





# The Board of Governors of the California Community Colleges

PRESENTED TO THE BOARD OF GOVERNORS  
DATE: September 18-19, 2017

SUBJECT: Approval of Contracts and Grants		Item Number: 2.1	
		Attachment: No	
CATEGORY:	Executive	TYPE OF BOARD CONSIDERATION:	
Recommended By:	 Erik Skinner, Deputy Chancellor	Consent/Routine	
		First Reading	
Approved for Consideration:	 Eloy Ortiz Oakley, Chancellor	Action	X
		Information	

**ISSUE:** This item presents contracts and grants to the Board of Governors for approval.

**BACKGROUND:** The Procedures and Standing Orders of the Board of Governors (Sections 318 and 319) require the chancellor to receive board approval before entering into contract or grants (or amendments of contracts or grants) which are: in excess of \$100,000; or over three years in duration; or with respect to consulting services, in excess of \$50,000.

For each board meeting, staff prepares a summary of all currently proposed contracts and grants that exceed any of the established thresholds. If there are no proposed contracts or grants that exceed the established thresholds, the board will be so informed at its meeting.

**RECOMMENDED ACTION:** It is recommended that the Board of Governors approve entering into the contracts and grants described in the September 2017 agenda.

**ANALYSIS:** This item provides summaries of contracts and grants recommended for board approval. In addition, Standing Order Numbers 318 and 319 which govern board action on contracts and grants are included for reference. Below is an overview of the contracts and grants contained in this item:

- Item 1 is a new grant, non-competitive, to provide one-time funding for the Compton Community College District to support and enhance core operational and oversight functions.
- Item 2 is a renewal contract, issued through a competitive process, for a district to serve as a fiscal agent to manage the Statewide Financial Aid Media Campaign ([icanaffordcollege.com](http://icanaffordcollege.com)).
- Item 3 is an amendment to a contract, non-competitive, to continue legal counsel and consultation services.
- Item 4 is a new grant, non-competitive, for a district to act as fiscal agent to support the Student Financial Aid program.
- Item 5 is a new grant, non-competitive, for a district to act as fiscal agent to support the Student Services and Special Projects program.
- Item 6 is a new grant, non-competitive, for a district to act as fiscal agent to support the Student Equity program.
- Item 7 is a new grant, non-competitive, to Norco College to expand the capacity of its student veterans service center and establish articulation agreements, policies, and processes related to awarding credit for prior military service.
- Item 8 is a renewal grant, issued through a competitive process, for the Online Education Initiative program to increase the number of associate degree graduates and transfers to four-year colleges.
- Item 9 is a new grant, issued through a competitive process, for the TTIP-CCC Technology Center, which provides funding for CCC Systemwide Technology Platform, CalREN, CCCApply, CCC Information Security Center, CCC Accessibility Center, Systemwide Architecture Committee, Telecommunications and Technology Advisory Committee and Library Content Database.
- Item 10 is a renewal grant, issued through a competitive process, for the Educational Planning Initiative develop and provide systemwide career exploration, program planning, degree audit tools and improve access to data necessary for robust education planning.
- Item 11 is an allocation for the Strong Workforce Program to expand the availability and quality of community college career technical education and workforce development courses, programs, pathways, credentials, certificates, and degrees.

**(1) College Finance and Facilities Planning Division**

**Reason for Board Approval:** Exceeds \$100,000 and 3 years  
**Type of Agreement:** Grant (Finance and Facilities/outgoing funds)  
**Grantee:** Compton CCD  
**Grant No.:** 17-041-001  
**Term:** July 1, 2017 – June 30, 2018  
**Total Project Length:** Up to 5 years (yearly renewals)  
**Project Year:** Year 1 of 5  
**Amount of Agreement:** \$11.3 million  
**Bid Process:** N/A  
**Purpose:** This grant will allocate funding provided in the 2017-18 State Budget to the Compton Community College District to support one-time costs associated with Compton College's effort to restore core operational and oversight functions to the Compton Community College District and to achieve and maintain accreditation by an accrediting agency recognized by the United States Department of Education.

**(2) Communications Division**

**Reason for Board Approval:** Exceeds \$100,000  
**Type of Agreement:** Contract (Communications/Media Campaign/Outgoing Funds)  
**Contractor or Grantee:** Santa Barbara CCD  
**Contract or Grant No.:** C17-0033  
**Term:** September 19, 2017 – December 31, 2018  
**Total Project Length:** Five years (yearly renewals)  
**Project Year:** Year Five of Five  
**Amount of Agreement:** up to \$5,300,000  
**Bid Process:** Originally awarded through RFA  
**Purpose:** Santa Barbara CCD serves as the fiscal agent for implementation of the Statewide Financial Aid Media Campaign (icanaffordcollege.com). The district shall subcontract for all aspects of the media campaign's implementation and coordination. The purpose of the campaign is to implement a media campaign to promote the availability of student financial aid and encourage students to enroll and attend one of the 114 community colleges.

**(3) Internal Operations Division**

**Reason for Board Approval:** Exceeds \$50,000  
**Type of Agreement:** Contract (Internal Ops/Outgoing Funds)  
**Contractor or Grantee:** Shaw Law Group, PC  
**Contract or Grant No.:** C16-0078  
**Term:** Orig. term: September 19, 2016 – December 30, 2016  
Am. 1: Sept. 19, 2016 – December 30, 2017  
**Total Project Length:** One Year, 3 Months  
**Amount of Agreement:** Orig. Amount: \$14,850  
Am. 2: \$18,000  
Am. 3: \$47,150  
Total: \$ 80,000

**Bid Process:** Non-Competitive  
**Purpose:** Additional legal counsel and consultation services needed for the remainder of the contract.

**(4) Student Services & Special Programs Division**

**Reason for Board Approval:** Total Exceeds \$100,000  
**Type of Agreement:** Grant (Student Services/Financial Aid/Outgoing funds)  
**Grantee:** Los Rios CCD  
**Grant No.:** 17-051-001  
**Term:** October 1, 2017 – September 30, 2019  
**Total Project Length:** Two years (yearly renewals)  
**Project Year:** Year One  
**Amount of Agreement:** Not to exceed \$550,000  
**Bid Process:** Non-Competitive - The Board of Governors has granted an exemption from competitive processes for this contract

**Purpose:** Pursuant to the Education Code Section 76300 (i)(2), the Board of Governors is authorized to allocate to the community colleges an amount equal to 2 percent of the enrollment fees waived. On July 9, 2001, the Board of Governors approved the use by the Chancellor’s Office Student Financial Assistance Program Unit of up to 3 percent of each college’s allocation to fund consultation with the financial aid community and to fund special projects of vital interest to the colleges. The Board delegates the coordination of these functions to a district, and awards this contract to support activities such as consultation, regional and state coordination, training, and development of strategic financial aid initiatives.

**(5) Student Services & Special Programs Division**

**Reason for Board Approval:** Total Exceeds \$100,000  
**Type of Agreement:** Grant (Student Services/Student Success and Support Program/Outgoing funds)  
**Grantee:** Los Rios CCD  
**Grant No.:** 17-045-001  
**Term:** October 1, 2017 – September 30, 2019  
**Total Project Length:** Two years (yearly renewals)  
**Project Year:** Year One  
**Amount of Agreement:** Not to exceed \$13,500,000  
**Bid Process:** Non-Competitive - The Board of Governors has granted an exemption from competitive processes for this contract

**Purpose:** Subsection (d) of section 78216 of the California Education Code authorizes the Board of Governors to designate up to five percent of the funds appropriated for the Student Success and Support Program by the annual Budget Act for administrative support of Student Success and Support Programs and Student Equity Programs operated by districts. The contract will allow the contractor to: 1) Provide services as the fiscal agent for the Student Success and Support Program; 2) be responsible for payments of travel claims, consultant invoices, and facility invoices to conduct evaluation activities, training, and communications; and 3) process reconciliation of expenditures for the SSSP program.

**(6) Student Services & Special Programs Division**

**Reason for Board Approval:** Total Exceeds \$100,000  
**Type of Agreement:** Grant (Student Services/Student Equity Program/Outgoing funds)  
**Grantee:** Los Rios CCD  
**Grant No.:** 17-061-001  
**Term:** October 1, 2017 – September 30, 2019  
**Total Project Length:** Two years (yearly renewals)  
**Project Year:** Year One  
**Amount of Agreement:** Not to exceed \$7,000,000  
**Bid Process:** Non-Competitive - The Board of Governors has granted an exemption from competitive processes for this contract

**Purpose:** Subsection (d) of section 78216 of the California Education Code authorizes the Board of Governors to designate up to five percent of the funds appropriated for the Student Success and Support Program, by the annual Budget Act for administrative support of Student Success and Support Programs and Student Equity Programs operated by districts. The contract will allow the contractor to: 1) Provide services as the fiscal agent for the Student Equity Program; 2) be responsible for payments of travel claims, consultant invoices, and facility invoices to conduct evaluation activities, training, and communications; and 3) process reconciliation of expenditures for the Student Equity program.

**(7) Student Services & Special Programs Division**

**Reason for Board Approval:** Exceeds \$100,000  
**Type of Agreement:** Grant (Student Services/Veterans Services/outgoing funds)  
**Grantee:** Riverside CCD for Norco College  
**Grant No.:** 17-038-001  
**Term:** October 1, 2017 – September 30, 2019  
**Total Project Length:** 2 Years  
**Project Year:** Year One of Two Years  
**Amount of Agreement:** \$2,000,000  
**Bid Process:** Non-competitive—grant recipient identified by State Budget Act of 2017-18

**Purpose:** The State Budget Act of 2017-18 appropriates \$2,000,000 for allocation to Norco College to expand the capacity of its student veterans service center and establish articulation agreements, policies, and processes related to awarding credit for prior military service. As a condition of receiving these funds, Norco College shall, by January 1, 2019, submit a report to the Chancellor of the California Community Colleges that identifies actions taken, lessons learned, and best practices for student veterans to obtain academic, subject-specific course credit for their military service.

**(8) Technology, Research, & Information Systems Division**

**Reason for Board Approval:** Grant Exceeds \$100,000  
**Type of Agreement:** Grant (Telecommunications/outgoing Funds)  
**Contractor or Grantee:** Foothill-De Anza CCD  
**Contract or Grant No.:** 17-082-001

**Term:** July 1, 2017 – June 30, 2018  
**Total Project Length:** Up to 5 years (yearly renewals)  
**Project Year:** Year Five of Five  
**Amount of Agreement:** Not to exceed \$12,000,000  
**Bid Process:** RFA – Competitive Bid

**Purpose:** This item was originally submitted in the May 2017 agenda as item 18. This grant is being resubmitted due to an increase in the funding provided in the State Budget. This initiative will expand the California Virtual Campus (CVC), which is a catalog of online courses from accredited colleges in California. This RFA will establish an online course exchange in the CVC for California community college students. The program is designed to increase the number of college associate degree graduates, transfers to four-year colleges, and improve the retention and success of students enrolled in online courses offered through the Exchange. The online course exchange within the CVC is the result of the Governor’s Online Education Initiative funded in the 2013-14 State of California Budget for \$16,910,000 and \$10,000,000 annually.

The Online Education Initiative is a program that will enable students from any participating college to enroll in and complete a course from another participating college, and then easily apply that course towards completion of a degree at their home college. The Online Education Initiative will allow students to find, register and complete courses at any California community college participating in the initiative. It will also include student support services to address retention and faculty support for course development and conversion. The goal is to increase access to courses from across the state to provide students with opportunities to faster degree completion.

**Program Responsibilities:**

- Act as the fiscal agent for the initiative.
- Work closely with the Chancellor's Office and Advisory and Steering Committees to guide the initiative toward the successful completion of objectives.
- Establish effective consortium agreements, student support, and professional development and technology solutions.
- Ensure the initiative is integrated into all phases of new and existing statewide projects.
- Perform project management activities for the online education system and its components collaborate with the California Community College Technology Center (CCCTC), which is responsible for developing technical standards for statewide projects.
- Collaborate with @One for professional development, 3CMedia and CCConfer for video, phone and web-based conferencing.

Expand the usage of the online education system and ensure it continues to provide benefit to the California community colleges.

**(9) Technology, Research and Information Systems Division**

**Reason for Board Approval:** Grant Exceeds \$100,000  
**Type of Agreement:** Grant (Technology/outgoing funds)  
**Grantee:** Butte-Glenn CCD  
**Grant No.:** 17-055-001  
**Term:** July 1, 2017 – June 30, 2018  
**Total Project Length:** Up to 5 years (yearly renewals)

<b>Project Year:</b>	Year one of five
<b>Amount of Agreement:</b>	Not to exceed \$12,000,000
<b>Bid Process:</b>	RFA - Competitive bid
<b>RFA Specification No.:</b>	17-055
<b>RFA Specification Title:</b>	TTIP – CCC Technology Center
<b>No. of Grants Awarded:</b>	1
<b>Total Amount Awarded:</b>	Not to exceed \$12 Million
<b>No. of Proposals Received:</b>	1
<b>No. That Met Min. Score:</b>	1
<b>Readers:</b>	4

**Purpose:** This item was originally submitted in the May 2017 agenda as item 16. This grant is being resubmitted due to an increase in the funding provided in the State Budget. The Chancellor’s Office Technology, Research and Information Systems Division governs the Telecommunications and Technology Infrastructure Project (CCC Technology Center), which is guided by the provisions of the strategic technology plans developed by the Telecommunications and Technology Advisory Committee (TTAC).

The goal of the TTIP - CCC Technology Center grant is to provide secure, scalable, and integrated technology solutions for the California community colleges that take advantage of economies of scale, which are facilitated by governance from the colleges themselves.

The CCC Technology Center provides a variety of technology services:

- CCC System wide Technology Platform: a standardized solution set to enable statewide technology solutions.
- Management of the California Research and Education Network (CalREN)
- CCCApply: the Online Application to the California Community Colleges. The new version of the common application for colleges will save colleges \$600,000 in ongoing costs and is being provided free to all California community colleges. The application consistently receives a 97 percent approval rating from students.
- CCC Information Security Center: Provides free information security services to the California community colleges to help colleges guard against data security breaches.
- CCC Accessibility Center
- System wide Architecture Committee (SAC)
- Telecommunications and Technology Advisory Committee (TTAC)
- Statewide purchase of a Library Content Database: available for free to all community colleges

**(10) Technology, Research and Information Systems Division**

<b>Reason for Board Approval:</b>	Exceeds \$100,000
<b>Type of Agreement:</b>	Grant
<b>Contractor or Grantee:</b>	Butte CCD
<b>Contract or Grant No.:</b>	17-084-001
<b>Term:</b>	July 1, 2017 to June 30, 2018
<b>Total Project Length:</b>	One year (yearly renewals)
<b>Project Year:</b>	Year Five of Five
<b>Amount of Agreement:</b>	\$ 8,665,000
<b>Bid Process:</b>	Originally awarded through RFA competitive bid

**Purpose:** This item was originally submitted in the May 2017 agenda as item 20. This grant is being resubmitted due to an increase in the funding provided in the State Budget. The Education Planning Initiative (EPI) assumed responsibility for the completion of the CCC Common Curriculum Inventory (COCI). Butte College created the COCI software, even though it was outside of their original scope because it was ultimately beneficial to the initiative's stated goals. Today, maintaining COCI requires more resources than EPI can afford to invest and continue to work toward completion of the initiative. The CCCTC seeks \$665,000 to maintain operations of the COCI software built by CCCTC, to provide technical assistance supporting ongoing maintenance and future development, and to develop new features on an incremental basis.

With these funds, Butte College will be able to provide the following.

- Maintain and support the production instance of COCI, with appropriate system performance monitoring and reporting.
- Allocate technical support resources to resolve reported and discovered system defects (bugs) in a timely manner.
- Update program functionality to address system defects.
- Provide Tier 2, 3, and 4 product support to College users.
- Provide Tier 1 product support to Chancellor's Office support staff.
- Provide product and project management and resources needed to shape future development including the product roadmap, feature prioritization, policy advocacy; the drafting of technical and functional requirements and
- Organization of feature and defect releases.
- Conduct new feature releases during the fiscal year in response to the prioritized product roadmap, including policy changes requiring technical development to support.
- Provide project status and reporting to the California Community Colleges Chancellor's Office and the California Community Colleges Curriculum Committee.

#### **(11) Workforce and Economic Development Division**

**Reason for Board Approval:**

Allocation Exceeds \$100,000

**Type of Agreement:**

Allocation (Strong Workforce Program)

**Recipient:**

See Below

**Agreement No.:**

N/A

**Term:**

July 1, 2017 — December 31, 2019

**Total Project Length:**

One Year

**Amount of Agreement:**

See Below

**Purpose:** The 2017-18 Budget provided \$248 million for the Strong Workforce Program to expand the availability and quality of community college career technical education and workforce development courses, programs, pathways, credentials, certificates, and degrees. Per the legislation, five percent of the \$248M (\$12.4M) is designated for the statewide activities by the Strong Workforce Statewide Fiscal Omnibus grant. The remaining \$235.6M is in two parts

- 1) The Incentive Program, where Regions/Districts meet certain milestones that will be based on preset criteria.
- 2) Allocations based on weighted averages on the following three factors:
  - Job openings



- Unemployed adults
- CTE full-time equivalent students

The table below includes a breakdown of the regional and district allocations for the current fiscal year. Sixty percent of the funds apportioned for the program are provided directly to community college districts in the consortium. Funds apportioned directly to a community college district shall be expended for the purpose of funding regionally prioritized projects and programs within the community college district that meet the needs of local and regional economies, as identified in regional plans and the Workforce Innovation and Opportunity Act. Forty percent of the funds apportioned for the program shall be provided directly to the fiscal agent of the consortium for funding regionally prioritized projects and programs that meet the needs of local and regional economies, as identified in regional plans and Workforce Innovation and Opportunity Act regional plans.

	<b>Local Share (40%)</b>	<b>Regional Share (60%)</b>
<b>Bay Area Total</b>	<b>\$16,950,062</b>	<b>\$25,425,093</b>
Cabrillo CCD	\$516,665	
Chabot-Las Positas CCD	\$1,310,809	
Contra Costa CCD	\$2,234,447	
Foothill-Deanza CCD	\$1,344,674	
Gavilan CCD	\$453,603	
Hartnell CCD	\$444,105	
Marin CCD	\$390,827	
Monterey Peninsula CCD	\$280,462	
Napa Valley CCD	\$318,862	
Ohlone CCD	\$451,935	
Peralta CCD	\$1,534,214	
San Francisco CCD	\$1,788,150	
San Jose-Evergreen CCD	\$1,513,266	
San Mateo CCD	\$1,406,157	
Solano CCD	\$1,008,733	

Sonoma CCD	\$1,141,353	
West Valley-Mission CCD	\$811,800	
<b>Central Valley Total</b>	<b>\$8,503,795</b>	<b>\$12,755,693</b>
Kern CCD	\$1,865,553	
Merced CCD	\$628,935	
San Joaquin Delta CCD	\$1,552,999	
Sequoias CCD	\$699,656	
State Center CCD	\$2,148,946	
West Hills CCD	\$257,200	
West Kern CCD	\$101,368	
Yosemite CCD	\$1,249,138	
<b>Inland Empire &amp; Desert Total</b>	<b>\$8,133,739</b>	<b>\$12,200,609</b>
Barstow CCD	\$150,651	
Chaffey CCD	\$1,449,681	
Copper Mountain CCD	\$114,435	
Desert CCD	\$803,046	
Mt. San Jacinto CCD	\$1,224,405	
Palo Verde CCD	\$181,462	
Riverside CCD	\$2,107,036	
San Bernardino CCD	\$1,253,927	
Victor Valley CCD	\$849,096	
<b>Los Angeles Total</b>	<b>\$18,161,848</b>	<b>\$27,242,773</b>
Cerritos CCD	\$1,023,733	

Citrus CCD	\$515,138	
Compton CCD	\$432,921	
El Camino CCD	\$1,020,623	
Glendale CCD	\$591,420	
Long Beach CCD	\$1,101,572	
Los Angeles CCD	\$9,466,929	
Mt. San Antonio CCD	\$1,628,984	
Pasadena Area CCD	\$943,531	
Rio Hondo CCD	\$780,314	
Santa Monica CCD	\$656,683	
<b>Orange County Total</b>	<b>\$7,727,050</b>	<b>\$11,590,574</b>
Coast CCD	\$1,744,903	
North Orange County CCD	\$2,635,287	
Rancho Santiago CCD	\$1,688,139	
South Orange CCD	\$1,658,721	
<b>Sacramento &amp; Far North Total</b>	<b>\$7,803,690</b>	<b>\$11,705,537</b>
Butte CCD	\$691,854	
Feather River CCD	\$87,588	
Lake Tahoe CCD	\$120,462	
Lassen CCD	\$99,389	
Los Rios CCD	\$3,974,291	
Mendocino-Lake CCD	\$217,082	
Redwoods CCD	\$354,698	

Shasta-Tehama-Trinity CCD	\$522,671	
Sierra CCD	\$925,779	
Siskiyou CCD	\$189,762	
Yuba CCD	\$620,114	
<b>San Diego &amp; Imperial Total</b>	<b>\$6,628,186</b>	<b>\$9,942,281</b>
Grossmont-Cuyamaca CCD	\$898,929	
Imperial CCD	\$496,736	
Mira Costa CCD	\$629,046	
Palomar CCD	\$1,254,733	
San Diego CCD	\$2,362,423	
Southwestern CCD	\$986,319	
<b>South Central Total</b>	<b>\$4,624,963</b>	<b>\$6,937,439</b>
Allan Hancock CCD	\$560,655	
Antelope Valley CCD	\$778,474	
San Luis Obispo CCD	\$504,071	
Santa Barbara CCD	\$602,940	
Santa Clarita CCD	\$675,940	
Ventura CCD	\$1,502,883	

## STANDING ORDERS NOS. 318 AND 319 OF THE BOARD OF GOVERNORS

### 318. Contracts.

(a) Except as provided in subsection (b), whenever the power to contract is invested in the Board, or when, in the judgment of the Chancellor, such contracts are expressly or impliedly authorized to fulfill responsibilities or authorities vested in the Office of the Chancellor, the Chancellor is authorized in the name of the Board of Governors to enter into such contracts.

(b) The Chancellor shall secure Board approval before entering into any contract:

- (1) In excess of \$100,000; or
- (2) Over three years in duration; or
- (3) With respect to consulting services, in excess of \$50,000.

The requirement for Board approval shall apply to any amendment of a contract which results in the original contract exceeding the specified limits, as well as the amendment of a contract where the amendment itself exceeds the specified limits. Under circumstances when the need to contract was not foreseeable, and when delaying approval of the contract until the next Board meeting would jeopardize the contract or frustrate its purpose, the Chancellor shall have the authority to enter into contracts in excess of the limits specified in this subsection. Before entering into such contracts, however, the Chancellor shall consult with the President of the Board.

(c) In securing the approval of contracts by the Board pursuant to subsection (b), the Chancellor shall apply the following procedures:

(1) In determining the nature, extent and need for any such contract, the Chancellor shall provide a summary of the Request for Proposal (RFP), Invitation for Bid (IFB), or other summary of the purpose and need for a contract to the Board of Governors prior to publicly releasing any such RFP or IFB, or prior to making any informal commitment to contract. The Chancellor may proceed with the release of the RFP, IFB, or other contract negotiations, unless the Board President, with or without the advice of any appropriate Board Committee designated by the President, directs the Chancellor to withhold action within a 10 day period from the date the summary is provided.

(2) In developing language for such contracts, the Chancellor shall include a provision which allows any aggrieved bidder on an RFP or IFB to protest the awarding of a contract to the Chancellor. The Chancellor shall inform the Board of any such protests, including the results of such protests. This remedy shall be in addition to the bidder's right to protest the matter to the Department of General Services.

(3) The Chancellor shall ensure that each panel of evaluators who score proposals is made up of staff from more than one division in the Chancellor's Office, including outside evaluators as appropriate; and the Chancellor shall take such other steps as necessary to ensure that evaluations and scoring are objective and fair.

(4) In requesting approval of said contracts, the Chancellor shall, at the time of distributing each regular meeting agenda to the Board of Governors, include a summary of contracts for Board approval. The summary for each contract shall indicate: the purpose of the contract; the amount of the contract; the time for performance of the contract, including whether it was advertised as a multi-year contract; the number of proposals received or whether the contract is a sole source contract; the number of proposals which met the minimum score for cost opening; and the party awarded the contract.

The provisions of subparagraphs (1) through (3) above shall not apply to interagency agreements with other state agencies, and other agreements necessary for the agency to receive public funds.

(d) The authorization contained in subsection (a) includes agreements, leases, contracts, and other documents, including but not limited to: service agreements, insurance agreements, fiscal, budgetary, and personnel documents, travel requests, contracts for the purchase of apparatus, furniture, equipment, supplies and books, as well as contracts entered into as necessary to receive federal funds allocated to the California Community Colleges, all within the limits of fiscal ability and sound budgetary controls and subject to such policies as may be established by the Board. (EC § 70901(b)(5).)

### 319. Grants.

(a) Except as provided in subsection (b), whenever the power to enter into a grant is invested in the Board, or when, in the judgment of the Chancellor, a grant is expressly or impliedly authorized to fulfill responsibilities or authorities vested in the Office of the Chancellor, the Chancellor shall have the authority to enter into such grants.

(b) The Chancellor shall secure Board approval before entering into any grant:

(1) In excess of \$100,000; or

(2) Over three years in duration; or

The requirement for Board approval shall apply to any amendment of a grant which results in the original grant exceeding the specified limits, as well as the amendment of a grant where the amendment itself exceeds the specified limits. Under circumstances when the need to enter into a grant was not foreseeable, and when delaying approval of the grant until the next Board meeting would jeopardize the grant or frustrate its purpose, the Chancellor shall have the authority to enter into grants in excess of the limits specified in this subsection. Before entering into such grants, however, the Chancellor shall consult with the President of the Board.

(c) Prior to submitting grants to the Board for approval pursuant to subsection (b), the Chancellor shall either:

(1) present to the Board for its review and approval an expenditure plan outlining the nature, extent and need for any such grants; or

(2) provide a summary of the Request for Application (RFA) or other summary of the purpose and need for a grant to the Board of Governors prior to publicly releasing any such RFA or prior to making any informal commitment to award a grant. The Chancellor may proceed with the release of the RFA unless the Board President, with or without the advice of any appropriate Board Committee designated by the President, directs the Chancellor to withhold action within a 10 day period from the date the summary is provided.

(d) All grants awarded by the Board of Governors or the Chancellor on or after January 1, 1996, shall be awarded through competitive processes or through allocation formulas reviewed and approved by the Board of Governors, except that:

(1) Grants may be awarded competitively within regions.

(2) Grants for regional or statewide coordination activities for the Extended Opportunity Programs and Services (EOPS), Disabled Students Programs and Services (DSPS), Matriculation, and Economic Development programs need not be competitively bid.

(3) Where there are conditions beyond the control of the Chancellor which limit competition, such as matching fund requirements or other agencies being required to select grantees, the Chancellor, in consultation with the President of the Board and the Chairperson of the appropriate committee, shall have authority to award grants without competition.

(e) Panels evaluating or scoring grant proposals will include or be comprised of outside readers as appropriate and will be comprised so as to assure objectivity and prevent conflicts of interest. In the event

that outside readers are not used, the evaluation panel shall be comprised of staff from more than one division in the Chancellor's Office. The Chancellor shall ensure that readers are appropriately trained with respect to the process for review of grant applications.

(f) Grants for the performance of functions which are ongoing in nature will be awarded in cycles of between one and five years in length. In advertising a grant for an ongoing function, district personnel will be apprised of the length of the cycle and the funding anticipated to be available for the duration of the project; provided however, that nothing in this Section shall be construed to preclude subsequent adjustment of actual funding levels to reflect unforeseen circumstances. Districts shall be further informed that continuance of the grant will depend on year-to-year funding, and continued satisfactory performance. The Chancellor shall have the authority to exempt grants described in Subsection (d)(2) or those awarded under the Mathematics, Engineering, and Science Achievement (MESA) program, the Middle College High School program, or the Puente project from the duration limitations imposed by this paragraph.

(g) A district which, prior to January 1, 1996, has been awarded a grant on a non-competitive basis for the performance of an ongoing function may continue to be awarded that grant, at the discretion of the Chancellor, for a period of up to three additional fiscal years. Retention of the grant shall depend on continued availability of funds and satisfactory performance. At the conclusion of the term, the grant for the ongoing function shall be awarded on a competitive basis.

(h) To the extent that a grantee contracts with a private or public entity to perform certain parts of the grant, the grantee shall be required to disclose the intended purpose and amount of such subcontracting, shall agree to follow locally applicable competitive bidding processes in doing such subcontracting, and shall agree to name the subcontractors chosen.

(i) The procedures specified above shall not apply to grants which are distributed on an allocation formula basis which has been reviewed and approved by the Board of Governors.