The Board recognizes the Superintendent’s authority to enter into and execute contracts.

The Superintendent may contract with employees as authorized by law. Employment contracts with individual managers who have retired under PERS or STRS shall comply with the provisions of those retirement systems.

When contracting for the purchase of equipment, materials, or supplies in excess of the current bid limit, the Superintendent will seek competitive bids pursuant to Public Contract Code 20111. The text or a summary of Public Contract Code 20104.50 shall be included in all construction contracts subject to this provision. No contracts shall be split or separated into smaller contracts to evade these requirements.

The limitations on contracts for foods and beverages, and for electronic goods and services that require dissemination of advertising to pupils, as set forth in Education Code 35182.5, shall apply for all Office student programs.

Any purchases of capital outlay items involving an expenditure of more than $2,500 shall be subject to CCR Title V, Section 17291.

The above requirements shall not apply to any Board contracts as authorized by Education Code 1042(d).

A contract made in violation of this policy is void, except that in case of a great public calamity, or emergency work to prepare for national or local defense, the Superintendent may waive the requirements of this policy. The Superintendent may develop and enforce administrative regulations as needed to implement this policy.

Legal References:
California Code of Regulations, Title V, Section 17291 Purchasing procedure
Education Code 1042(d) Authority of county board of education to contract
Education Code 1293 Certificated employees; contracts
Education Code 1311 Employment of persons not requiring certification
Education Code 17595-17606 Contracts
Education Code 35182.5 Limitations on contracts
Public Contract Code 20104.50 Construction contracts
Public Contract Code 20111-20118.4 Contracts awarded by school districts

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