

Business Non-Instructional Operations

BIDS

The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. In leasing or purchasing 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 leases and purchases shall be made using competitive bidding.

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

(cf. 3000 - Concepts and Roles)

(cf. 3300 - Expenditures and Purchases)

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.

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 of Public Contract Code 20111-20118.4. (Public Contract Code 20116)

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)

(cf. 9270 - Conflict of Interest)

Legal Reference:

EDUCATION CODE

17070.10-17079.30 *Leroy F. Greene School Facilities Act*

17406 *Lease-leaseback contract*

17595 *Purchases through Department of General Services*

17602 *Purchase of surplus property from federal agencies*

38023 *Transportation bids and contracts for services*

38110-38120 *Apparatus and supplies*

39802 *Transportation services*

GOVERNMENT CODE

4217.10-4217.18 *Energy conservation contracts*

4330-4334 *Preference of California-made materials*

6252 *Definitions for California Public Records Act*

53060 *Special services and advice*

54201-54205 *Purchase of supplies and equipment by local agencies*

PUBLIC CONTRACT CODE

2000-2002 *Responsive bidders*

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- 3000-3010 *Roofing projects*
- 3400 *Bids, specifications by brand or trade name not permitted*
- 3410 *United States produce and processed foods*
- 6610 *Bid visits*
- 12200 *Definitions, recycled goods, materials and supplies*
- 20101-20103.7 *Public construction projects, requirements for bidding*
- 20103.8 *Award of contracts*
- 20107 *Bidder's security*
- 20111-20118.4 *School districts especially:*
- 20189 *Bidder's security, earthquake relief*
- 22002 *Definition of public project*
- 22030-22045 *Alternative procedures for public projects (UPCCAA)*
- 22050 *Alternative emergency procedures*
- 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 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.3d861*

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>

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WEST SONOMA COUNTY UHSD
Sebastopol, California