

STATUTORY, REGULATORY, POLICY AND PROCEDURAL REQUIREMENTS

2602

(May 2005)

STATE LAW

2602.1

(May 2005)

In addition to PAM, departments granted purchasing authority are required to adhere to applicable provisions of State law, including, but not limited to:

- [Public Contract Code](#)

It is the intent of the Legislature in enacting this code to achieve the following objectives: (a) to clarify the law with respect to competitive bidding requirements; (b) to ensure full compliance with competitive bidding statutes as a means of protecting the public from misuse of public funds; (c) to provide all qualified bidders with a fair opportunity to enter the bidding process, thereby stimulating competition in a manner conducive to sound fiscal practices; and (d) to eliminate favoritism, fraud, and corruption in the awarding of public contracts.

To encourage competition for public contracts and to aid public officials in the efficient administration of public contracting, California's public contract law should be, to the maximum extent possible, uniform for similar work performed for similar agencies.

- [Government Code](#)
- [Military and Veterans Code](#)
- [Labor Code](#)
- [Revenue and Taxation Code](#)
- [Food and Agriculture Code](#)

STATE MANUALS

2602.2

(May 2005)

Departments granted purchasing authority are also required to adhere to applicable procurement-related regulations contained in the [California Code of Regulations](#).

The following manuals also provide procurement-related policies and procedures and should be referenced as applicable:

- [State Administrative Manual \(SAM\)](#)
Manual provides statewide management policies.
To best serve the interests of the citizens of California, the State Administrative Manual (SAM) was created in 1953 to respond to government's need to provide uniform guidance to state agencies in their fiscal and business management affairs. The SAM is a reference source to statewide management policy. A list of the authoring departments and the contact telephone numbers for each SAM section is contained in SAM § 0030.
- [Statewide Information Management Manual \(SIMM\)](#)
Instruction and guidelines, samples and model forms, and certification and transmittal letters related to IT policy
- [State Telecommunications Management Manual \(STMM\)](#)
Guidelines, directives, procedures and service information to assist departments with telecommunications management
- [State Contracting Manual](#)
Policies, procedures and guidelines related to the state's contracting process for non-IT services including consultant service contracts and interagency agreements. Also includes information relating to public works, architectural & engineering and legal services contracting.

ADDITIONAL REFERENCE MATERIAL

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The following DGS/PD publications are provided as reference summaries of State and federal statutes and State regulations relevant to State procurement practices:

- Excerpts of California Codes Relating to State Acquisitions.
- [Summary of Statutory and Policy Requirements for State Contracts.](#)
- [California Codes](#)
- [California Code of Regulations](#)
- [California Acquisition Glossary](#)
- [PAM List of Acronyms](#)
- [SAM Management Memos](#)
Management Memos are issued by the DGS when the information requires immediate attention. In some cases, the information augments that found in the State Administrative Manual. The memos typically expire in twelve months.
- [General Provisions](#)

RESOURCE DIRECTORY

2602.4

(May 2005)

DGS/PD has compiled a [Procurement Related Resources Directory](#) providing phone numbers and Internet sites associated with procurement activities.

DEPARTMENTAL INFORMATION ADDITIONAL REFERENCES

2602.5

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The following additional references are included for easy accessing:

- [Department of Personnel Administration \(DPA\) Rules](#)
The Department of Personnel Administration administers the non-merit aspects of the State's personnel management program. DPA rules are regulations relating to personnel administration that have been adopted to govern personnel management areas. Included in these regulations are § 599.624 et.seq. dealing with lodging and subsistence.

DEPARTMENT DESCRIPTIONS

2602.6

(May 2005)

DEPARTMENT OF GENERAL SERVICES

2602.6.1

(May 2005)

The Department of General Services (DGS) is responsible for a variety of functions including information technology and telecommunications; site acquisition; development, leasing, disposal and management of state properties; architectural approval of local schools and other state-responsibility buildings; printing services provided by the second largest government printing plant in the U.S.; procurement of supplies needed by other state agencies; and maintenance of the vast fleet of state vehicles.

Procurement Division is responsible for the oversight of all commodity purchasing. They write the purchasing guidelines, review for compliance and procure goods over the delegated purchasing amounts. They approve all Form 42 purchases, process all purchase estimates, establish "state" Contracts, Price Schedules, Master Service and Rental Agreements.

The Office of Legal Services is responsible for the state contracting process.

STATE CONTROLLER'S OFFICE (SCO)

2602.6.2

(May 2005)

The State Controller provides sound fiscal control over both receipts and disbursements of public funds and reports periodically on the financial operations and condition of both state and local government.

In carrying out these duties, the State Controller's Office accounts for and controls disbursements of all state funds, determines the legality and accuracy of every claim against the State, and issues warrants in payment of the State's bills.

DEPARTMENT OF FINANCE (DOF)
(May 2005)

2602.6.3

The Department of Finance has authority over all financial and business policies of the State.

It is primarily responsible for establishing appropriate fiscal policies to carry out the State's programs; preparing, enacting and administering the State's annual financial plan (budget); analyzing legislation with fiscal impact; and developing and maintaining the California State Accounting and Reporting System (CALSTARS).

[\(see next section\)](#)

[\(see HB Table of Contents\)](#)

[\(see Forms or Forms Samples\)](#)