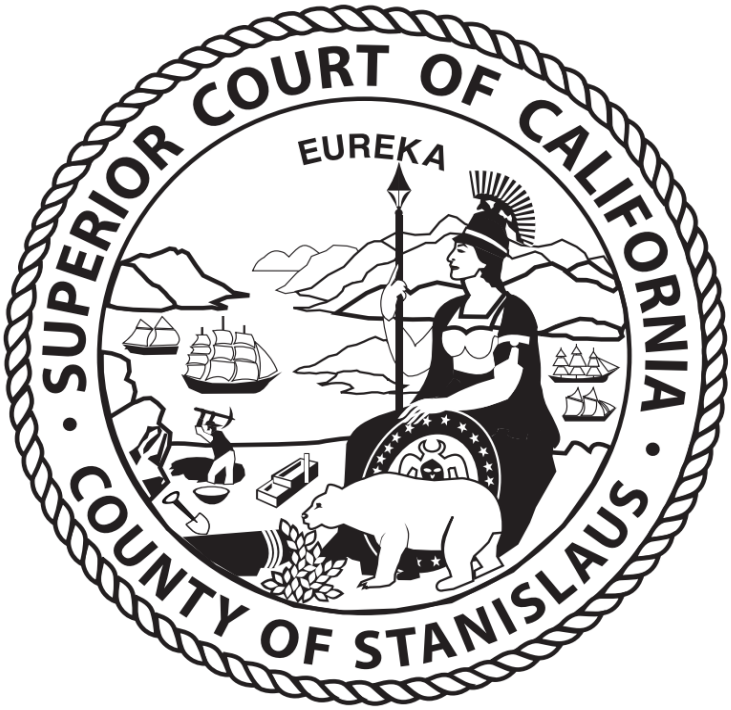

Local Procurement and Contracting Manual

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Superior Court of California
County of Stanislaus

Introduction

This is the Local Contracting Manual (Manual) for the Superior Court of California, County of Stanislaus (Court). It is promulgated and used for guidance in all procurement and contracting activities conducted by the Court. The purpose of this Manual is to familiarize Court employees with requisite purchasing and contracting practices. This Manual further details purchasing practices specific to this Court. This Manual was originated January 1, 2020, and the effective date of the last revision to each chapter is reflected on the bottom of the affected page.

A. Statutory Basis

On March 24, 2011, Senate Bill 78 was enacted, creating a new Part 2.5 of the Public Contracting Code (PCC) designated the California Judicial Branch Contract Law (JBCL, PCC §19201-19210). The JBCL requires that superior courts (and other Judicial Branch Entities, or JBEs/Courts) comply with provisions of the PCC that are applicable to state agencies and departments related to the procurement of goods and services.

PCC §19206 of the JBCL requires the Judicial Council of California (JCC) to adopt and publish a Judicial Branch Contracting Manual (JBCM) incorporating procurement and contracting policies and procedures the JBEs must follow. The policies and procedures in the JBCM must be "consistent with" the PCC and "substantially similar" to the provisions contained in the State Administrative Manual (SAM) and the State Contracting Manual (SCM). The SAM and SCM, however, are not applicable to the Court, as trial courts are *not* state agencies, but judicial branch or local government entities.

The Court adopts the JBCM promulgated and published by the JCC on August 26, 2011 and effective October 1, 2019, as well as all later revisions.
(http://www.courts.ca.gov/18759.htm)

B. Authority, Interpretation and Application

Under the decentralized management system of the judicial branch, each Judicial Branch Entity is vested with individual purchasing authority. In the case of a Superior Court, the purchasing authority is vested in the Presiding Judge, as delegated to the CEO. To meet the unique needs of the Court and ultimately achieve the goals set forth in PCC Sections 100–102, each Presiding Judge has the authority to vary the Court's application of any non-mandatory business or accounting practice set forth in the JBCM. Any variances from the JBCM will be documented in the Court's Local Contracting Manual. The JBCM and this Manual dictate requirements for the Court's procurement and contracting activities specifically, but other procedures related to procurements and contracting may be found in the latest revision of the Trial Court Financial Policies and Procedures Manual (FIN).

C. Local Contracting Manual

PCC §19206 also requires the JCC to include in the JBCM a requirement that each JBE/Court shall adopt a Local Contracting Manual (LCM) for procurement and contracting for goods and services by that Court. The content of each LCM must be "consistent with" the PCC and "substantially similar" to the provisions contained in the SAM and the SCM.

- Each court must adopt a manual consistent with the requirements of PCC §19206.
- Each court must identify individuals with responsibility and authority for procurement and contracting activities as required by the JBCM.

- Each court may include in its LCM policies and procedures governing its procurement and contracting activities, and those policies and procedures must not be inconsistent with the JBCM or with applicable law.

The Procurement and Contracting Officer (PCO) for the Court is responsible for updating this Manual, as changes are made or revisions are necessary. This Manual and all amendments shall be approved by the Court's Executive Officer prior to its distribution to staff.

The PCO shall retain a distribution list of all staff receiving this Manual and shall coordinate distribution of amendments as they occur.

Chapter 1: Purchasing Authority

1.1 Source of Purchasing Authority

The source of purchasing authority for the Court is Article VI, section 4 of the California Constitution.

Pursuant to California Rule of Court (CRC), rule 10.603(c)(6)(D), this authority is vested in the PJ, who has in turn delegated this authority to the CEO. Original signed delegations from the current PJ to the CEO are kept on file. A generic delegation form is attached to this Manual as Exhibit A.

No Court employee has the authority to bind the Court for any monetary transactions other than the current PJ or his/her delegate, or the CEO, or his/her delegate, except pursuant to the Authorization Matrix, attached as Exhibit B. The Authorization Matrix is reviewed annually by Court executives, updated and revised as responsibilities or circumstances change, and is reestablished every two years – each time a new PJ is elected. (FIN 1.02, 6.2(2)(g))

Most facilities-related expenditures are outside the scope of purchasing authority for superior courts. Under Government Code §70392(e), however, the Judicial Council of California (JCC) (formerly Administrative Office of the Courts, or AOC) is authorized to delegate its responsibilities for ongoing operation and management to a court for some or all of the existing court facilities.

1.2 Purchasing Roles and Responsibilities

The following roles and responsibilities are listed for their involvement in the Court's procurement activities. The assignment of roles provides a sufficient segregation of duties to reduce the risk of error or fraud in the Court's purchasing program. The Court's Conflict of Interest Policy requires certain Court staff to complete Conflict of Interest forms (Fair Political Practices Commission Form 700) as well as complete biannual ethics training and reviews. *Procurement staff and all authorizing approvers are included in this group*. The Court considers the JBCM and its local Conflict of Interest Code to be sufficiently restrictive regarding the acceptance of gifts and gratuities.

Procurement and Contracting Officer (PCO)/Buyer: Is responsible for all procurement and contracting within the Court; ensures that all procurement and contracting activities within the Court comply with applicable procurement laws; provides the necessary resources to ensure all staff are properly qualified and trained in all aspects of the procurement process; and oversees development of this Manual.

Performs day-to-day purchasing and contracting activities, such as issuing purchase orders; is knowledgeable about applicable procurement laws and best practices; ensures the needs of the Court are met within applicable procurement laws; maintains the procurement file and related documentation.

ADA Coordinator: Assists and responds to questions or concerns regarding procurement-related reasonable accommodation needs pursuant to the Americans with Disabilities Act (ADA).

DVBE Advocate: Identifies potential Disabled Veteran Business Enterprise (DVBE) prime contractors or subcontractors and potential contracting opportunities; makes information regarding pending solicitations available to certified DVBE firms capable of meeting the Court's business needs (MVC §999.12).

Procurement Card Coordinator: Ensures compliance with relevant CAL-Card (purchase credit card) procedures and contract terms; adds, deletes, and alters card restrictions/limits; reviews billing reports to monitor payments and disputes.

Receiving Staff: Receives or acknowledges deliveries; inspects goods; and completes reports as required by this Manual, JBCM, FIN, or other Court policy.

Protest Hearing Officer: Evaluates protests and issues written determinations regarding protests.

Protest Appeals Officer: Evaluates protest-related appeals and issues written determinations regarding appeals of protests.

Payment Officer: Ensures timely payment of invoices and ensures that proper internal approvals have been secured before processing payments.

Contract Administrator: Monitors vendor performance, including assuring receipt of vendor insurance, licenses and certifications as required by the contract; is the first line of communication for vendor disputes, changes, and amendments, vendor demands and Court complaints; monitors conformance of goods/services as specified in the contract; accepts or rejects non-conforming goods/services; and assists with contract file maintenance, integrity, and contract closeout.

Sole Source Approver: Approves all Non-Competitive Bid (NCB) purchases that qualify as Sole Source purchases with signature on Sole Source Justification Form.

The procurement roles described above are assigned to Court staff as listed below:

Procurement/Contracting Officer –	PCO
Buyer -	PCO/Buyer; Procurement Staff
ADA Coordinator -	Supervising Attorney
DVBE Advocate -	PCO/Buyer
Procurement Card Coordinator -	Fiscal Manager
Receiving Staff -	PCO/Buyer**;** Office Supply Ordering Staff; Mailroom Staff
Protest Hearing Officer –	PCO/Buyer
Payment Officer-	Fiscal Manager
Contract Administrator -	PCO/Buyer
Sole Source Approver -	CEO

Chapter 2: Procurement Process

This chapter provides a general overview of the procurement process. Details of competitive and non- competitive (NCB) procurements can be found in Chapters 4 and 5, respectively.

2.1 Formulating the Procurement Approach

Once the need for a procurement is known, the following must be determined:

A. What is the estimated value of the procurement?
B. Does it require a competitive solicitation or NCB procurement?
C. Is the procurement for goods or services?
D. Information Technology (IT) or non-IT?
E. Is it for equipment – lease versus purchase?

Once these questions and others are answered, procurement staff working with the individual or department can determine how to move forward. The desk procedure, which details the specific process and information required pursuant to the JBCM, includes a flowchart of steps to follow.

The general process is as follows:

A. A need is determined and the procurement staff decides whether the good or service needs to be purchased or can be procured by other means.
B. If it will be purchased Procurement seeks approval from the appropriate authority (based on the estimated value and the Authorization Matrix). At this time it is determined whether a competitive solicitation is required or if the procurement qualifies as an NCB.
C. The Court will only provide a statement of work (SOW) if a competitive bid process is necessary.
D. The solicitation is conducted, or bids taken, and evaluated.
E. The appropriate authority approves the award and the solicitation is complete.

2.2 Term Purchases

The JBCM discusses Term Purchases which are used for “a specified list of products and quantities.” The Court does not use Term Purchases, but a similar vehicle, BPOs (“blanket purchase orders”), which are used for non-specified purchases, in non-specified quantities. The Court does not competitively bid each BPO; however, it does bid each specific purchase made with a BPO that is over $10,000 in value.

2.3 Negotiations and Special Negotiation Processes

A JBE may negotiate with Bidders either before or after award of a contract to ensure that the JBE receives the most favorable terms possible. Generally, a JBE will have more negotiating leverage prior to the award of a contract.

Example: A JBE wishes to avoid awarding a contract to a Bidder that transfers substantial risk to the JBE through the contract. Therefore, the JBE wishes to finalize the contract with the Bidder before award while the JBE has both (i) negotiating leverage with the leading Bidder and (ii) an opportunity to negotiate exceptions taken by lower-ranked bidders before the final score and ranking are determined. The JBE states in the RFP that the JBE may clarify or negotiate contract terms and conditions with one or more of the Bidders based on the Bidders' preliminary rankings following initial scoring of their Bids. When Bids are scored, the Evaluation Team notes that the Bid with the highest score includes exceptions to the JBE's contract terms and conditions. The Evaluation Team wishes, therefore, (i) to seek clarification from or negotiate with the leading Bidder on contract terms and conditions before making the award, or (ii) if scores are close enough that changes to exceptions to contract terms and conditions may affect ranking, to seek clarification from or negotiate with the leading Bidder and one or more of the other Bidders with the highest preliminary scores. Final scores and ranking will reflect the negotiated terms and conditions, and, if the final rankings change which Bidder is highest-ranked, the formerly leading Bidder will not be awarded the contract.

PCC 6611 Special Negotiation Process

1. When Allowed: Consistent with PCC 6611, JBEs may use special negotiation processes, including a process whereby the JBE receives supplemental bids after the initial bids are opened (i.e., a "best and final offer" process). These special negotiation processes may be used only in procurements involving the following circumstances:

- The business need or purpose of a procurement or contract can be further defined as a result of a special negotiation process.
- The business need or purpose of a procurement or contract is known by the JBE, but a special negotiation process may identify different types of solutions to fulfill this business need or purpose.
- The complexity of the purpose or need suggests a Bidder's costs to prepare and develop a solicitation response are extremely high.
- The business need or purpose of a procurement or contract is known by the JBE, but the negotiation process is necessary to ensure that the JBE is receiving the best value or the most cost-efficient goods, services, information technology, and telecommunications.

2. Procedures and Guidelines: If the JBE uses a special negotiation process, the JBE must include procedures and guidelines regarding the process in its Local Contracting Manual. These procedures and guidelines must include the methodology that will be used by the JBE to evaluate affected Bids. If the process allows for the use of supplemental bids, the procedures and guidelines must specify the conditions under which supplemental bids may be received by the JBE.

2.4 External Notices

The Court is required to provide the notice in the following instances:

	Notice Required to:	Fact Situation
A.	Public	Any solicitation or contract execution that exceeds the greater of $400,000 or 10% of total budget
B.	California Technology Agency	IT administrative and infrastructure projects estimated to be more than $5 million
C.	California State Auditor	Contracts for purchases estimated to be more than $1 million.

2.5 Procurement Files

Official procurement files are maintained for all formal written solicitations (greater than $10,000). The file includes a procurement summary which details the solicitation (type, bid summary, evaluation, and decisions).

Chapter 3: Socioeconomic and Environmental Programs

The following socioeconomic and environmental programs and considerations affect procurement activities of the Court:

3.1 California Disabled Veteran Business Enterprise (DVBE) Program

The Legislature established the DVBE program to increase business opportunities for disabled veteran businesses in recognition of their sacrifices during military service. Its intent is "that every state procurement authority honor California's disabled veterans by taking all practical actions necessary to meet or exceed the DVBE participation goals of a minimum of 3 percent of total contract value" (Military and Veterans Code (MVC) §999(a)). These goals apply to the total contract value expended each year by each JBE.

The Court has adopted a DVBE program.

3.2 Americans with Disabilities Act (ADA) Considerations

In compliance with the ADA, the Court makes reasonable efforts to ensure programs, activities, and services are accessible to persons with disabilities. Solicitation documents advise prospective bidders of their rights under the ADA and that any requests for accommodations of disabilities are directed to the Court's ADA Coordinator.

3.3 Recycling Program

To the maximum extent economically feasible in performance of contract work and under PCC §12203 the Court is required to ensure that a certain percentage of reportable purchases are recycled products as listed in PCC §12207 which includes office supplies, janitorial supplies, and plastic products. For a complete list of targeted categories see PCC §12207.

3.4 Small Business Preference (SB) Program

The Court is required by the JBCM under PCC §12102.2(c) to provide a small business preference in the award of IT goods or services contracts. In competitive solicitations of IT goods and services of $100,000 or more, the Court provides a five percent preference to entities that have been certified as a "small business" or "microbusiness" by the State of California, Department of General Services. This does not apply to the procurements of non-IT goods or services.

Chapter 4: Competitive Solicitations

The JBCM was established to provide procurement and contracting policies and procedures courts must follow. Courts must "conduct competitive procurements in a manner that promotes open, fair, and equal competition among prospective bidders." (JBCM Chapter 4, 4.1, (A)).

When a good or service is needed, the Procurement staff is notified and determines if a competitive procurement is required. In certain circumstances procurements may not require competition (see next chapter). When competition is required, Procurement staff and the SME develop the solicitation documents, using templates provided by the JCC and approved for the Court's use.

Competitive Solicitations for IT Goods and Services

The JBCM sets forth a five-step evaluation process for IT Goods and/or Services RFPs. Two of the steps are particularly problematic for the Court and could well severely limit or negatively impact the Court's ability to successfully negotiate cost with proposers to achieve lower prices and cost savings for the Court.

Specifically:

- Evaluation Step 3 - publishing the results of the completed non-cost evaluation; and,
- Evaluation Step 4 – then, publicly opening the cost portions.

If followed, these two steps would result in all proposers knowing exactly who their competition was, and also knowing exactly what their competition's pricing is. Obviously, this situation could severely hinder the Court's attempts to negotiate pricing, using a Best and Final Offer (BAFO) technique, or other special negotiation processes.

A key component of the RFP process is the ability and flexibility to negotiate lower prices and favorable terms and conditions, and these two steps (Step #3 & #4) could well hinder both of these important processes.

Therefore, the Court will properly exercise local court discretion as set forth in Ch. 4C, Footnote #34, of the JBCM which states: "This step-by-step guide may be superseded in whole or in part if a JBE uses a special negotiation process." The use of a BAFO is a special negotiation process and the Court uses this process in its RFPs. As a proper use of this discretion, the Court will not conduct IT RFP Evaluation Steps 3 & 4.

Requests for Quotes

Requests for Quotes (RFQ) or Bids are used for routine, uncomplicated, low risk, and/or low cost procurements. The Court has determined a threshold of $50,000 is reasonable and appropriate for Non-IT Goods and Services. The Court has made the same determination of $150,000 for IT Goods and Services.

The Court does not accept faxed bids and uses a standard set of bid instructions which are included in each solicitation document.

Chapter 5: Non-Competitive Bid Procurements

There exist some instances when the JBCM does not require competitive solicitations. The Court has established forms and procedures for the following approved NCB procurements:

1. Purchases of less than $10,000;
2. Emergency Purchases;
3. Purchases from governmental entities;
4. Legal services;
5. Certain Leveraged Procurement Agreements (LPAs);
6. Community Rehabilitation Programs (CRPs);
7. Licensing and Proficiency Testing Examinations;
8. Subvention and Local Assistance Contracts; and
9. Sole Source Procurements.

5.1 Form.

The Court has adopted a form for NCB procurements. The Procurement staff verifies NCB requirements have been met and completes the form for the procurement file. The completed form is forwarded to the approving authority for NCB approval. No further documentation is required for these procurements. (The form is included at the end of this Manual as Exhibit C.)

The JBCM requires *signed* approvals for amendments, sole source justifications, and emergencies. This local policy permits *email* authorization in the case of an *emergency* with proper pre-approval.

5.2 Sole Source Procurements

For NCB procurements that qualify as a sole source purchase an additional Sole Source Request form is completed and approved by the Sole Source Approver who is the CEO or his/her delegee. (The Sole Source Request form is included at the end of this Manual as Exhibit D.).

5.3 Repeat Sole Source Procurements

The original sole source approval is for the contract's initial term only. When the contract is due for renewal or extension, circumstances regarding sole source justification are reviewed. If circumstances remain the same, the sole source is renewed; otherwise, the procurement may require a competitive solicitation.

Chapter 6: Leverage Procurement Agreements (LPA)

6.1 LPA Basics

LPAs consolidate the procurement needs of multiple entities, and leverage the entities' combined buying power to reduce prices, improve terms and conditions, or improve procurement efficiency. In the JBCM, a leveraged procurement generally refers to either:

1. A court's procurement of goods/services through the use of an agreement (the LPA) that is established by a third party entity with a vendor, and which enables the Court to procure goods/services from the vendor (without competitive bidding) on the same or substantially similar terms as in the LPA; or

2. The establishment of an LPA by a court, on behalf of or in collaboration with other entities, that permits the Court and other entities to procure goods or services from the vendor that is contracted under the LPA.

6.2 Dollar Limits

The Court LPA dollar limitations are as specified in the LPA documentation provided by the establishing entity. The only exceptions to dollar limits are for IT goods or IT services or any combination thereof and as approved by the CEO and/or PJ.

Chapter 7: Protests

7.1 Role Assignments

Protest Hearing Officer and Protest Appeals Officer – see Chapter 1, Section 1.2, Purchasing Roles and Responsibilities.

7.2 Protest Thresholds

The Court adopts the following thresholds for the acceptance of protests as *recommended* by the JBCM:

Type of Procurement	Threshold
Non-IT Goods	$50,000
Non-IT Services	$5,000
IT Goods and Services	$100,000

7.3 Solicitation Specifications Protests

A solicitation specifications protest alleges a solicitation document contains a defective technical, administrative, or cost specification or requirement. For example: A requirement of a specific brand, when goods of another brand meet the Court's requirement equally well at a lower cost. Deadlines for solicitation specifications are:

Type of Procurement	To receive protest with required information	Appeals
IFBs/RFPs	2 court days prior to the bid closing time	2 court days

7.4 Award Protests

An award protest alleges the Court committed an error in the award process sufficiently material to justify invalidation of the proposed award; or the Court's decisions are lacking a rational basis and are, therefore, arbitrary and capricious. For example: The solicitation document stated that 50% of a bid's total score would be cost points, but the Court instead made cost points only 30% of the bid's total score. Deadlines for award protests are:

Type of Procurement	To receive protest after posting Intent to Award	To submit required information	Appeals
Non-IT goods*	24 hours	10 calendar days	5 calendar days
Non-IT services	5 Court Days	5 calendar days	5 calendar days
IT goods/services	5 Court Days	10 calendar days	5 calendar days

*The Court does not waive the requirement that the protester must assert it is the lowest responsible bidder meeting the specifications.

Chapter 8: Contracts

This chapter provides an overview of the process the Court uses for executing contracts. The Court uses Purchase Orders, Standard Agreements and Short Form Agreements, whose templates were developed and provided by the JCC's Legal Services Office (LSO). Court staff formats the templates with its details and considers all mandatory and recommended contract provisions, as well as contractor certification clauses for inclusion in all given contracts (see appendices A, B, and C of JBCM Chapter 4).

8.1 Purchase Orders (POs)

POs are a category of contracts used for the purchase of goods of any value, for services that are ancillary to the purchase of a good(s), and for services that are generally routine, uncomplicated, low risk, and/or low cost.

The Court does not use countersigned POs but payment pursuant to a PO requires either the receipt and invoice for a good, or the performance and invoice of a service, or both.

8.2 Short Form Agreements

The Court uses a Short Form Agreement for procurements that are generally routine, uncomplicated, low risk, and/or low cost. While the JBCM permits the use of this form for procurements not to exceed $50,000, it does permit individual courts to adopt a higher threshold for their use. The Court has adopted a threshold not to exceed $75,000, when the facts of the procurement meet the criteria listed above.

8.3 Legal Review

Standard Court contract templates have been reviewed and approved by the Court's legal counsel. Additional legal review may be requested for contracts involving high-risk or complex activities or services, contracts with special implications for the Court's liability and/or high dollar value contracts, and on particular issues that call for legal review/input.

Chapter 9: Disbursements and Payments

9.1 Advance Payments

In addition to circumstances listed in the JBCM, advance payments may be made with written preauthorization of the PJ or CEO under the following conditions:

A. For grant funded social events or incentives approved by the funding agency;
B. In support of SBE or DVBE organizations; or
C. On occasions when the Court must pay a vendor on the date of performance of the agreement and the payment must be prepared in advance of that date. (When this occurs, the Court holds the payment until satisfactory performance is delivered.)

9.2 Purchase Cards

A. Procurement Cards – The Court utilizes Procurement Cards in accordance with proper fiscal policies. The cards have limits of $2,500 per single transaction and $5,000 daily total. The limits may be increased as needed with prior written authorization by the CEO. (The Court notes the single transaction limit of $2,500 is a deviation from the JBCM, which sets the daily limit at $1,500. However, the Court limits the use of purchase cards and exercises tight control of such use.)

B. Citibank Business Travel Account (BTA) -- The Court utilizes a Citibank Visa BTA for transportation, lodging and conference fees.

C. Voyager Fleet Card – The Court utilizes Voyager Fleet Cards, in accordance with Voyager Fleet Card Policies and Procedures, for Court vehicle expenses.

9.3 Use of Cards for Items Other Than Goods:

The Court may use procurement cards to purchase services including (but not limited to) training, registration and advertising, etc.

Chapter 10: Receiving, Inspection, Acceptance, or Rejection of Goods/Services

The Court conducts the receiving, inspection, acceptance and rejection of goods and service activities in accordance with the principles, rules, and requirements included in the JBCM.

Chapter 11: Contract Administration

The Court conducts its contract administration activities in accordance with the principles, rules, and requirements affecting contract administration in the JBCM. Depending on the subject matter of the contract, contracts are administered by the PCO/Buyer, and/or the project manager as listed in the contract.

Contracts are generally considered “judicial administrative records” for purposes of CRC rule 10.500, and all requests for public records are funneled through the Court’s request process as set forth on the Court’s website.

The Court utilizes SAP to maintain information regarding contracts and vendors. Contract files are maintained and kept in a secure location to ensure integrity of the files.

Chapter 12: Reporting Requirements

12.1 Reports

In accordance with the JBCM, regular contract and payment reports are due to the JCC who will provide the information to the Legislative Budget Committee and the State Auditor as required by PCC§19209.

The reporting periods for the Court are as follows:

a. First reporting period covers January 1st through June 30th and is due by August 1st;
b. Second reporting period covers July 1st through December 31st and is due by February 1st of the following year.

12.2 Notification of High Value Contracts

As required by the JBCM, Courts must notify the California State Auditor's Office of any contracts with a total cost estimated at more than $1 million.

Exhibit A: Delegation Form

SUPERIOR COURT OF CALIFORNIA,

COUNTY OF [_____]

In Re Delegation of Duties from the Presiding Judge to the Court Executive Officer	Special Matter Order No. _____ DELEGATION OF DUTIES UNDER CALIFORNIA RULES OF COURT, RULE[S] [10.603(c)(6)(D)] [and] [10.603(c)(10)(A)]

[As authorized by California Rules of Court, rules 10.603(c)(6)(D), the duty to approve procurements, contracts, expenditures, and the allocation of funds is hereby delegated from Presiding Judge [_____] to Court Executive Officer [_____] through [_____date_____].]

[As authorized by California Rules of Court, rules 10.603(c)(10)(A), the duty to (1) maintain records of outstanding transcripts to be completed by each reporter; (2) reassign court reporters as necessary to facilitate prompt completion of transcripts; and (3) review reporters' requests for extensions of time to complete transcripts in appeals of criminal cases is hereby delegated from Presiding Judge [_____] to Court Executive Officer [_____] through [___date___].]

IT IS SO ORDERED.

DATED this ____ day of [__month__], [__year__].

_____
[_____],
Presiding Judge

Exhibit B: Authorization Matrix

Approval Threshold for Requisitions

A written or electronic purchase requisition is used to initiate all procurement actions. The requestor identifies the correct account code and verifies that budgeted funds are available for the purchase, completes the requisition form, and forwards it to the trial court employee responsible for approving the requisition. After performing an assessment of the need, verifying that the correct account code is specified, and assuring that funding is available, the requisition is forwarded to the trial court's buyer. The following table provides suggested requisition approval authority levels for trial court staff and management.

Suggested Approval Thresholds for Trial Court Procurements

Position	Suggested Approval Threshold
Presiding Judge	$100,000 and above
CEO/ACEO	$10,000 to $99,999
Managers	$2,500 to $9,999
Supervisors	Less than $2,500

Exhibit C: Non-Competitive Bid Form

Stanislaus Superior Court
NON-COMPETITIVE BID APPROVAL FORM

Vendor Name: _____

Contract #: _____ **Amendment #:** _____

Description of goods or services to be procured.

Non-Competitive Bid Selection (check one and provide additional information).

☐ **Emergency Purchase *(approval required)*:** The goods or services are required as a result of an emergency per JBCM Chapter 5, Section 5.2. *Please explain:*

☐ **Government Entity *(document file)*:** The goods or services are purchased from a governmental entity per JBCM Chapter 5, Section 5.3. *Please indicate the name of the government entity:*

☐ **Legal Services *(document file)*:** The services are Legal Services that do not required a competitive procurement per JBCM Chapter 5, Section 5.4.

☐ **Community Rehabilitation Program *(document file)*:** The goods or services are purchased from a Community Rehabilitation Program (CRP) per JBCM Chapter 5, Section 5.6. *Please indicate the name of the CRP:*

☐ **Licensing or Proficiency Testing Examinations *(document file)*:** The services are for Licensing or Proficiency Testing Examinations that do not required a competitive procurement per JBCM Chapter 5, Section 5.7.

☐ **Subvention and Local Assistance Contract *(document file)*:** The contract is a subvention and local assistance contract that does not required a competitive procurement per JBCM Chapter 5, Section 5.8.

☐ **Grant Application Deadline *(approval required)*:** A grant application submittal deadline does not permit the time needed for a competitive procurement of services. Per JBCM Chapter 5, Section 5.9 a competitive bid is not required. *Please provide details regarding the grant and the application deadline:*

☐ **Amendment *(approval required)*:** A non-competitive bid amendment does not require a competitive bid per JBCM Chapter 5, Section 5.11: *Please provide description of contract terms to be changed; documentation that the pricing of the amended contract is fair and reasonable; and why the Buyer determined that the amendment is in the court's best interest.*

Provide support that the pricing is fair and reasonable *(For example, prices for comparable goods or services).*

Requesting Employee: _____
Signature *Title* *Date*

_____
Printed Name

This Non-Competitive Bid (NCB) Request is: ☐ Approved ☐ Denied

NCB Approver: _____
Signature *Title* *Date*

Pursuant to JBCM Chapter 5, Non-Competitive Bid (NCB) Procurements Rev 03/06/19

Exhibit D: Sole Source Request Form

Stanislaus Superior Court
SOLE SOURCE REQUEST

Vendor Name: _____

Contract/PO #: _____ **Amendment #:** _____

Description of the non-IT goods, non-IT services, or IT goods and services to be procured (the "Goods or Services").

Why the Goods or Services cannot be competitively procured *(check one and provide additional information).*
☐ The goods or services are the only goods or services that meet the JBE's need. *Please explain:*
☐ A grant application submittal deadline does not permit the time needed for a competitive procurement of services. *Please provide details regarding the grant application, including the submittal deadline:*

Describe effort made to solicit competitive bids *(if any).*

Support that the pricing is fair and reasonable *(for example, prices for comparable goods or services).*

Describe special factors affecting the cost or other aspect of the procurement *(if any).*

Requesting Employee: _____
Signature *Title* *Date*

_____
Printed Name

This Sole Source Request is: ☐ Approved ☐ Denied

Sole Source Approver: _____
Signature *Title* *Date*

Pursuant to JBCM Chapter 5, Non-Competitively Bid (NCB) Procurements Rev 03/06/19