



**AROMAS-SAN JUAN UNIFIED SCHOOL DISTRICT**

# **Purchasing Procedures**

**BUSINESS SERVICES DEPARTMENT**

2300 San Juan Hwy  
San Juan Bautista, CA 95045



**AROMAS-SAN JUAN UNIFIED SCHOOL DISTRICT**

**District Office**

2300 San Juan Highway, San Juan Bautista, CA 95045

Tel: 831-623-4500 Fax: 831-623-4907

www.asjUSD.org

**SUPERINTENDENT**

Barbara Dill-Varga, Ed. D.

**BOARD OF EDUCATION**

Anissa Dizon Casey Powers

Kristen Schaefer Jennie Clayton

Jessie O'Malley Solis

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## **Introduction**

The purpose of this handbook is to provide information about the policies and operating procedures for Procurement, Competitive Bidding, and Related Services in support of the educational goals of the Aromas-San Juan Unified School District. Policies and procedures identified in this handbook comply with all State and Federal Laws, regulations of the District's Governing Board, and represent the best business and purchasing practices applicable to school districts and other governmental agencies throughout the State of California.

The following information should be used as a guide to District resources and services that are available to assist your procurement and contracting requirements. Purchasing staff members are available to help you if you have any questions on this information.

## **Mission Statement**

Our mission is to provide the acquisition of equipment, supplies, materials and services needed to ensure academic success throughout the District while complying with all State and Federal Laws and Regulations. By doing so, we continue to practice and assist our sites in the matter of being fiscally responsible but nevertheless provide the highest level of professional and timely service to all schools and administrative sites; to provide the lowest price possible without sacrificing quality or service; and to maintain a positive work environment.

## **Objectives**

- Maintaining a collaborative environment
- Complying with public contract code and other related regulations
- Being receptive to new ideas and purchasing concepts

## **Responsibilities**

- Assist with the purchase of equipment, supplies, materials and services for sites as cost effectively as possible following all regulations.

## **Purchasing Code of Ethics**

- Give primary consideration to the interest of the School District while maintaining compliance with State and Federal Laws.
- Apply objective practices, seeking to obtain the maximum benefit for each dollar spent.
- Maintain fairness in all dealings with qualified vendors, contractors, material suppliers, service providers and employees.



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- Provide courteous and professional behavior to vendor representatives and others.
- Apply continuous improvement practices.
- Cooperate with all organizations and individuals who conduct business with the District.
- Foster and promote ethical and legal trade

## **Purchasing Policy**

Aromas-San Juan Unified School District (ASJUSD) operates with a decentralized Purchasing program. School and administrative sites initiate requisitions in QSS, the District's financial system. The only document by which the District obligates itself to a vendor is by *purchase order*, a properly numbered, authorized, and electronically signed document by the Superintendent's Designee.

The Purchasing Department is the only entity authorized to issue purchase orders. This policy is supported by California Education Code section 42632, which requires that school purchases have District approval prior to the receipt of goods and services.

In order to conduct business with ASJUSD, the District recommends vendors familiarize themselves with all of the State of California applicable codes, rules and regulations that affect the acquisition of goods and services for school districts.

## **Quotes/Proposals for Backup**

Valid backup is a current quote/proposal or shopping cart that includes shipping information. Shipping information is a required component for review.

A quote/proposal may include any or all of the following:

- Freight Charges
- Quantity
- Model
- SKU/Item Number
- Description
- Statement of work
- License or subscriptions - timeframe within fiscal year
- Taxes

Requisitions that do not have backup at the time of review may be sent back to the requestor to submit necessary documentation.



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## Vendors

The Purchasing Department is available to assist in finding sources for goods and services. Goods and services are available through existing District vendors, piggyback bids and CMAS contracts that allow the District favorable terms, conditions, and pricing. Formal bids may require a lead time of up to three months before they are available for use.

## How to Request a New Vendor

If you are unable to find a vendor that offers the requested good/service, prior to emailing [accountspayable@asjUSD.org](mailto:accountspayable@asjUSD.org) the vendor request, verify that the supplier is able to do:

1. Net 30 payment terms from receipt of both good/services and invoice
2. Accepts purchase orders
3. If the vendor is providing a service verify that the vendor is able to provide District approved insurance, fingerprinting, background check, and TB test as applicable.

If the supplier meets the prerequisites stated above, proceed by providing [accountspayable@asjUSD.org](mailto:accountspayable@asjUSD.org) the following:

1. Backup (quote/proposal)
2. If the vendor request is technology based please also provide the documentation approved by the IT Department.
3. W-9 form of vendor
4. If vendor is providing a service, Certificate of insurance that meets ASJUSD requirements
5. Contact information of supplier on where to email/fax purchase orders

## Creating the Purchase Requisition

Requisitions are created using QSS. A requisition will match the provided backup and include the following information:

- Vendor name
- Requisition number auto populated by QSS (next available number in sequence)
- Ship to Location
- Requestor name
- End Use - Person to receive the goods or service
- Quantity and description of materials or services being ordered
- Units (EA each, BX box, DZ dozen, CS case, etc. see drop down menu options)
- Unit price
- Freight charges are to be entered in the Charge Code (percent) or Charge Amt (dollar amount) column



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- Sales tax

**Itemize**

- A requisition that contains a fixed asset is required to be itemized (dollar value per unit is greater than \$500 including tax/shipping charges)

**Approval/Workflow**

Sites and departments enter requisitions into the QSS system to initiate the procurement process. All approvals that are required for a particular requisition are handled electronically through the QSS. Requisition status and approvals can be tracked as the requisition moves through the approval process. Upon final approval, the Purchasing Department will print the purchase order for distribution to vendors or service providers.

The average time to generate a purchase order is 1 week. Please note, that the duration to generate a purchase order may be up to 2-3 weeks during but not limited to the opening of the academic year and the Purchasing deadline. The added time is due to the increased volume of requisitions being reviewed.

*A requisition alone does not obligate the District to a purchase, as it is not a signed/approved purchase order.*

**Unauthorized Purchases**

In accordance with California Education Code section 42632, only authorized individuals appointed by the Governing Board may financially obligate ASJUSD. The District requires issuance of a signed purchase order prior to a vendor providing services or materials.

The Purchasing Dept. shall conduct or supervise all purchase transactions for the District. In the event that an unauthorized purchase is made, the following applies:

- Any purchaser of supplies, equipment or services by staff members, without a prior purchase order approved by the Purchasing Dept., may not be paid for by the District.
- Purchases made in the name of the District without an authorized purchase order shall be considered an obligation of the person making the purchase and not an obligation of the District. Deliveries of materials or services, which are made without an approved purchase order or contract, are made at the Seller's risk.



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## Open Purchase Orders

The requisition for an open purchase order must have:

- Names of employee(s) who are authorized to sign for and/or pick up orders from vendors
- "not to exceed" amount
- Valid dates for the fiscal year

## Packing Slip/Original Receipt

Packing slips or original receipts are required to be returned to the Purchasing Department within one week of receiving goods. On the original packing slip/receipt:

1. Add purchase order number
2. Check off the items that were received
3. Confirm order is complete or partial (\*Note Items Not Received and/or on backorder)
4. Printed name
5. Date received

Return completed packing slip as indicated above. If no packing slip, contact the requisitioner to see if the items on the invoice have been received.

*\*If the receiving documents are delayed to the Purchasing Department, then payments to vendors may be delayed.*

## Arts & Crafts Purchases

California law (Education Code §32064) prohibits the purchase of art or craft materials containing toxic substances for use by students in grades K-6, and requires that art products purchased for use by students in grades 7-12 are properly labeled to inform users of long-term (chronic) health risks and instructions for safe use. These purchasing requirements apply to schools, school districts, and governing authorities of private schools.

This law also requires the Office of Environmental Health Hazard Assessment (OEHHA) to develop a list of art and craft materials that cannot be purchased for use in grades K-6 (Education Code §32066). This list is a resource to assist schools in complying with the purchasing requirements.

Although not required by law, avoiding art materials that appear on the OEHHA list when purchasing for use by students in grades 7-12 is a good precautionary measure.  
<https://oehha.ca.gov/risk-assessment/art-hazards>



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## Prop 65

The proposition protects the state's drinking water sources from being contaminated with chemicals known to cause cancer, birth defects or other reproductive harm, and requires businesses to inform Californians about exposures to such chemicals.

Carefully review specifications, product information and descriptions, technical details, etc. for warning labels. Please do not select items for purchase that contain the Prop 65 warning.

<https://oehha.ca.gov/proposition-65>

## Commonly Used Object Codes

While there are dozens of object codes available for use (as part of the 29-digit account line), this section identifies some commonly used codes:

- 4300 Materials and Supplies
- 5200 Travel & Conference
- 5210 Mileage
- 5800 Contract Services

The following object codes require a fixed asset tag:

- 4400 Equipment Non-Capitalized (unit prices from \$500 to \$9,999 w/tax)
- 6400 New Equipment Capitalized (unit prices from \$10,000 or greater)

## Damaged Goods>Returns

Prompt examination of the shipment by you at the school/office is essential to verify the condition of each shipment. Where there is evidence of damage, the extent of damage is to be noted and reported to the vendor. In case of partial damage to a shipment which does not render the shipment worthless, items in good condition, at the requestor's discretion, may be accepted.

The requestor is to resolve returns directly with the vendor. Requestor is also to communicate with Purchasing and Accounts Payable when a return has been processed to ensure sure the proper funds are returned/credited.

## Shortages

The number of pieces or packages received in a shipment are to be checked by the School/Office against the number indicated in the purchase order. In the event of any variance, a notation of that effect is to be placed on the packing slip. The School/Office must notify the vendor 1-3 business days.



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## **Vendors' Communication Policy**

### **Vendors**

A contract or purchase order (P.O.) authorized by the Purchasing Department is the only method by which the district obligates itself to a vendor. Therefore, vendors are not to provide materials or services to the District without first obtaining an authorized purchase order from the Purchasing Department. Purchases made in the name of the District without an authorized purchase order or contract may be considered a donation to the District or a personal obligation of the person making the purchase and not an obligation of the District.

### **Invoices**

Upon receipt of an authorized purchase order and the subsequent delivery of materials or services, invoices must include the following information:

1. Purchase Order Number
2. Date of Invoice
3. Invoice Number
4. Bid Number, if applicable
5. Appropriate Purchase Detail
6. Vendor Remittance Information

Invoices lacking the required information are subject to delay or return for correction. All school purchases are subject to California sales tax. Vendors may expect payment within (30) thirty days of receipt of invoice in Accounts Payable, provided proper compliance with invoicing procedures.

### **Safety Data Sheets**

Vendors are required to provide Safety Data Sheets (SDS) from manufacturers for all products that are hazardous, as defined by California Code, Title 8, General Industry Safety Orders, Section 5194.



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## Contracts

The Board of Trustees recognizes its responsibility to enter into contracts on behalf of the district for the acquisition of equipment, supplies, services, and other resources necessary for the achievement of district goals. In exercising this authority to enter into a contract, the board shall ensure that the district's interest is protected and that the terms of the contract conform to applicable legal standards, including the bidding requirements in Public Contract Code 20111. To be valid or to constitute an enforceable obligation against the district, all such contracts must be approved and/or ratified by the Board. Reference Cal. Education Code 17604, BP 3312

### Contracts in General

- Contracts are not a legal obligation against the district unless approved or ratified by the governing board.
- This applies to ALL contracts, regardless of the dollar amount or the time period of the contract. [EC17604].

### Contract Time Limits

Work/services/equipment - 5 years maximum, Materials/supplies - 3 years maximum.  
[EC 17596]

A contract must contain:

1. The date the contract was entered into.
2. The names of the parties to the contract.
3. A description of the work to be done or the services to be provided or materials, supplies, and/or equipment to be supplied.
4. The duration of the contract and/or provision for termination or renewal.
5. The total dollar amount obligated by the agreement with due date of obligation or payment schedule with amounts for multiple payments.
6. The signatures of the authorizing parties.
7. Any other terms and conditions that the parties may require.
8. Where and how the contract is to be completed, if applicable.

### Multiyear Contracts

It is recommended that contracts are aligned with the fiscal year start (July 1st) and end dates (June 30). However, if it is in the District's best interest resulting in significant savings, continuity in operations of the District to enter in a multiyear contract, the contract should state that it may be cancelled or suspended, without penalty.



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## **Contractors/Consultants Services**

Prior to entering in a requisition in QSS for Contractor/Consultant services, an agreement between the District and the contractor/consultant will need to be Board Approved. After Board Approval has been obtained, a requisition may be entered.

The Board Approval Date and Board Item needs to be referenced in the notes section of the requisition and the signed Agreement (contract) in addition to Board Item is submitted to Purchasing as an attachment in QSS.

## **Purchasing Dollar Summary (2026)**

### **PCC 20111(a). Public projects exceeding \$119,100**

- Purchase of equipment, materials or supplies
- Services, Non-construction
- Repairs and maintenance

The bid threshold is adjusted annually by the State Dept. of Education.

### **PCC 20111(b). Public projects (excluding maintenance) exceeding \$15,000.**

- Construction, reconstruction, alteration, renovation, improvement, demolition and repairs involving facilities
- Example: The removal and replacement of the entire carpet
- Example: Removal and replacement of an entire roof
- Example: Upgrading or improving an existing wiring system to increase the capacity of the system
- Painting or repainting of facilities, including painting an entire school, entire structure, or entire building

### **PCC 22002 (d) and 20115. Maintenance—Bidding not required unless project exceeds \$119,100.**

The bid threshold is adjusted annually by the State Dept. of Education.

- Routine, recurring and usual work for the preservation or protection of any facility for its intended purpose.
- Minor repainting, including any painting of less than an entire facility or less than whole plant, building, ground facility or real property, or the painting of a room, wing or portion of an entire building or structure.
- Resurfacing of streets at less than one inch
- Landscape maintenance, including mowing, watering, trimming, pruning, planting, replacement of plants and servicing of irrigation and sprinkler system
- Ordinary upkeep or repair work such as replacements in kind, repainting, re-plastering and reroofing



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- Example: Repairing or replacing a portion of a roof
- Example: Repairing or replacing a portion of the entire carpet
- Example: Replacing or repairing existing wiring that has failed
- Example: Use of day labor or force account not exceeding 350 hours.

## **Federal Expenditures**

The procurement of goods or services with federal funds shall be conducted in a manner that provides full and open competition in accordance with state laws and district regulations.

Please reference ASJUSD Board Regulation 3230: Federal Grant Funds for specific requirements related to purchases with federal funds.

- For example, a purchase that exceeds micro-purchase threshold (\$10,000) but is less than the bid limit required by Public Contract Code 20111, the Superintendent or designee shall utilize "small-purchase" procedures that include obtaining price or rate quotes from an adequate number of qualified sources. (2 CFR 200.320) (preferred minimum 3 quote)
- On April 9, 2025, the Board of Trustees approved Resolution 2425-15 to Self-Certify an increase to the Federal micro-purchase threshold to \$50,000.



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## Indemnification and Insurance Requirements

To: Contractors Working in ASJUSD

From: Business Services Department

### RE: INDEMNIFICATION AND INSURANCE REQUIREMENT LANGUAGE

Please submit the required insurance documents as indicated below:

**1. A two-page Certificate of Insurance (COI) for your company. The certificate must:**

- Show at least \$1,000,000/occurrence and \$2,000,000/aggregate of Commercial General Liability insurance coverage which must include coverage for the following:
  - (1) Bodily Injury and Property Damage
  - (2) Personal Injury/Advertising Injury
  - (3) Premises/Operations Liability
  - (4) Products/Completed Operations Liability
  - (5) Aggregate Limits that Apply per Project
  - (6) Explosion, Collapse, and Underground (UCX) exclusion deleted
  - (7) Contractual Liability
  - (8) Broad Form Damage
  - (9) Independent Contractor's Coverage
- Show at least \$1,000,000/occurrence of Automobile Liability for bodily injury, and property damage coverage

*Policies shall name Aromas-San Juan Unified School District as Additional Insured by separate written endorsement. Naming ASJUSD on the COI itself is not sufficient.*

- Show evidence of Workers' Compensation Insurance in compliance with applicable statutory requirements and Employer's Liability coverage in the amount of \$1,000,000 per occurrence. *Aromas-San Juan Unified School District requires a Waiver of Subrogation.*
- Name as CERTIFICATE HOLDER:

Aromas-San Juan Unified School District  
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- **NOTE: Claims made policies are NOT accepted in ASJUSD**



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## **Board Policy - Federal Grant Funds**

### **BP 3230**

#### **Business and Noninstructional Operations**

The Governing Board recognizes the district's responsibility to maintain fiscal integrity and transparency in the use of all funds awarded through federal grants. The district shall comply with all requirements detailed in any grant agreement with an awarding agency and with the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards specified in 2 CFR 200.0-200.521 and any stricter state laws and district policy.

Any goods or services purchased with federal funds shall be reasonable in cost and necessary for the proper and efficient performance or administration of the program.

The Superintendent or designee shall ensure that the district's financial management systems and procedures provide for the following: (2 CFR 200.302)

1. Identification in district accounts of each federal award received and expended and the federal program under which it was received
2. Accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with the reporting requirements of 2 CFR 200.328 and 200.329
3. Records and supporting documentation that adequately identify the source and application of funds for federally funded activities, including information pertaining to federal awards, authorizations, financial obligations, unobligated balances, assets, expenditures, income, and interest
4. Effective control over and accountability for all funds, property, and other assets and assurance that all assets are used solely for authorized purposes
5. Comparison of actual expenditures with budgeted amounts for each federal award
6. Written procedures to implement provisions governing payments as specified in 2 CFR 200.305
7. Written procedures for determining the allowability of costs in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the federal grant award

The Superintendent or designee shall develop and implement appropriate internal control processes to reasonably assure that transactions are properly executed, recorded, and



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accounted for so that the district can prepare reliable financial statements and federal reports, maintain accountability over assets, and demonstrate compliance with federal laws, regulations, and conditions of the federal award. (2 CFR 200.61, 200.62, 200.303)

Equipment purchased with federal funds shall be properly inventoried and adequately maintained to safeguard against loss, damage, or theft of the property.

All staff involved in the administration or implementation of programs and activities supported by federal funds shall receive information and training on the allowable use of federal funds, purchasing procedures, and reporting processes commensurate with their duties.

The district shall submit financial and performance reports to the awarding agency in accordance with the schedule and indicators required for that federal grant by law and the awarding agency. As required, such reports may include a comparison of actual accomplishments to the objectives of the federal award, the relationship between financial data and performance accomplishments, the reasons that established goals were not met if applicable, cost information to demonstrate cost-effective practices, analysis and explanation of any cost overruns or high unit costs, and other relevant information. The final performance report shall be submitted no later than 120 calendar days after the ending date of the grant. (2 CFR 200.301, 200.328, 200.329)



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## **Board Policy - Expenditures and Purchases**

### **BP 3300**

#### **Business and Noninstructional Operations**

The district administration shall implement Board Policy 3300 within the framework of the concepts set forth in the Purchasing Code of Ethics (California Association School Business Officials Handbook of Public School Purchasing, 1979):

1. To regard public service as a sacred trust, giving primary consideration to the interests of the school district by which they are employed.
2. To purchase without prejudice, seeking to obtain the maximum benefit for each tax dollar expended.
3. To avoid unfair practices, giving all qualified vendors an equal opportunity.
4. To respect our obligation and to require that obligations to us and our school district be respected.
5. To accord vendor representatives the same courteous treatment we would like to receive.
6. To strive constantly for improvement of purchasing methods and of the materials that are purchased.
7. To counsel and assist fellow purchasing agents in the performance of their duties, whenever occasion permits.
8. To conduct themselves with fairness and dignity and to demand honesty and truth in buying and selling.
9. To cooperate with all organizations and individuals engaged in enhancing the development and standing of the purchasing profession.
10. To remember that everything they do reflects on the school district and to govern their every action accordingly.
11. When price, fitness, and quality are equal, recycled products shall be preferred when procuring materials for use in district schools and buildings.

#### Expending Authority

Contracts and purchases exceeding \$75,000 whether initially or paid over any period longer than one month totaling \$75,000 or more shall be brought to the Board for consideration and contracts and purchases exceeding the legal bid limit shall go out for quote, Request



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www.asjUSD.org

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for Proposal, etc. with a two quote minimum, preferably three quotes. (Splitting of purchases to avoid bid limit is illegal.)

However, such purchases may be approved by the Superintendent and subsequently ratified by the Board if:

1. An emergency exists requiring the purchase prior to the next regular board meeting.
2. Item(s) or services to be purchased are explicitly stated in the adopted budget.

All contracts involving an expenditure exceeding the legal bid limit shall be let in accordance with Public Contract Code SS 20110, et seq., by the Board of Trustees on a case-by-case basis.

The Superintendent shall prepare a separate monthly report to the board setting forth all formal contracts entered into by the Superintendent or his designee pursuant to this staff rule. The report shall be included as a part of the consent agenda for board ratification.

Procedures shall be established to cause adequate records to be maintained to ensure an adequate audit trail.

The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days. (Education Code 17605)

District funds shall not be expended for the purchase of alcoholic beverages. (Education Code 32435)

## Purchasing Procedures

Insofar as possible, goods and services purchased shall meet the needs of the person or department ordering them at the lowest price consistent with standard purchasing practices. Maintenance costs, replacement costs, and trade-in values shall be considered when determining the most economical purchase price.

All purchases shall be made by formal contract or purchase order or shall be accompanied by a receipt. In order to eliminate the processing of numerous small purchase orders, the Superintendent or designee may create a "blanket" or "open" purchase order system for the purchase of minor items as needed from a vendor. He/she shall ensure that the "open" purchase order system details a maximum purchase amount, the types of items that can be



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purchased under this order, the individuals authorized to approve purchases, and the expiration date of the "open" order. The Board will review and approve open purchase orders by June for the subsequent school year.



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## **Board Policy - Bids**

### **BP 3311**

#### **Business and Noninstructional Operations**

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 legal requirements for competitive bidding. (Public Contract Code 20116)

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with Government Code 54202, and that meet the requirements for bidding procedures specified in 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.

When calling for bids, the Superintendent or designee shall ensure that the bid specifications clearly describe in appropriate detail the quality, delivery, service required, and include all information of 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.

#### **Award of Contract**

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)

However, the Board may let contracts to other than only the lowest responsible bidder in the following circumstances:



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www.asjusd.org

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1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)
2. When the contract is for any transportation service which involves an expenditure of more than \$10,000 and which will be made with any person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of a student who is to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)
3. When the contract is one for which the Board has established goals and requirements relating to participation of disabled veteran or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who submits a responsive bid and complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)
4. When procuring a lease-leaseback contract, in which case the Board shall award the contract based on objective criteria for determining the best combination of price and qualifications in accordance with Education Code 17400 and 17406
5. When procuring a design-build contract for a public works project in excess of \$1,000,000 in accordance with Education Code 17250.20, in which case the Board may award the contract to either the low bid or the best value to the district, taking into consideration, at a minimum, price, technical design and construction expertise, and life-cycle costs (Education Code 17250.20, 17250.25)
6. When procuring an alternative design-build contract for a public works project in excess of \$5,000,000 in accordance with Education Code 17250.62, in which case the Board may award the contract to either the low bid or the best value, taking into consideration, at a minimum, design cost, general conditions, overhead, and profit as a component of the project price; technical design and construction expertise; and life-cycle costs (Education Code 17250.61, 17250.62)

#### Protests by Bidders

If the bidder believes that the award is not in compliance with law, Board policy, administrative regulation, or the bid specification, the bidder may protest the award. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protested documents in a timely manner shall constitute a waiver of the right to protest the award of the contract.



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The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide notice to the bidder of the date and time for Board consideration of the protest at least three business days before the Board meeting. The Board's decision shall be final.

#### Bids Not Required

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, including the lease of data-processing equipment or the purchase of materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor. (Public Contract Code 20118)

Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district and meet the cost effectiveness requirements specified in Government Code 4217.12. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on a cost and saving comparison finding specified in Government Code 4217.12. (Government Code 4217.12)



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In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 1102, 20113)



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## Request for Proposals (RFPs)

*RFP variations include: SOQ (Statement of Qualifications), RFQ (Request for Quotes)*

### RFP Details

- Provide Scope of Work.
- Provide selection process details.
- Contract needs to be a part of the RFP.
- Any requirements such as badging, schedule, and/or access requirements must be included in the RFP.
- Construction RFPs should be used for all informal CUPCCAA bid projects.

### RFP Timing

Backwards map from Board Agenda Approval or Construction Start Date:

- Board Approval/Construction Start
- Board Item Preparation (Completed at least 2 weeks prior to Board date)
- Selection Process (Paper screening committee and/or Interviews)
- Bid opening
- Time for questions (answers need to be provided to all Bid Walk attendees)
- Bid Walk (Sign in sheet not required but highly encouraged for record keeping purposes)
- Notify vendors or contractors
- Generate RFP

### Generating the RFP

1. Modify existing RFP or generate a new one for niche services.
2. Extract the RFP selection process to put into a rubric evaluation form. (The selection process must be identified in the RFP.)
3. The contract that will be used for the selected vendor must be accompanied with the RFP for all parties' initial review.
4. Post RFPs onto the RFP webpage of the District website and send a short advertisement in the Free Lance citing the full webpage address.
5. Identify a main contact for RFP.
6. Identify who will be on the selection committee and schedule their calendars accordingly well in advance.
7. Create RFP schedule including the following items: Release and advertisement date, Deadline for questions, Deadline for submissions, Review of submissions, Interviews, Notification to selected firm(s), Board Approval



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**Selection Process**

8. Paper screening using a rubric based on the identified criteria.
9. Optional panel interview. (Schedule well in advance. Each panel member should have their own set of documents to evaluate the candidates. A decision should be made with the panel all together.)
10. Notify all those that responded to the RFP to let them know if they will be awarded or not. Be prepared to answer a lot of questions from those that did not win the contract.
11. Board ratification.