RESOLUTION NO. 14-24

GOVERNING BOARD OF THE SAN LEANDRO UNIFIED SCHOOL DISTRICT
RESOLUTION TO BECOME SUBJECT TO
CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING PROCEDURES

WHEREAS, the San Leandro Unified School District ("District") currently uses formal bidding procedures pursuant to Public Contract Code section 20110, et. seq., applicable to construction work performed or contracted by the District;

WHEREAS, the District is not now currently subject to uniform public construction cost accounting procedures;

WHEREAS, Public Contract Code section 22000 et seq., the California Uniform Public Construction Cost Accounting Act ("Act"), establishes a uniform cost accounting standard and allows for an alternate method for bidding of public works projects ("informal bidding") by local public agencies;

WHEREAS, the Uniform Public Construction Cost Accounting Commission ("Commission") established under the Act has developed uniform public construction cost accounting procedures for implementation by local public agencies in the performance of or in the contracting for construction of public projects;

WHEREAS, the Commission has determined that compliance with the California Schools Accounting Manual meets the accounting requirements of the Act for school districts;

WHEREAS, the limits for the informal bidding of public works projects by local public agencies are adjusted every five years by directive of the California State Controller and are currently set so that (a) public projects of $45,000 or less may be performed by District employees by force account or by negotiated contract (Public Contract Code § 22032(a)); (b) public projects of $175,000 or less may be contracted by informal procedures (Public Contract Code § 22032(b)); and (c) public projects over $175,000 are subject to formal bidding procedures (Public Contract Code § 22032(c));

WHEREAS, other local public agencies report that benefits of becoming subject to uniform public construction cost accounting procedures pursuant to the Act include the raised force account limit, informal bidding procedures, greater leeway in the execution of public works projects, a streamlined awards process, improved timeliness of project completion, and simplified administration;

WHEREAS, a local public agency's governing body must elect by resolution to become subject to the Act and file a copy of the resolution with the State Controller's Office pursuant to Public Contract Code section 22030.

NOW THEREFORE, the Governing Board of the San Leandro Unified School District hereby resolves, determines, and finds the following:

Section 1. That the foregoing recitals are true.

Section 2. That, based on the foregoing, it would be beneficial for the entire District, including the District's maintenance procedures and projects, to become subject to uniform public construction cost accounting procedures pursuant to the Act.

Section 3. That the Governing Board hereby elects pursuant to Public Contract Code section 22030 to become subject to the uniform public construction cost accounting procedures set forth in the Act and to the Commission's policies and procedures manual and cost accounting review procedures, as they may each from time to time be amended, and directs the District Superintendent or the Superintendent's designee to notify the State Controller forthwith of this election.

Section 4. That the Governing Board hereby delegates the authority to the District's Superintendent, or the Superintendent's designee, to award or to negotiate, execute, and enter into a contract or contracts with a qualified contractor or contractors for completion of public works projects and maintenance projects pursuant to the procedures authorized in the Act (collectively, "Contracts").

Section 5. That the Contracts approved by the District's Superintendent, or designee, pursuant to this delegation shall be submitted to the Board for ratification.

Section 6. That the District's Superintendent or the Superintendent's designee, is authorized pursuant to this Resolution to take any action which is necessary to complete the procedures necessary for the District to become subject to the uniform public construction cost accounting procedures set forth in the Act and to take any action authorized by the Act.

This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED by the Governing Board of the San Leandro Unified School District, this 20th day of May, 2014, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

_____, President

_____, Clerk