

## **CORONADO UNIFIED SCHOOL DISTRICT**

### **Resolution No. 18-02-02**

#### **DELEGATING AUTHORITY TO AWARD PUBLIC WORKS CONTRACTS, BIDDING, AND MANAGEMENT OF CAPITAL IMPROVEMENT PROJECTS**

On motion of Member \_\_\_\_\_, seconded by Member \_\_\_\_\_, the following resolution is adopted:

**WHEREAS**, Public Contract Code Section 22002(c) defines a public works project generally as work including the construction, reconstruction, erection, alteration, renovation, improvement, demolition, and repair of any publicly owned, leased, or operated facility; and,

**WHEREAS**, the Governing Board ("Board") of the Coronado Unified School District ("District"), when undertaking a public project in excess of \$175,000, is required pursuant to Public Contract Code Section 22000 et seq. to award the contract(s) for such work to the lowest responsible bidder(s) or reject all bids; and,

**WHEREAS**, Public Contract Code Section 22037 requires the Board to advertise for bids for public projects by publishing a notice calling for bids in a newspaper of general circulation published within the District at least 14 calendar days prior to opening of bids; and,

**WHEREAS**, Education Code Section 35161 authorizes the Board to delegate to any officer or employee of the District any power or duty delegated to the District or the Board by law, although the Board retains responsibility over the performance of the powers or duties so delegated; and

**WHEREAS**, during the course of new construction and modernization projects, situations may arise resulting in requirement for changes to the project or the contracts therefor, and changes to Capital Improvement Projects or the contracts therefor have been and, as anticipated, will be necessary during the course of construction; and,

**WHEREAS**, the Board desires to delegate to District staff certain authority in regard to competitive bidding of and contracting and thereby create an efficient process for achieving and implementing Capital Improvement projects.

**NOW, THEREFORE**, the Board does hereby determine, resolve, and order as follows:

**Section 1.** The foregoing recitals are true and correct.

**Section 2.** The Board hereby delegates the authority and discretion to the Superintendent, the Assistant Superintendent, the Senior Director of Business Services, and/or to their designee, to: (i) award public works contracts up to \$175,000 pursuant to the California Uniform Public Construction Cost Accounting Act; (ii) review and, as appropriate, approve plans and specifications for any Capital Improvement Project for purposes of seeking competitive bids based on such plans and specifications; (iii) call for bids for any Capital Improvement Project, including placing advertisements as required pursuant to the Public Contract Code; (iv) reject all bids received in connection with a Capital Improvement Project if rejection is determined by District staff to be in the best interests of the District; (v) re-call and re-advertise for bids on any Capital Improvement Project for which previous bids were rejected in accordance with the authority hereby delegated; and (vi) take such other action as may be reasonably necessary to accomplish those tasks delegated pursuant to this Section which are subject to subsequent award of contract(s) or rejection of all bids by the Board.

**Section 3.** The Board hereby delegates the authority and discretion to the Superintendent, the Assistant Superintendent, The Senior Director of Business Services for the District, and/or to their designee, to review and, as appropriate, approve change orders for construction of any Capital Improvement Project; subject to no such change order approved pursuant to this Section exceeding \$100,000.00 and all such change orders for a Capital Improvement Project not exceeding ten percent (10%) of the original contract amount; and provided that all such change orders approved pursuant to this Section are subject to subsequent ratification by the Board.

**Section 4.** The Board does not hereby delegate the authority for initial award of any contracts for construction of any Capital Improvement Project, which authority is expressly reserved by the Board unless otherwise delegated herein.

**Section 5.** The Superintendent, Assistant Superintendent, Senior Director of Business Services, or their designee, shall report to the Board at each regularly-scheduled Board meeting with a summary of the authority exercised pursuant to this Resolution since the last prior meeting of the Board.

**Section 6.** This Resolution shall take effect immediately and shall remain in effect until rescinded by the Board.

**PASSED AND ADOPTED** by the Governing Board of the Coronado Unified School District at San Diego County, California, on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

STATE OF CALIFORNIA    )  
                                      )  
COUNTY OF SAN DIEGO    )

I, \_\_\_\_\_, Clerk of the Governing Board of the Coronado Unified School District of San Diego County, California, do hereby certify that the foregoing is a full, true and correct copy of a resolution adopted by said Board at the regular meeting thereof at the time and place of vote stated, which resolution is on file and of record in the office of said Board.

\_\_\_\_\_  
Clerk of the Governing Board

\_\_\_\_\_  
Date