

Salinas Union High School District

BIDS AND QUOTATIONS/EXCEPTIONS

The following are various statutory exceptions to the competitive bidding requirements:

1. Educational Material. The District may purchase supplement-ary textbooks, library books, educational films, audio-visual materials, test materials, workbooks, instructional computer software packages or periodicals without taking estimates or advertising for bids
2. Perishable Foodstuffs and Seasonal Commodities. The District may purchase perishable foods and seasonal commodities needed in the operation of cafeterias without advertising for bids. In its purchases, the District shall give preference to products grown, manufactured, or produced in California and to foods grown or processed in the United States
3. Surplus Federal Property. The District may also purchase surplus property from the Federal Government or any agency thereof in any amount needed for the operation of the schools of the District without competitive bidding
4. Purchase Through Other Public Agency. The District may, without advertising for bids, if the Board determined it to be in the best interests of the District, authorize by contract lease, requisition, or purchase order any public corporation or agency to lease data processing equipment, purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the District. Upon receipt of any such property, the School District may draw a warrant in favor of the public corporation or agency for the amount of the approved invoice
5. Emergency Repair Contracts. In an emergency, when any repairs, alterations, work or improvement is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Governing Board of the District, by unanimous vote and with the approval of the County Superintendent of Schools, may make a contract in writing or otherwise on behalf of the District for the performance of labor and furnishing of materials or supplies for the purpose without advertising for or inviting bids. Instead of making a contract as stated above, the Governing Board may authorize the use of day labor or force account for such work
6. Day Labor. The District may make repairs, alterations, additions, or painting or repainting or decorating upon school buildings, repair or build apparatus or equipment, make improvements on school grounds and erect new buildings and perform maintenance by day labor or by force account, whenever the total cost of labor does not exceed \$7,500 or the total number of hours on the job does not exceed 350 hours, which-ever is greater
7. Completion of Construction Contracts. Where the Governing Board of the District has reserved the right to complete a construction contract and deduct the amount expended from the agreed price of the contract should the contractor fail to carry out the work, a statute requiring competitive bidding does not apply. Unless there is a statutory provision which specifically requires readvertising for bids in such a situation, the District may itself take care of the completion of the contract in accordance with the terms of the contract

Salinas Union High School District

Business

Policy #3323

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8. Special Services and Advice. The District may contract with and employ any persons for the furnishing to the District special services and advice in financial, economic, accounting, engineering, legal, or administrative matters if such persons are specially trained and experienced and competent to perform the special services, without advertising for bids

Legal Reference: Public Contract Code

20118.2 Educational Material

Education Code

39643 Purchase through other public agency

39654 Surplus federal property

39873 Perishable food stuffs and seasonal commodities

Government Code:

4331-4334 Preference of California made materials

53060 Specified special services

Garvey School District vs Paul (1920) 50

Cal. App. 75

Shore vs Central Contra Costa Sanitary District (1962) 208 Cal. App. 2d 465

Policy Adopted (As 3312.2): 11/2/81

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Amended: 8/13/85

Amended & Renumbered: 8/10/89