BP/SP3311 Bids
Business and Noninstructional Operations

Status: ADOPTED
February 27, 2017

The Modoc County Board of Education and the Modoc County Superintendent of Schools are committed to promoting public accountability and ensuring prudent use of public funds. In leasing or purchasing equipment, materials, supplies, or services for the county office and when contracting for public projects involving county office facilities, the County Board and/or County Superintendent shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the County Board and/or County Superintendent determines that it is in the best interest of the county office, such leases and purchases shall be made using competitive bidding.

The County Superintendent or designee shall establish comprehensive bidding procedures for the county office 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 for competitive bidding (Public Contract Code 20116)

When calling for bids, the County 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.

The County Superintendent or designee shall develop the procedures to be used for rating bidders for award of contracts which, by law or County Board / Superintendent policy, require prequalification. The procedures shall identify a uniform system for rating bidders and shall address the issues covered by the standardized questionnaire and model guidelines developed by the Department of Industrial Relations pursuant to Public Contract Code 20101.

Except as authorized by law , contracts shall be let to the lowest responsible bidder who shall give such security as the Board and/or Superintendent requires, or else all bids shall be rejected. (Public Contract Code 20111)

When the County Superintendent has determined that it is in the best interest of the County Office, the County Office may piggyback onto the contract of another public agency or corporation to lease or purchase any personal property 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 contracts
17595 Purchase of supplies 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 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
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) 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.3d 861
ATTORNEY GENERAL OPINIONS
89 Ops.Cal.Atty.Gen. 1 (2006)