

## **SCOPE OF PURCHASING AUTHORITY**

**2604**

(May 2005)

## **CATEGORIES AND DOLLAR THRESHOLDS**

**2604.1**

(No. 4 October 2006)

The [purchasing charts accessible below](#), illustrates the purchasing authority options available to [CAL FIRE purchasers](#) when considering what purchasing type(s), category(ies) and dollar threshold limits are available and what will best satisfy the needs of [the individual purchaser](#). Dollar thresholds identified in [these charts](#) as well as throughout the PAM exclude sales and use tax, finance charges, postage, and handling charges. Shipping charges are also excluded from the dollar threshold limits unless the shipping charge is included in the evaluation such as FOB Origin, Freight Collect or FOB Destination.

[Non-IT Goods \(excluding contracted items\)](#)

[Goods \(contracted\)](#)

[Goods on an Emergency \(excluding contracted items\)](#)

**Important:** If the department requests and is granted purchasing authority for NCB contract approval, the authority is limited to departmental approval of NCB contract justifications. Therefore, any NCB contract that exceeds \$25,000.00 must be submitted to DGS/PD for review and approval.

## **INCIDENTAL SERVICES ON NON-IT GOODS**

**2604.2**

(May 2005)

Non-IT incidental services (i.e. set-up and installation) may be acquired during the original purchase of non-IT goods but the services must be subordinate to the overall purchase and not exceed a dollar threshold of \$4,999.99. If the service portion of a non-IT goods purchase exceeds \$4,999.99, then the service portion must be separated from the non-IT goods purchase and executed as a contract in accordance with the SCM, Volume 1. This requirement does not apply to LPA orders for non-IT goods.

## PURCHASING EXCLUSIONS

(No. 3 February 2006)

2604.3

The activities described in the table below are outside the scope of purchasing authority as authorized by DGS/PD:

Activity	Basis for exclusion:
Non-IT goods valued at \$100.00 or less	Defined in PCC section 10308, departments have statutory authority to purchase non-IT goods valued at \$100.00 or less without DGS/PD oversight. Warning: This statute pertains <u>only</u> to non-IT goods. Departments without IT goods and services purchasing authority may not procure IT goods and services in any dollar amount.
Non-IT services, other than LPA orders	Personal services that are not defined as IT. Primarily labor related, rather than providing a tangible product. For assistance, refer to the State Contracting Manual (SCM), Vol. 1. Note: Non-IT service LPA's, i.e. CMAS or MA, are within the scope of purchasing authority authorized by DGS/PD.
Inter-Agency Agreements (IAA) • Non-IT services	Defined in GC section 11256 as an agreement between two or more state agencies. Non-IT services IAAs valued at \$50,000.00 and over must be approved by DGS/Office of Legal Services (OLS). For assistance, refer to the SCM, Vol. 1. Note: IAA for IT services and IAAs for consolidated data center services are processed under IT purchasing authority or DA authority, respectively. Refer to section 2604 and section 2660 for additional information.
Public Works	Defined in PCC section 1101 as an agreement for the erection, construction, alteration, repair or improvement of any public structure, building, road, or other public improvement of any kind. For assistance, refer to the SCM, Vol. 1 and/or contact DGS/Real Estate Services Division (RESD).
Architectural, engineering and environmental services (A & E)	Defined in GC section 4325 et. seq. and PCC section 6106 as professional services of private architectural, landscape architectural, engineering, environmental, land surveying or construction project management firms. For assistance, refer to the SCM, Vol. 1.
Memberships in professional organizations for represented and non-represented employees	Memberships in professional organizations for represented employees are governed by the collective bargaining agreements. Memberships in professional organizations for non-represented employees are governed by the Department of Personnel Administration (DPA) rules. For assistance, refer to the SCM, Vol. 1 or contact the employee's department's labor relations' office.
Non-IT departmental memberships in professional organizations	Departmental memberships in professional organizations are considered a personal service. • Non-IT departmental memberships valued at \$50,000.00 and over must be approved by DGS/Office of Legal Services (OLS). For assistance, refer to the SCM, Vol. 1.  Note: IT departmental memberships are included within IT purchasing authority. If an IT membership purchase exceeds a department's approved purchasing authority dollar threshold, then the acquisition must be submitted to DGS/PD Technology Acquisitions Section (TAS). For assistance, contact <u>TAS</u> .
Legal services	Services rendered by an attorney must be authorized by the Attorney General's Office. For assistance, refer to the SCM, Vol. 1.

Alternative procurements	As described in SAM section 5215, are not delegated. Alternative procurements may only be conducted by DGS/PD/TAS. Requests to use an alternative procurement methodology must be submitted to and approved by the Department of Finance (DOF) and DGS/PD/TAS. For assistance, contact <u>TAS</u> .
Opportunity purchases	In accordance with PCC section 10321, are not within purchasing authority and are applicable only to District Agricultural Associations (DAA). Note: This exclusion from purchasing authority is only applicable to non-IT goods transactions.

## **EXCEEDING PURCHASING AUTHORITY THRESHOLDS 2604.4**

(May 2005)

Purchasers may not execute a solicitation, request for offer (RFO), NCB contract or exempt contract that exceeds or is expected to exceed the department's approved purchasing authority by type, category or dollar threshold, except in an emergency as defined in PCC sections 10340 and 12102(a)(2).

Any transaction that exceeds or is expected to exceed a department's purchasing authority, by type, category or dollar threshold, must be submitted to DGS/PD on a Purchase Estimate (STD.66) for non-IT goods. **The Purchase Estimate is processed through Sacramento Business Services, Procurement Unit. Refer to Section 2660 for further information on Purchase Estimates. DGS/PD will also conduct any procurement regardless of dollar level if requested to do so by CAL FIRE. Units should keep in mind that these procurements will be advertised and bid using the purchase estimate process.**

## **ORDER SPLITTING 2604.5**

(May 2005)

PCC section 10329 for non-IT goods and by policy for IT goods and services state that "no person shall willfully split a single transaction into a series of transactions for the purpose of evading the bidding requirements of this article."

Purchasers also may not split orders to circumvent approved purchasing authority thresholds

## **EMERGENCY PURCHASES 2604.6**

(May 2005)

Purchasers may contract for emergencies (as defined by PCC sections 10340 and 12102(a)(2) regardless of dollar limits but must adhere to the purchasing processes applicable to the classification of the emergency. **Refer to Section 2612.5 – Emergency Purchases and to the CAL FIRE 3800, Incident Fiscal Management Handbook.**

## **CAL-CARD USAGE**

(May 2005)

**2604.7**

Departments granted purchasing authority may apply for and participate in the State's CAL-Card Purchase Card Program. The Department's Purchasing Authority Contact (PAC) is responsible for distributing the PAM to the department's CAL-Card Coordinator and is the responsible party for questions related to the department's purchasing program.

**Warning:** CAL-Card usage does not exempt a purchaser from following all applicable acquisition laws, regulations, executive orders, policies, procedures, and best practices. Purchasers are strongly reminded that CAL-Card is a payment mechanism, not a procurement method.

**Note:** It is State policy that only departments granted purchasing authority qualify to participate in the CAL-Card Program.

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

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