

# 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 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:

- Purchase Orders (POs)
- Memoranda of Understanding (MOU)
- Service Agreements
- Public Works (PW)/Construction Agreements
- PW Projects Service Agreements: Architect/Engineer/Soils testing/Hazmat
- 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
- Food Truck Agreements
- International Agreements (Faculty Led, Recruiter and Study Abroad); 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/requestor. 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 contract or agreement, as well as students.

### 3.0 OVERVIEW

Figure 1 details the process for contract review:



(6) Fully ExecutedAgreement and/orPO sent toRequestor.



(1) Requestor sends Statement of Work, Specifications, and Insurance documents (Risk will assist with COIs) to PCS mailbox.

(5) Final PO or Agreement is executed by PCS (if within signing threshold) or PCS initiates signature process by VPBFA or President (as applicable).



Contract

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Requestor's Submission Reviewed by PCS for completeness and Draft Agreement Prepared if all require information is provided.



(4) PCS Draft Agreement sent to Requestor and/or Supplier for review and finalization by Department.



(2) For Non-Standard terms, PCS will engage with various subject matter experts, such as CO Legal Counsel, Risk Management, Accounts Payable, etc. [PCS will partner with the requestor to guide them through the process, ensuring that contracts are developed and compliant with all State and Campus policies. (See Exhibits A & B)]

Requestors must be realistic and mindful of the time required to get a contract approved and executed, and plan accordingly. The period for PCS to review and finalize an agreement varies significantly depending on a number of factors, including but not limited to:

- The completeness and accuracy of the submitted Statement/Scope of Work and other required documents at the outset of the contract approval process.
- The input and responsiveness of the requestor during the process.
- The input and responsiveness of the vendor and additional parties entering the agreement/contract with the University.
- The nature and complexity of the transaction/type of contract.
- Whether the other party to the contract is a known/existing vendor or a University affiliate, or a new supplier or vendor to the University and/or PCS.
- The number of contract requests in the PCS queue and/or assigned to the particular PCS Contract Specialist.

Timeframes for non-purchase order agreements/contracts can range from as short as two weeks to as long as a year, based on the criteria provided above.

### 4.0 PROCEDURES

#### 4.1 Agreement Routing

- Each agreement routed for review and approval must be accompanied by a CSU Channel Islands Agreement Routing Form/Cover Sheet. PCS will prepare the Cover Sheet.
- 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, contact information, the type of agreement, the anticipated transaction amount, a summary or
  purpose, and any special instructions.

#### 4.2 Authority to Contract

- 1. **Contract Authority Requirement**: Specific authority in writing is required to obligate the University to pay for goods and services. If contract authority is not documented in writing or specifically cited in delegations, the authority does not exist.
- 2. **Authorized Agents Only**: Only authorized agents of the University with the requisite delegated authority are permitted to make financial obligations to suppliers or sign legally binding purchase documents.
- 3. **Distinction Between Authorities**: The authority to contract and obligate the University is distinct from the authority to approve the expenditure of department/division funds. An individual with signature authority can approve expenditures but may not have the authority to sign contracts on behalf of the University.
- 4. **Approval and Execution Process**: Once the decision to make an expenditure is approved by an authorized department/division representative, a requisition is submitted. The transaction may then be carried out by PCS.
- 5. **Invalid Contracts**: Contracts/Agreements entered into without PCS approval are not valid. Vendors who perform services without a valid contract will be considered volunteers. Risk must review insurance documentation before vendors provide services.
- 6. **Unauthorized Purchases**: Vendors providing services prior to PCS approval are considered unauthorized purchases. An unauthorized purchase form must be routed by the requesting department for PCS review before payment is processed. Completion of this form does not guarantee vendor payment.

7. **Inclusion of CSU Terms and Conditions**: PCS is responsible for ensuring that CSU Terms and Conditions for purchasing (formally known as the CSU General Provisions) are included with all purchase orders and service agreements/contracts.

#### 4.3 Approvals

- 1. **Director of PCS Approval**: Approval by the Director of PCS is required for any agreement or contract where the transaction amount is \$100,000 or less.
- 2. **VPBFA Approval**: Approval by the VPBFA or designee is required for any agreement or contract where the transaction amount exceeds \$100,000 and up through \$300,000.
- 3. **Presidential Approval**: The President must approve and sign any agreement or contract where the transaction amount is over \$300,000.
  - **VPBFA Approval for MOUs and High-Visibility Contracts**: Approval by the VPBFA is required for all Memoranda of Understanding and Memoranda of Agreement. VPBFA approval may also be required for other agreements/contracts involving University assets or high-visibility projects.
  - **Delegation Adjustments in Emergency Conditions**: Approval amounts delegated by the Chancellor's Office and the Office of the President may be adjusted under emergency conditions.

#### 4.4 Electronic Filing of Agreements

- 1. **CSU Buy Platform**: PCS has introduced the CSU Buy platform, a system-wide tool for managing contracts and sourcing events. This platform allows for streamlined contract creation, management, and collaboration across departments. It also provides a contract repository accessible campus-wide and CSU System-wide.
- 2. Jaggaer Contract Module: All approved active and historically valued contracts will be uploaded into the Jaggaer contract module.
  - Contract Entry: PCS will enter contracts into the appropriate module they administer/distribute for signature. Contracts not processed through PCS should be entered into the Jaggaer contract module by departmental staff; system access and training will be provided.
  - **Expiration Notifications**: The contract module will notify stakeholders when a contract is expiring and when an amendment or new contract is required.
  - **Confidential Contracts**: Confidential contracts can be entered by the department into the CSU Buy contract module with restricted access.
- 3. **Department Responsibilities**: Divisions must send agreements to PCS's centralized email: purchasing@csuci.edu. Submitters should note the associated requisition number, if applicable.

#### 4.5 Procurement and Contract Services Timelines

1. Please see Exhibit A and B for PCS Timeline Tables for information concerning purchasing documentation requirements and expected time for purchase.

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

- CSU Channel Islands Procurement and Logistical Services Operations Manual
- <u>CSU Contracts and Procurement Policy</u>

## 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
8/27/2024	Paula Rockenstein Greg Stoup	Authority to contract, filing of agreements	4.2, 4.4

# Exhibit A

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

	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 Quote <sup>1</sup> obtained by requesting department; provide a quote with specs. Note: Procurement encourages multiple quotes when possible. \$50K - \$99,999 Requirements and specifications <sup>2</sup> 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 Quote <sup>1</sup> obtained by requesting department; provide a quote with specs. Note: Procurement encourages multiple quotes when possible. \$50K - \$99,999 Requirements and specifications <sup>2</sup> 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 Quote <sup>1</sup> obtained by requesting department; provide a quote with specs. Note: Procurement encourages multiple quotes when possible. \$50K - \$99,999 Requirements and specifications <sup>2</sup> 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 Quote <sup>1</sup> obtained by requesting department; provide a quote with specs. Note: Procurement encourages multiple quotes when possible. \$50K - \$99,999 Requirements and specifications <sup>2</sup> 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	<ul> <li>\$0 - \$49,999</li> <li>Quote<sup>1</sup> obtained by requesting department; provide a quote with specs. Note:</li> <li>Procurement encourages multiple quotes when possible.</li> <li>Or use leveraged contract (standardized equipment).</li> <li>\$50K - 99,999</li> <li>Requirements and specifications<sup>2</sup> submitted to</li> <li>Procurement &amp; Contract Services</li> <li>(PCS) for review. Dept goes out for written quotes or PCS can conduct an informal bid.</li> <li>\$100,000 plus+ Formal bid document led by PCS.</li> </ul>	<ul> <li>\$0 - \$49,999</li> <li>Quote<sup>1</sup> obtained by requesting department; provide a quote with specs. Note: Procurement encourages multiple quotes when possible. Or use leveraged contract (standardized equipment).</li> <li>\$50K - 99,999</li> <li>Requirements and specifications<sup>2</sup></li> <li>submitted to Procurement &amp; Contract Services (PCS) Once reviewed, Dept goes out for written quotes or PCS can conduct an informal Bid.</li> <li>\$100,000 plus+ Formal bid document led by PCS.</li> </ul>
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 attachments <sup>2</sup> ) Use Goods and Services GPs and attach them to PO	CFS Requisition entered into PeopleSoft (w/quote and specs as attachments <sup>2</sup> ) Use Goods and Services GPs and attach them to PO	CFS Requisition entered into PeopleSoft (w/quote and scope of work or contract as attachments <sup>2</sup> ) 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 attachments <sup>2</sup> ) 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 attachments <sup>2</sup> ) 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 attachments <sup>2</sup> ) 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. <i>Invoice</i> 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. <i>Invoice</i> 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 <b>Risk</b> 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 <b>Risk</b> 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>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.

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

# Exhibit B

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

				PUBLIC WORKS	PUBLIC WORKS
	MAINTENANCE <sup>i</sup> SERVICES (SUAM 9700/ICSUAM 5000)	CONSTRUCTION SERVICES <sup>ii</sup> (9200 – 9212)	CONSTRUCTION SERVICES (9200 – 92012)	MINOR CAP (ISUAM 9700)	MAJOR CAP (ISUAM 9700)
	Maintenance Services	Minor Cap	Major Cap	Construction	Construction
Bid Level	For involved projects use Minor Cap Process & Forms \$\$0 - \$49,999 Quote <sup>iv</sup> 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	<ul> <li>\$0 - \$4,999</li> <li>Quote obtained by requesting department. (or JOC)</li> <li>\$1,000 - \$929,000<sup>vi</sup></li> <li>Public agencies' labor can be used to complete this work.</li> <li>\$5,000 - \$99,999</li> <li>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).</li> </ul>	\$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
	\$50 - \$99,999 Written quotes <sup>v</sup> are required, written scope of work/specification is required; Requirements and specifications are submitted to <b>Procurement &amp;</b> <b>Contract Services</b> (PCS) for review. Department or PCS can request and receive written quotes/bids. Bid Abstract used if possible <b>\$100,000 plus+</b> 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	<b>Over \$929,000</b> Depends on Deliverable 8 – 12 weeks

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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. <b>Over \$15,000</b> prevailing wage required. <b>Over \$15,000</b> DIR DWC-100 filing is required. <b>Over \$25,000</b> Payment and Performance Bonds may be required <b>\$50,000 - \$99,000</b> written quotes and written evaluation required. <b>\$100,000 and over</b> - 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/c su-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/c su-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/ <b>Over \$1,000</b> Prevailing wage required. <b>Over \$25,000</b> – payment and performance bonds required (100% of the contract amount). And DIR DWC-100 filing required <b>\$100,000 – \$928,999</b> – 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. Certified Payroll to Facilities may be	Construction Services that include on-site labor: labor portion is subject to Prevailing Wage. i.e. Hazardous materials Abatement. Insurance Required. Certified payroll to	Construction Services that include on-site labor: labor portion is subject to Prevailing Wage. i.e. Hazardous materials Abatement. Insurance Required. Certified payroll to	Certified Payroll.to Facilities Progress payments per contract/bid Insurance Required	Certified Payroll to Facilities Progress payments per contract/bid Insurance Required - - CSU Builder's Risk
	required Progress Payments per contract/bid.	Facilities may be required	Facilities may be required.		Insurance Program Required.
Special Consideratio ns/ Processing	Prevailing wage requirements apply for \$1,000 and over. Certificate of	The prevailing wage is applied for \$1,000 and over for the labor portion of the contract.	The prevailing wage applies to \$1,000 and over for the labor portion of the contract.	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.
	Insurance must be received and approved by <b>Risk</b> Management before services.	Certificate of Insurance must be received and approved by <b>Risk</b> <b>Management before</b> services.	Certificate of Insurance must be received and approved by <b>Risk</b> <b>Management before</b> services.		_ 152 16 required.

<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>11</sup> Construction Services Section 9200-9212: Architect, Engineer, Construction Manager, Survey, Geotechnical, Soil Analysis, Feasibility Study, Asbestos Abatement Survey, Landscape Architect, etc.

<sup>&</sup>lt;sup>iii</sup> Projects must be contracted pursuant to Public Contract Code Section 10700 et. Seq. and SUAM XII Section 9700.

<sup>&</sup>lt;sup>iv</sup> 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.

<sup>&</sup>lt;sup>vi</sup> 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).