

District Resolution No. 2018- -.

*Resolution of the Board of Trustees of the Dixie School District Authorizing the Contract for Modular Buildings Pursuant to Public Contract Code 20118*

WHEREAS, the Dixie School District (“District”) is in need of certain modular buildings for its upcoming Miller Creek Elementary Modular Buildings Project (“Project”); and

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” involving an expenditure of more than the \$90,200 bid limit for 2018; and

WHEREAS, Public Contract Code 20118 is an exception to that requirement, providing that:

*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. Upon receipt of any such personal property, provided 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; and*

WHEREAS, the Willows Unified School District contracted in a manner authorized by law with Enviroplex, Inc., and entered into that certain Contract for Modular Classroom Buildings and Toilet Room Buildings at Murdock Elementary School with Enviroplex, Inc., which was approved by the Willows Unified School District Board of Trustees on January 15, 2018 (“Piggyback Contract”); and

WHEREAS, the Piggyback Contract included a provision pursuant to Public Contract Code section 20118 allowing other public agencies, including the District, to purchase modular buildings from Enviroplex, Inc., for its Project pursuant to the same terms and conditions of the Piggyback Contract; and

WHEREAS, District staff, after having researched the costs and terms of the Piggyback Contract, has determined 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 modular buildings from Enviroplex, Inc. for its Project consistent with and pursuant to the terms of the Piggyback Contract.

NOW THEREFORE, BE IT RESOLVED that the Dixie School District hereby finds, determines, declares, orders, and resolves as follows:

1. That the foregoing recitals are true and correct.
2. That the District's Governing Board hereby declares that it is in the best interests of the District to purchase the modular buildings from Enviroplex, Inc. for its Project pursuant to the terms of the Piggyback Contract.
3. That the District's Governing Board hereby authorizes the District's Superintendent, and/or his or her designee, pursuant to this Resolution to take any action which is necessary to carry out, give effect to, or comply with the terms and intent of this Resolution and consistent with the Public Contract Code and District Policy.

**PASSED AND ADOPTED** by vote of the members of the Governing Board of the Dixie School District on December 11, 2018.

AYES:

NOES:

ABSENT:

ABSTAINED:

DIXIE SCHOOL DISTRICT

Attest:

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[Name], President

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[Name], Clerk to the Board