

RESOLUTION No. 50, 2019-20

**BEFORE THE BOARD OF EDUCATION OF THE
ELK GROVE UNIFIED SCHOOL DISTRICT
SACRAMENTO COUNTY, CALIFORNIA**

In the Matter of California Uniform) RESOLUTION ADOPTING CALIFORNIA
Public Construction Cost Accounting) UNIFORM PUBLIC CONSTRUCTION COST
Act) ACCOUNTING PROCEDURES AND
_____) INFORMAL BIDDING ORDINANCE

WHEREAS, in order for the Elk Grove Unified School District (the “District”) to be permitted to utilize the alternative bidding procedures set forth in Public Contract Code (“PCC”) section 22032, et seq., the Board must first elect to adopt uniform public construction cost accounting procedures pursuant to PCC section 22000 et seq., the California Uniform Public Construction Cost Accounting Act (“Act”); and

WHEREAS, PCC section 22034 requires the District to enact an Informal Bidding Ordinance, as detailed herein, if it elects to utilize an alternative bid procedure for public works projects as described in PCC section 22030 et seq.; and

WHEREAS, it appears to be in the best interest of the District to enact the Informal Bidding Ordinance pursuant to the alternative procedure for public works bids.

NOW, THEREFORE, the Board of Education of the Elk Grove Unified School District finds, determines, and orders as follows:

1. The foregoing recitals are adopted as true and correct.
2. The Board elects under Public Contract Code section 22030 to become subject to the uniform construction cost accounting procedures set forth in the Act and to the California Uniform Public Construction Cost Accounting Commission’s policies and procedures manual and cost accounting review procedures, as they may each from time to time be amended.
3. The Board directs the Superintendent, or her designee, to mail a certified copy of this Resolution to the Office of State Controller, Division of Accounting and Reporting, Local Government Policies Section, P.O. Box 942850, Sacramento, CA 94250.
4. The Board hereby enacts an Informal Bidding Ordinance (“Ordinance”) as follows:

INFORMAL BIDDING ORDINANCE

1. Elk Grove Unified School District (the “District”) shall maintain a list of qualified contractors, identified according to categories of work. Minimum criteria for development and maintenance of the contractors list shall be as determined by the California Uniform Construction Cost Accounting Commission.
2. Where a public project to be performed is subject to the provisions of this Ordinance, a notice inviting informal bids shall be mailed to all contractors for the category of work to be bid, as shown on the list developed in accordance with this Ordinance, and/or] all construction trade journals as specified by the California Uniform Construction Cost Accounting Commission in accordance with Public Contract Code section 22036. Additional contractors and/or construction trade journals may be notified at the discretion of the Superintendent or authorized designee. If the product or service out for bid is proprietary in nature such that it can be obtained only from a certain contractor or contractors, the notice inviting informal bids may be sent exclusively to such contractor or contractors.
3. All mailing of notices pursuant to subdivision (2) above shall be completed not less than ten (10) calendar days before bids are due.
4. The notice inviting informal bids shall describe the project in general terms, how to obtain more detailed information about the project, and state the time and place for the submission of bids.
5. The Board, to the extent it does not make the award itself, hereby delegates authority to award informal contracts subject to the Ordinance to the Superintendent or authorized designee.
6. If all bids received are in excess of \$200,000, the Board may, by adoption of a resolution by a four-fifths vote, award the contract, at \$212,500 or less, to the lowest responsible bidder, if it determines that the initial cost estimate was reasonable.
7. The Ordinance is effective on the date approved by Resolution of the Board. As of the effective date of the Ordinance, public works projects of \$60,000 or less, or such other amount as specified by Public Contract Code section 22032, as it may be amended from time to time, may be performed by the employees of the District by force account, by negotiated contract, or by purchase order; public works projects of \$200,000 or less, or such other amount as specified by Public Contract Code section 22032, as it may be amended from time to time, shall be informally bid, except under the circumstance described in paragraph (6) above, and all public works projects subject to formal bidding shall be subject to the notice procedures contained in Public Contract Code section 22037.
8. The Ordinance may be used in conjunction with, or in place of, to the extent provided by law, other Public Contract Code requirements at the discretion of the District.
9. The Ordinance shall be amended from time to time by any subsequent amendments or changes to the Act.

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This Resolution was adopted at a duly called meeting of the Elk Grove Unified School District held on February 4, 2020.

AYES: _____

NOES: _____

ABSENT: _____

Beth Albiani, President, Board of Education
Elk Grove Unified School District
Sacramento County, California

I, Crystal Martinez-Alire, Clerk of the Board of Education of the Elk Grove Unified School District, do hereby certify that the foregoing Resolution was regularly introduced, passed, and adopted by the Board of Education at its meeting held on February 4, 2020.

Dr. Crystal Martinez-Alire, Clerk, Board of Education
Elk Grove Unified School District
Sacramento County, California