



**NOTICE OF PROPOSED RULEMAKING
AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5
REGARDING
THE COLLEGE BUYS PROGRAM FOR THE PROCUREMENT OF GOODS AND
SERVICES FOR COMMUNITY COLLEGE DISTRICTS**

45-Day Notice published July 3, 2020

NOTICE IS HEREBY GIVEN pursuant to Chapter 2 of the Board of Governors Procedures and Standing Orders that the Board proposes to adopt the regulatory action described below after a public hearing and considering all comments, objections, or recommendations received regarding the proposed action.

PUBLIC HEARING

A public hearing will be held via Zoom videoconferencing for the next regularly scheduled Board of Governors meeting on July 20-21, 2020. The hearing will commence at 12:30 p.m. on July 20, 2020 and will continue the next day at 9 a.m., July 21, 2020.

To prevent the spread of novel coronavirus (COVID-19), the Board of Governors is temporarily offering an additional method for public comment. The public is encouraged to watch the board meeting online and submit written public comment to the Board of Governors Liaison, Christina Castro, at boardcomments@cccco.edu or during the meeting Zoom webinar in the Question and Answer (Q&A) section when public comment is open – webinar details are below.

In order for written comments to be reviewed, they must be received by the Board of Governors liaison prior to the conclusion of the corresponding Board of Governors meeting. Please reference the Board item number and name in your email.

ZOOM VIDEOCONFERENCING

Please use the link below to join the webinar:

<https://cccconfer.zoom.us/j/381430034>

Dial US: +1 669 900 6833 | Webinar ID: 381 430 034

Password: **234632**

International numbers available: <https://cccconfer.zoom.us/j/381430034>

WRITTEN COMMENT PERIOD

Any interested person may submit written comments relevant to the proposed regulatory action. To help ensure comments are understood as they are intended, we suggest that they clearly identify the proposed regulatory action that each comment addresses, with reference to specific section and subparagraph numbers where appropriate. Please arrange comments in the same order as in the proposed regulatory action. Comments should be addressed to:

Regulations Coordinator
California Community Colleges
Chancellor's Office
1102 Q Street, Suite 4550
Sacramento, CA 95811-6549
regcomments@cccco.edu

Comments must be received by the Regulations Coordinator prior to 4:00 p.m. on August 17, 2020. All written comments received by CCCCO staff during the public comment period are subject to disclosure under the Public Records Act.

CHANGES OR MODIFICATIONS TO PROPOSED TITLE 5 AMENDMENTS

Following the public hearing and considering all timely and relevant comments received, the Board of Governors may adopt the proposed regulatory action substantially as described in this Notice or may modify the proposed regulatory action if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposed regulatory action will be available for 15 days prior to its adoption, and will be provided to those persons who have requested or are required to receive notification of regulatory actions, or who have provided written or oral comments relevant to the proposed regulatory action.

AUTHORITY AND REFERENCE

Authority: Section 70901, Education Code; and Section 20661, Public Contract Code.

Reference: Sections 70901 and 72670.5, Education Code; and Sections 20651.7, 20652, 20661, Public Contract Code.

INFORMATIVE DIGEST

Assembly Bill 2329 (1998) enacted Public Contract Code section 20661 which authorizes the Chancellor to enter into contracts for goods and services on behalf of community college districts. This authority was intended to allow the Chancellor's Office to leverage the bargaining power of the California Community Colleges system when negotiating for goods and services, leading to lower costs and more efficient use of district resources by eliminating duplicative procurement processes. While the statute contemplated the Board of Governors promulgating regulations to implement this section, it has not previously done so. In practice, the authority of the Chancellor to enter into contracts on behalf of community college districts has been delegated by agreement to the Foundation for California Community Colleges' CollegeBuys program.

This regulatory action is intended to formalize the CollegeBuys program and clarify that it is conducted on the authority of the Chancellor's Office to ensure that community college districts are aware of their authority to participate.

ESTIMATED COST OR SAVINGS OF PROPOSED AMENDMENTS

The estimated cost or savings of the proposed amendments are anticipated to be as follows:

Mandate on local agencies or community college districts: None.

Cost or savings to state agencies: None.

Costs to local agencies or community college districts for which reimbursement would be required pursuant to part 7 (commencing with section 17500) of division 4 title 2 of the Government Code: None.

Other non-discretionary cost or savings imposed on community college districts: None.

Cost or savings in federal funding to state agencies: None.

CONTACT PERSON

Inquiries concerning the content of these regulations may be directed to the Regulations Coordinator, at regcomments@cccco.edu.

TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS

Copies of the exact language of the proposed regulatory action, and all of the information upon which the proposal is based, may be obtained online at:

[Office of General Counsel - Pending Regulatory Action](#)

Those who receive the Board of Governors Agenda package for the July 20-21, 2020, meeting can find a further description of the proposal and the full text of the regulatory action. You may also request a copy of the proposal from the Regulations Coordinator using the contact information provided above.