

Business and Noninstructional Operations

BIDS

The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. When leasing, purchasing or contracting for equipment, materials, supplies, or services for the district, including when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such contracts shall be made using competitive bidding.

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements for competitive bidding. (Public contract Code 22033)

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. Where required, the procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

For award of contracts which, by law or Board policy, require prequalification, the procedures shall identify a uniform system for rating bidders on the basis of a completed questionnaire and financial statements.

When calling for bids, the Superintendent or designee shall ensure that the bid specification clearly describes in appropriate detail the quality, delivery, and service required and includes all information which the district knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

Except as authorized by law, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase any personal property to the extent authorized by law. (Public Contract Code 20118)

Legal Reference:

EDUCATION CODE

17070.10 - 17079.30 Leroy F. Green School Facilities Act

17250.10 - 17250.55 Design- build contracts

17406 Lease-leaseback contracts

17595 Purchase of supplies through Department of General Services

17602 Purchase of surplus property from federal agencies

38083 Purchase of perishable foodstuffs and seasonable commodities

Legal Reference: (continued on next page)

BIDS (continued)

Legal Reference: (continued)

38110 – 38120 Apparatus and supplies
39802 Transportation services
BUSINESS AND PROFESSIONS CODE
7056 General engineering contractor
7057 General building contractor
CODE OF CIVIL PROCEDURE
446 Verification of pleadings

GOVERNMENT CODE
4217.10 - 4217.18 Energy conservation contracts
4330-4334 Preference for California-made materials
6252 Definition of public record
53060 Special services and advice
54201-54205 Purchase of supplies and equipment by local agencies
PUBLIC CONTRACT CODE
1102 Emergencies
1103 Definition, responsible bidder
2000-2002 Responsive bidders
3000-3010 Roofing projects
3400 Bids, specifications by brand or trade name not permitted
3410 United States produce and processed foods
4113 Prime contractor; subcontractor
6610 Bid visits
12200 Definitions, recycled goods, materials and supplies
20101 - 20103.7 Public construction projects, requirements for bidding
20103.8 Award of contracts
20110 - 20118.4 Local Agency Public Construction Act; school districts
20189 Bidder's security, earthquake relief
22000 - 22045 Alternative procedures for public projects (UPCCAA)
22152 Recycled product procurement

COURT DECISIONS
Los Angeles Unified School District v. Great American Insurance Co., (2010) 49 Cal.4th 739
Great West Contractors Inc. v. Irvine Unified School District, (2010) 187 Cal.App.4th 1425
Marshall v Pasadena USD, (2004) 119 Cal.App.4th 1241
Konica Business Machines v. Regents of the University of California, (1988) 206 Cal.App.3d 449
City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court, (1972) 7 Cal.3d 861

ATTORNEY GENERAL OPINIONS
89 Ops.Ca.Atty.Gen. 1 (2006)

Management Resources:

WEB SITES
CSBA: www.csba.org
California Association of School Business Officials: www.casbo.org
California Department of Education: <http://www.cde.ca.gov>
California Department of General Services: <https://www/dgs.ca.gov>

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2/22/17