EMERGENCIES – AWARD CONTRACTS WITHOUT BIDS

Public Contract Codes 20113 (K-12) and 20665 (CC)

BACKGROUND

Public Contract Codes 20113 (K-12) and 20654 (CC) relieves the governing boards of school districts from bidding requirements when, in an emergency, any repairs, alterations, work or improvement is necessary to permit the continuance of existing school classes or to avoid danger to life or property.

This approval is for awarding a bid without a contract only. It does not authorize a district to begin a project without obtaining any necessary local or state permits nor does it preclude any local or state building codes or ordinances.

REQUIRED DOCUMENTATION FOR COUNTY SUPERINTENDENT'S APPROVAL

1. Request for approval of emergency including an explanation of the emergency and how repairs, alterations, work or improvement is necessary to:

    A. Permit the continuance of existing school classes.

    B. Avoid danger to life or property.

2. Unanimous school board action approving emergency request.

REQUIRED DOCUMENTATION FOR DFS PROCESSING OF WARRANT

1. Approval by County Superintendent of Schools
2. Contract documentation (where applicable)

    A. Contract agreement, including board action, approving contract and/or authorized agent's signature.

    To include where applicable:

    1. Nature and end result (purpose of contract)
    2. Time period
    3. Amount and payment conditions
    4. Obligations of parties
    5. Indemnification

3. Bonds required (Civil Code 9550) – California Admitted Surety

    A. Payment bond (excess of $25,000) for any public project

4. All other applicable/necessary documentation

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Name of School District: _____

Contact Person: _____

Telephone: ( ) _____ Date _____

In accordance with Public Contract Code 20113 (K-12) or 20654 (CC), an emergency at _____ ☐ School District ☐ Community College has arisen.

(Please explain)

The following repairs, alterations, work or improvement is necessary to:

Check one

☐ A. Permit the continuance of existing school classes.

or

☐ B. Avoid danger to life or property.

This approval is for awarding a contract without a bid only. It does not authorize a district to begin a project without obtaining any necessary local or state permits nor does it preclude any local or state building codes or ordinances.

The type of work to be performed includes:

The Governing Board, at a regular/special meeting on _____, approved an emergency request with a vote of __ to __ and is asking the approval of the County Superintendent of Schools to make a contract in writing or otherwise on behalf of the district for the performance of labor and furnishing of materials or supplies for this purpose without advertising for or inviting bids.

I certify that the above information is true and correct and in accordance with Public Contract Code 20113 or 20654.

Governing Board Designee	Title	Date

Required attachment for County Superintendent of Schools approval:

☐ Board Minutes/Resolution (unanimous vote)

Required attachments for DFS processing of payment:

☐ Contract documentation (where applicable)

☐ Bonds

☐ Approved on:	☐ Disapproved on:

County Superintendent of Schools

(Revised 04/02/24)