

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

**RESOLUTION 2024-69
AUTHORIZATION OF CONTRACT PURSUANT TO PUBLIC CONTRACT
CODE SECTION 20118 (“PIGGYBACK STATUTE”)**

WHEREAS, Lodi Unified School (“District”) wants to purchase relocatable buildings for installation on District property;

WHEREAS, pursuant to Public Contract Code section 20111, a school district is required to competitively bid “the purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district,” that exceed \$90,200, Public Contract Code section 20118 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. Alternatively, if there is an existing contract between a public corporation or agency and a vendor for the lease or purchase of the personal property, a school district may authorize the lease or purchase of personal property directly from the vendor by contract, lease, requisition, or purchase order and make payment to the vendor under the same terms that are available to the public corporation or agency under the contract.

WHEREAS, the Gonzales Unified School District issued an invitation to bid and obtained a bid from Class Leasing LLC (“Vendor”) for the purchase and installation of relocatable buildings, and awarded the agreement, Bid No. 01-2023 District-Wide Lease, Purchase, Additive Items, Movement, Relocation, Dismantling & Removal of DSA approved Modular Buildings on January 4, 2023 and issued a Notice of Award dated January 24, 2023 (“Piggyback Contract”);

WHEREAS, the lifespan of the contract runs through FY 23/24 for three (3) years with a one-year extension for a total of four years, through FY 27/28.

WHEREAS, the Piggyback Contract included a provision pursuant to Public Contract Code section 20118 allowing other public agencies, including the District, to purchase portable buildings from the Vendor pursuant to the same terms and conditions of the Piggyback Contract;

NOW, THEREFORE, BE IT RESOLVED, district staff has researched the costs and terms of the Piggyback Contract and believes that the prices of the Piggyback Contract are reasonable and that it would be in the best interests of the District to utilize the Piggyback Contract to purchase the relocatable buildings from Vendor.

BE IT FURTHER RESOLVED that the Superintendent of the District, the Associate Superintendent, CBO, and other officers of the District, and each of them individually, are hereby authorized and directed, for and in the name of and on behalf of the District, to execute and deliver any and all documents, to do any and all things, and take any and all actions that may be necessary or advisable, in their discretion, in order to complete the changes, and to effect the purposes of this Resolution. All actions heretofore taken by officers, employees, and agents of this District that are in conformity with the purposes and intent of this Resolution are hereby approved, confirmed, and ratified.

PASSED AND ADOPTED this 18th day of June 2024, by the following vote of the Board of Education of the Lodi Unified School District:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Clerk of the Board of Education

President of the Board of Education