

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

Bids

The Governing Board is committed to promoting accountability and ensuring prudent use of public funds. When leasing, purchasing or contracting for equipment, materials, supplies, or services for the district and 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.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 3000 - Concepts and Roles)

(cf. 3230 – Federal Grant Funds)

(cf. 3300 - Expenditures and Purchases)

(cf. 3311.1 – Uniform Public Construction Cost Accounting Procedures)

(cf. 3311.2 – Lease-Lease Contracts)

(cf. 3311.3 – Design-Build Contracts)

(cf. 3311.4 Procurement of Technological Equipment)

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 20116)The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. 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.

(cf. 9270 - Conflict of Interest)

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 and specified in the administrative regulation, 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 equipment or supplies to the extent authorized by law. (Public Contract Code 20118)

Legal Reference:

EDUCATION CODE

17070.10-17079.30 *Leroy F. Greene School Facilities Act*
17250.10-17250.55 *Design-build contracts*
17406 *Lease-Leaseback contract*
17595 *Purchases through Department of General Services*
17602 *Purchase of surplus property from federal agencies*
38083 *Purchase of perishable foodstuffs and seasonable commodities*
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 of California-made materials*
6252 *Definitions for Public Records*
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) 87 Cal.App.4th 1425
Marshall v. Pasadena Unified School District, (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.Cal.Atty.Gen. 1 (2006)

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Association of School Business Officials: <http://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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