

## **Business and Noninstructional Operations**

### **BIDS**

In order to ensure transparency and the prudent expenditure of public funds, the Governing Board shall award contracts in an objective manner and in accordance with law. District equipment, supplies, and services shall be purchased using competitive bidding when required by law or if the Board determines that it is in the best interest of the district to do so.

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

(cf. 3000 - Concepts and Roles)

(cf. 3300 - Expenditures and Purchases)

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)

Bid specifications shall be carefully designed and shall describe in detail the quality, delivery, and service required.

To assist the district in determining whether bidders are responsible, the Board may require prequalification procedures as allowed by law and specified in administrative regulation.

(cf. 9270 - Conflict of Interest)

#### **Legal Reference:**

##### **EDUCATION CODE**

17595 Purchases through Department of General Services

38083 Purchase of perishable foodstuffs and seasonable commodities

38110-38120 Apparatus and supplies

39802 Transportation services

##### **GOVERNMENT CODE**

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

2001-2001 Responsive bidders

3002 Roofing projects

3400 Bids, specifications by brand or trade name not permitted

**BP 3311**

3410 United States produce and processed foods  
6610 Bid visits  
12200 Definitions, recycled goods, materials and supplies  
20103.8 Award of contracts  
20107 Bidder's security  
20111-20118.4 Contracting by school districts  
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**

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.Cal.Atty.Gen. 1 (2006)

**Management Resources:**

**WEB SITES**

CSBA: [http:// www.csba.org](http://www.csba.org)

California Association of School Business Officials: <http://www.casbo.org>

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**FRUITVALE SCHOOL DISTRICT**, Bakersfield, CA