Project dollar value, different types of Owner Insurance apply. 3% DVBE is required.
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<sup>&</sup>lt;sup>1</sup> Maintenance work may be contracted pursuant to SUAM 9701.2 or ICSUAM 5000. Work can be solicited as a service order or Minor Cap contract and may incorporate contract terms typically associated with projects or, may be contracted using project documents and methods.

<sup>&</sup>lt;sup>II</sup> Construction Services Section 9200-9212: Architect, Engineer, Construction Manager, Survey, Geotechnical, Soil Analysis, Feasibility Study, Asbestos Abatement Survey, Landscape Architect, etc.

iii Projects must be contracted pursuant to Public Contract Code Section 10700 et. Seq. and SUAM XII Section 9700.

iv Online price sheet, vendor correspondence, scope of work and quotes. Contract, insurance and acceptance of our General Provisions required. Informal competition is acceptable for services of an amount less than \$50,000, unless PCS determines that competition is necessary to develop sources, validate prices, is in the interest of the University, or for other sound business reasons.

<sup>&</sup>lt;sup>v</sup> Attachments: Vendor Quote w/model/part #, brand, catalog #, detailed description, engineering drawings, expected delivery dates.

vi Staff must be skilled labor and qualified in the work they are performing. Inspection and appropriate permits must be issued (SUAM 9700.04). DIR Labor requirements do not apply to in-house labor – we do not need to pay prevailing wages to employees. Assure in-house labor is available to complete the entire project (Labor Code Section 1771).