SAN LEANDRO UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION

RESOLUTION NO. 19-34

DELEGATION OF AUTHORITY TO APPROVE CONTRACTS
PURSUANT TO EDUCATION CODE SECTIONS 17604 AND 17605

WHEREAS, THE San Leandro Unified School District (hereinafter "District") is a California public school district; and

WHEREAS, Education code section 17604 authorizes a school district's governing board, by a majority vote, to delegate to the District's superintendent, or to such persons as he may designate, to award contracts, subject to the provision that "... no contract made pursuant to such delegation and authorization shall be valid or constitute an enforceable obligation against the district unless and until the same shall have been approved or ratified by the governing board, said approval or ratification to be evidenced by a motion of said board duly passed and adopted"; and

WHEREAS, Education Code section 17605 authorizes a school district's governing board, by a majority vote, to delegate the authority to enter "transactions," including contracts, to "any officer or employee of the district" if those transactions fall under the bid limit of Public Contract Code section 20111 or Public Contract Code section 22000, ET SEQ. (THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT ("CUPCCAA"). Those transactions or contracts need not be approved or ratified, but instead, all these transactions entered into "by the officer or employee shall be reviewed by the governing board every 60 days"; and

WHEREAS, District staff will need to award new contracts on approved projects up to Sixty Thousand ($60,000) or approve change orders up to 20% of contract, but no more than Fifty Thousand ($50,000) without obtaining prior Governing Board Approval. This would only be done when necessary to avoid project delays or additional costs. For any approval made for Thirty Thousand ($30,000) or above, Facilities Director will notify Facilities and Technology committee members as soon as possible. District staff will submit to the Governing Board all awarded Contracts and or Change Orders at subsequent Board Meetings. This shall remain in place through the end of the J1 Bond Program.

NOW, THEREFOR, the Governing Board of the District hereby finds, determines, declares, orders, and resolves as follows:

Section 1. That the above recitals are true and correct.

Section 2. That the District's Governing Board hereby delegates the authority to award contracts to the district's Superintendent, or to such persons as he may designate, during the time period indicated herein above.

Section 3. That all contracts approved by the District's Superintendent, or his designee, pursuant to this delegation shall be submitted to the District's Governing Board for ratification, unless those contracts need only be reviewed as allowed in Section 4 below.

Section 4. That all contracts approved by the District's Superintendent, or his designee, that fall under the bid limit of Public contract Code section 20111 ($86,000 in 2015) for the purchase of equipment, materials, supplies, non-construction services and repairs; and $15,000 for construction contracts; or Public Contract Code 22000, ET SEQ. (THE UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT ("CUPCCAA"), shall be reviewed by the District's Governing Board every 60 days.

Section 5. That the District's Superintendent is authorized pursuant to this Resolution to take any action Which is necessary to carry out, give effect to, and comply with the terms and intent of this Resolution.

APPROVED, PASSED, AND ADOPTED by the Governing Board of the San Leandro Unified School District on this **18th day of June, 2019,** by the following vote:

AYES: _____

NOES: _____

ABSTENTATIONS: _____

ABSENT: _____

_____
Board President

_____
Clerk of the Board