



Information for Contractors Regarding Public Works Projects

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Introduction

The primary goal of the formal bid process is to facilitate competition from a broad group of potential vendors / contractors. Some of the typical steps of a formal bid process includes: developing a scope of work, advertising, clarify the scope of work through addendums when needed, bid opening and award. All this is done before the project can be started. The processing time from preparation of the legal advertisement to award of bid is approximately four (4) to six (6) weeks.

In order to reduce the time to commence a project the California Uniform Public Construction Cost Accounting Act (CUPCCAA) was enacted.

What is CUPCCAA?

This program was created in 1983 to provide public agencies an option to take action toward utilizing higher bid limits and to enhance the agency's ability to perform the public works project with force labor. Note? The act is enacted under Public Contracts Code Section 22000 through 22045 (hereafter abbreviated as PCC 22000-22045).

Here is a summary of the effective bid limitations:

- Public projects of forty-five thousand dollars (\$45,000) or less may be performed by the employees of a public agency, by negotiated contract or by purchase order.
- Public projects of one hundred seventy-five thousand dollars (\$175,000) or less may be contracted by informal bid procedures.
- If all bids received are in excess of one hundred seventy-five thousand dollars (\$175,000) the governing body of the public agency may by adoption of a resolution by a four-fifths vote, award the contract at one hundred eighty-seven thousand five hundred dollars (\$187,500), or less, to the lowest responsible bidder if it determines the cost estimate of the public agency was reasonable.
- Public projects of more than one hundred seventy-five thousand dollars (\$175,000) shall contract by formal bidding procedures.

Benefits of CUPCCAA

1. Projects start sooner as a result of an expedited award process.
2. Opportunity to complete projects earlier.
3. Simplify project administration with enhanced procedures (authorization to public bid and advertising, vendor prequalification and informal bidding).
4. Minimal changes to established procedures.
5. More effective contractor handling through pre-qualification.

Traditional Bidding vs. MCC Implemented CUPCCAA

	Traditional Bidding	MCC Adopted CUPCCAA
Pre-qualification of Contractors	Optional	<ul style="list-style-type: none"> • Yes
Program Adoption	None	<ul style="list-style-type: none"> • Yes
Bid Limit(s)	\$15,000	<ul style="list-style-type: none"> • \$0-25,000 – Any vendor from the prequalified vendor pool can be chosen. • \$25,001 - \$45,000 – Any vendor from the prequalified vendor pool can be chosen and Payment and Performance Bonds are required. • \$25,001 - \$125,000 – Informal estimate procedure using prequalified vendor pool. • \$125,001+ - Must be formally bid.
Advertising	With every bid	<ul style="list-style-type: none"> • Minimum once a year to establish pre-qualification for jobs under \$125,000. • All jobs over \$125,000
Projects from \$0 - \$25,000	<ul style="list-style-type: none"> • Jobs from \$0 - \$15,000 may be negotiated by contract or purchase order. • Jobs \$15,000+ must be formally bid. 	<ul style="list-style-type: none"> • Jobs will negotiated by contract from the prequalified vendor pool at the discretion of the Facilities Department.
Projects from \$25,001 - \$45,000	<ul style="list-style-type: none"> • Jobs from \$0 - \$15,000 may be negotiated by contract or purchase order. • Jobs \$15,000+ must be formally bid. 	<ul style="list-style-type: none"> • Jobs will negotiated by contract from the prequalified vendor pool at the discretion of the Facilities Department. • Jobs require Payment and Performance Bonds.
Projects from \$45,001 - \$175,000	Jobs \$15,000+ must be formally bid.	<ul style="list-style-type: none"> • All pre-qualified Contractors in a particular trade are notified via e-mail or fax in of the project scope of work for an opportunity to provide an estimate. • Job may be formally bid, if it is determined to be in the best interest of the District.
Projects from \$175,001+	Jobs \$15,000+ must be formally bid.	<ul style="list-style-type: none"> • All jobs \$175,000+ must be formally bid.
Payment and Performance Bond	Projects greater than \$25,000+	<ul style="list-style-type: none"> • Projects greater than \$25,000+

Informal Estimate Procedures

Prequalified Contractors List

The MiraCosta Community College District shall create and maintain a list of prequalified Contractors for all transactions between zero (\$0) and one hundred twenty-five thousand dollars (\$175,000) in the following manner.

1. Annually in November, the Purchasing & Material Management Department shall create and maintain a list of Prequalified Contractors as follows.
 - a. A written notice shall be published in all construction journals specified by the commission as well as any other locations that the Purchasing & Material Management Department deems appropriate. At least one of the trade journals must be chosen for publication from either the local area trade journals or from the local builders exchange publications.
 - b. The District's publication shall invite all licensed contractors to submit their name to Purchasing & Material Management.
 - c. The Purchasing & Material Management Department will review contractors that meet predetermined State and District acceptance criteria for inclusion on the list of qualified bidders for each calendar year.
 - d. This list of contractors will be identified according to categories of work.
2. At the completion of the calendar year, the list will be deemed completed, and a new list will be prepared in the same manner to begin on January 1st of the next calendar year.
3. Contractors may at any time during a calendar year request to be added to the list of prequalified contractors by completing the District's Online Application for Qualification for the 2011 Calendar Year by logging on to <http://www.surveygizmo.com/s/396402/purchasing-prequalification-bidder-questionnaire>.

Projects from \$0 - \$25,000

For all jobs from zero (\$0) and twenty-five thousand dollars (\$25,000) the MiraCosta Community College District shall utilize the following procedures.

1. The Facilities Department will have the discretion to select from the list of prequalified contractors, any contractor they deem to be in the best interest of the District and have a written quote submitted from them.
2. Upon selection of the contractor as well as the submission of their quote, the Facilities Department will have the contractor sign the "Public Works Agreement for Projects Between \$0 and \$25,000."
3. Facilities will then submit to Purchasing & Material Management a requisition with the prequalified contractors quote and the signed "Public Works Agreement for Projects Between \$0 and \$25,000."
4. Purchasing & Material Management will then process the requisition into a purchase order and return a copy of that purchase order with a copy of the fully executed "Public Works Agreement for Projects Between \$0 and \$25,000" to the contractor.
5. Receipt by the contractor of the purchase order and the fully executed "Public Works Agreement for Projects Between \$0 and \$25,000" may be considered an authorization to proceed, contingent upon direction by the Facilities Department

Projects from \$25,001 - \$45,000

For all jobs from twenty-five thousand and one dollars (\$25,001) through forty-five thousand dollars (\$45,000) the MiraCosta Community College District shall utilize the following procedures.

1. The Facilities Department will have the discretion to select from the list of prequalified contractors, any contractor they deem to be in the best interest of the District and have a written quote submitted from them.

2. Upon selection of the contractor as well as the submission of their quote, the Facilities Department will have the contractor sign the "Public Works Agreement for Projects Between \$25,001 and \$45,000."
3. Facilities will then submit to Purchasing & Material Management a requisition with the prequalified contractors quote, the required Payment and Performance Bonds and the signed "Public Works Agreement for Projects Between \$25,001 and \$45,000."
4. Purchasing & Material Management will then process the requisition into a purchase order and return a copy of that purchase order with a copy of the fully executed "Public Works Agreement for Projects Between \$25,001 and \$45,000" to the contractor.
5. Receipt by the contractor of the purchase order and the fully executed "Public Works Agreement for Projects Between \$25,001 and \$45,000" may be considered an authorization to proceed, contingent upon direction by the Facilities Department.

Projects from \$45,001 - \$175,000

For all jobs from forty-five thousand and one dollars (\$45,001) through one hundred and seventy-five thousand dollars (\$175,000) the MiraCosta Community College District shall utilize the following "Informal Estimate" procedures.

1. Facilities will complete the "MiraCosta College Capital Funding Request Form" and gather all plans and specifications for submission to the Purchasing & Material Management Department.
2. The Purchasing & Material Management Department will issue a notice to all pre-qualified contractors inviting them to provide estimates by the specified date and time as follows:
 - a. Only those pre-qualified vendors within the applicable trades will be notified.
 - b. All projects will be assigned a "Job #" that is unique to that project.
 - c. The lowest submitted estimate shall be awarded the job by the District.
 - d. Upon award, the contractor will be required to complete the "Public Works Agreement for Projects between \$45,001 and \$175,000."
 - e. Upon award, the contractor will be required to submit Payment and Performance Bonds.
 - f. Once all required documents have been received, Purchasing & Material Management shall return to the contractor a fully executed copy of the agreement along with the Purchase Order. This combination of documents will be considered the Notice to Proceed, contingent upon direction by the Facilities Department.

Projects from \$175,001+

For all jobs from one hundred twenty-five thousand and one dollar (\$175,001) and over, the District shall use the Formal Bidding Process as specified in the California Education Code and Public Contract Code