

**BEFORE THE BOARD OF EDUCATION OF THE LODI UNIFIED SCHOOL DISTRICT
OF THE COUNTY OF SAN JOAQUIN, STATE OF CALIFORNIA**

RESOLUTION NO. 2021-19

**RESOLUTION DECLARING THE INTENTION OF THE LODI UNIFIED SCHOOL
DISTRICT TO SOLICIT AND ACCEPT PROPOSALS FOR PURCHASE OF FURNITURE
PURSUANT TO PUBLIC CONTRACT CODE SECTIONS 20118 AND 10298 ET SEQ. AND
GOVERNMENT CODE SECTION 6500 ET SEQ.**

WHEREAS, the Lodi Unified School District ("District") is the owner of real property commonly referred to as: (i) Lodi High School, located at 3 S. Pacific Avenue, Lodi, CA 95242; (ii) Tokay High School, located at 1111 Century Boulevard, Lodi, CA 95240; and (iii) Needham Elementary School, located at 420 S. Pleasant Street, Lodi, CA 95240 (collectively, the "District Sites");

WHEREAS, the District desires to purchase and acquire classroom furniture ("Furniture") for the District Sites in a cost-effective manner;

WHEREAS, pursuant to Public Contract Code section 20111, a school district is required to competitively bid "[t]he purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district," that exceed \$96,700. Section 20118 of the Public Contract Code ("Piggyback Statute") is an exception to this requirement and states:

Notwithstanding Sections 20111 and 20112, the governing board of any school district, without advertising for bids, if the board has determined it to be in the best interests of the district, may authorize by contract, lease, requisition, or purchase order, any public corporation or agency, including any county, city, town, or district, to lease data-processing equipment, purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner in which the public corporation or agency is authorized by law to make the leases or purchases from a vendor. Upon receipt of the personal property, if the property complies with the specifications set forth in the contract, lease, requisition, or purchase order, the school district may draw a warrant in favor of the public corporation or agency for the amount of the approved invoice, including the reasonable costs to the public corporation or agency for furnishing the services incidental to the lease or purchase of the personal property, or the school district may make payment directly to the vendor.

WHEREAS, pursuant to the Piggyback Statute, the District may purchase the Furniture by utilizing an existing contract between a public corporation or agency ("Piggyback Contract") that contains a provision allowing other public agencies, including the District, to purchase equipment, materials, or supplies pursuant to the same terms and conditions as those of the Piggyback Contract;

WHEREAS, the State of California Department of General Services ("DGS") competitively bid certain Leveraged Procurement Agreements ("LPAs") such as cooperative agreements, statewide commodity contracts, statewide food contracts, master agreements, software licensing program contracts, state price schedules, and multiple award schedule ("CMAS") contracts and has made these contracts available to other public agencies, including school districts, for the acquisition of goods, information technology, or services pursuant to Public Contract Code sections 10298 and 10299;

WHEREAS, Public Contract Code section 10298 authorizes the District to purchase the goods, information technology, or services through LPAs and, by doing so, the District removes repetitive, resource intensive, costly, and time consuming bid processes;

WHEREAS, Title I, Division 7, Chapter 5, Article I (Section 6500 *et seq.*) of the Government Code of the State of California authorizes joint exercise by two or more public agencies of any power common to them ("JPA");

WHEREAS, national municipal contracting agencies provide contract purchasing solutions and other related programs ("JPA Contracts");

WHEREAS, the JPA Contracts allow public agencies, including the District, to purchase goods and services from JPA vendors under the same terms and conditions as set forth in the JPA Contracts;

WHEREAS, the District has determined that the District may reduce its costs of procurement by utilizing the existing contracts available through the Piggyback Statute, CMAS, or JPA Contracts;

WHEREAS, the District wishes to procure the Furniture by utilizing an existing contract pursuant to the Piggyback Statute, CMAS, or JPA Contracts;

WHEREAS, the District desires to receive proposals from private persons, firms, or corporations with current, existing contracts under the Piggyback Statute, CMAS, or JPA Contracts to procure Furniture for the District Sites;

NOW THEREFORE, the Board of Education of the Lodi Unified School District hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true.
2. That it hereby declares that it is in the best interests of the District to procure the necessary Furniture through the Piggyback Statute, CMAS, and/or JPA Contracts.
3. That it hereby authorizes staff to issue a Request for Proposals to provide notice of the District's intent to accept proposals from vendors with current, existing contracts through the Piggyback Statute, CMAS, and/or JPA Contracts for the procurement of Furniture for the District Sites.
4. That it hereby authorizes District staff to evaluate all proposals submitted in a timely manner for the Furniture and to provide a report and recommendation to the Board for its consideration.
5. That it hereby authorizes the District's Superintendent, Chief Business Officer, and/or their designee, 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 and consistent with the Public Contract Code, Government Code, and District policy.

ADOPTED, SIGNED AND APPROVED this 3rd day of March, 2021, by the following vote of the Board of Education of the Lodi Unified School District:

AYES:

NOES:

ABSTAIN:

ABSENT:

President of the Board of Education for the
Lodi Unified School District

Clerk of the Board of Education for the
Lodi Unified School District