



**Procedure 202-06 Contracts, Agreements, and
Intergovernmental Agreements (IGAS)
Sponsor: Purchasing and Auxiliary Services**

Purpose

This procedure is designed so faculty and staff can distinguish between the various types of contracts, agreements, and intergovernmental agreements (IGAs) and to establish signature authority.

Definitions

Cooperative Purchasing: The combining of requirements of two or more governmental units to obtain the benefits of volume purchases and/or reduction in administrative expenses.

Intergovernmental Agreement (IGA): Is any agreement that involves or is made between two or more government agencies in cooperation to solve problems of mutual concern.

Lease: A contract conveying from one entity to another the use of real or personal property for a designated period of time in return for payment or other consideration.

Public Private Partnership (P3): A P3 allows higher education institutions to enter into an agreement with the private sector to deliver a service or facility in order to accomplish the mission of the institution without the burden of financial risk.

Procedure

Compliance

A.R.S. 15-1444(B)(4) allows the Governing Board to delegate its authority to the sign and approve contracts to the President and their delegees.

Cooperative and Joint Procurements

The District is authorized to utilize various cooperative and joint purchase contracts for the procurement of goods, equipment and services.

The agreements are negotiated on behalf of groups of educational institutions or government subdivisions. Some of these groups require membership in order to access these contracts, while other are purely voluntary and are available to all political subdivisions.

It is the intent of the District to support these contracts whenever possible. This includes assisting in the development and bidding phases as well as in reporting compliance within the contracts. The District however, reserves the right to obtain the best possible price and quality even if it means not utilizing these contracts.

The District also encourages bidding cooperatively to allow other agencies, districts, and government subdivisions to access certain District contracts. The responsibility for placing orders, expediting, problem resolution, and payment shall remain with the organization that accesses the District contract.

State Contracts

Contracts established by the State Procurement Office, for the procurement for certain supplies and equipment, are available for the District to use. These contracts will be used when they are in the best interest of the District.

The purchase of items from State Contracts does not require additional competitive bidding, as a sealed bid process already has determined vendors and pricing.

If an identical item or service already on State Contract can be obtained at a lower price from a reasonable and responsive supplier, other than the one identified on State Contract, the Purchasing Department may contract with the lower priced supplier, as a means of reducing the expenditure of State and District funds.

Requisitions for Service and Maintenance Contracts

Requisitions for all maintenance contracts (computers, copiers, etc.) should be submitted to the Purchasing Department at least 30 days prior to the contract expiration date. All requisitions must contain the equipment's inventory tag number, brand name, model name or number, serial number and location.

If an item is covered by a warranty or service contract, it is the responsibility of the user department to call the manufacturer or service company. A requisition for repair is not necessary when the equipment has a service contract.

If the item is not covered by warranty or a service contract, a Purchase Requisition for the repair must be submitted which should include the make, model, inventory tag number and location of the item.

Once a purchase order has been generated, the user department may then make arrangements with the service company to perform repairs or maintenance. When service has been completed and the user department is presented with a repair slip or invoice, the slip must be signed, dated, ensure the PO number is identified and all documentation forwarded immediately to the receiving department.

Service and Maintenance Contracts

Service and Maintenance Contracts less than \$10,000

The Director of Purchasing and Auxiliary Services shall sign all service and maintenance contracts on behalf of the District that total less than \$10,000 (in a fiscal year) and shall be forwarded to the provider with a purchase order.

Service and Maintenance Contracts from \$10,000 to under \$50,000

The Executive Vice President or those designated by the Executive Vice President, shall sign all service and maintenance contracts on behalf of the District that total from \$10,000 to under \$50,000 (in a fiscal year) and shall be forwarded to the provider with a purchase order.

Service and Maintenance Contracts \$50,000 to under \$100,000

The President or those designated by the President, shall sign all service and maintenance contracts on behalf of the District that total \$50,000 or more (in a fiscal year) and shall be forwarded to the provider with a purchase order.

Service and Maintenance Contracts \$100,000 or more

Contracts of \$100,000 (in a fiscal year) or more shall require District Governing Board approval.

Standard Contracts, Agreements and Leases

Standard Contracts, Agreements & Leases less than \$10,000

The Director of Purchasing and Auxiliary Services shall sign all contracts, agreements, leases, lease purchases or rental agreements on behalf of the District that total less than \$10,000 and shall be forwarded to the provider with a purchase order.

Standard Contracts, Agreements & Leases from \$10,000 to under \$50,000

The Executive Vice President or those designated by the Executive Vice President, shall sign all contracts (excluding purchase orders), agreements, leases, lease purchases or rental agreements on behalf of the District that total from \$10,000 to under \$50,000 and shall be forwarded to the provider with a purchase order.

Standard Contracts, Agreements & Leases \$50,000 to under \$100,000

The President or those designated by the President, shall sign all contracts (excluding purchase orders), agreements, leases, lease purchases or rental agreements on behalf of the District that total \$50,000 or more and shall be forwarded to the provider with a purchase order.

Standard Contracts, Agreements & Leases \$100,000 or more: These agreements of \$100,000 or more shall require approval by the District Governing Board.

Intergovernmental Agreements (IGAS)

Per A.R.S. § 11-952, all Intergovernmental Agreements (IGAs) must be reviewed by College Legal Counsel prior to signature or approval. The same statute requires that all IGAS be approved by the District Governing Board.

Public Private Partnerships (P3s)

The District is authorized to utilize P3 projects in order to serve students and communities in order to accomplish the mission of the Community College.

The District requires a competitive process for organizations to submit qualifications to allow companies, agencies, districts, and government sub-divisions to access a District P3 contract. The responsibility for placing orders, expediting, problem resolution, and payment shall remain with the organization that accesses the District contract.

References

A.R.S. § 11-952
A.R.S. § 41-2632
A.R.S. § 41-2633

Procedure History

10/25/2019 New and Approved by Executive Leadership Council
12/09/2020 Added section on IGAS to match A.R.S. § 11-952
01/12/2021 Revised and Approved by Executive Leadership Council

Legal Review

None (the contents of this procedure are substantially from state laws and procurement code)