

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

RESOLUTION NO. 2023-73

**RESOLUTION AUTHORIZING
CONTRACT PURSUANT TO PUBLIC CONTRACT CODE SECTION 20118
("PIGGYBACK STATUTE")**

WHEREAS, Lodi Unified School District requires the procurement of gasoline and diesel fuel from an established vendor via an agreement; and

WHEREAS, the City of Manteca published an official notification inviting bids for gasoline and diesel fuel, which were required to be submitted sealed and no later than 2 p.m. on June 17, 2021; and

WHEREAS, Merrimac Petroleum, Inc. ("Vendor") was awarded the agreement to provide gasoline and diesel fuel to the City of Manteca, on August 16, 2001 ("Piggyback Contract"); and

WHEREAS, the lifespan of the contract is valid through fiscal year 2025/26 with the option of two one-year extensions (up to FY 27/28). During this time, any public entity may acquire the same commodities and or services at the same price; and

WHEREAS, the Piggyback Contract can be utilized by Lodi Unified School District in conjunction with Public Contract Code section 20118 which allows other public agencies, including the District, to obtain service from the Vendor pursuant to the same terms and conditions of the Piggyback Contract; and

WHEREAS, District staff has researched the costs and terms to continue 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 continue to utilize the Piggyback Contract obtain gasoline and diesel fuel from the Vendor; and

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 5th day of September 2023, 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