

**Uniform Public Construction Cost Accounting Procedures**

Procedures for awarding contracts for public works projects shall be determined on the basis of the amount of the project as allowed by the California Uniform Public Construction Cost Accounting Act (CUPCCAA):

1. Public projects in the amount set forth in Public Contract Code section 22032(a) may be performed by district employees by force account, negotiated contract, or purchase order up to the applicable CUPCCAA bid thresholds. (Public Contract Code 22032(a))
2. Contracts for public projects in the amount set forth in Public Contract Code section 22032(b) may be awarded through the following informal procedures up to the applicable CUPCCAA bid thresholds: (Public Contract Code 22032(b), 22034, 22038)
  - a. The Superintendent or designee shall prepare a notice inviting informal bids which describe the project in general terms, explains how to obtain further information about the project, and states the time and place for the submission of bids. This notice shall be disseminated by mail, fax, or email to either or both of the following:
    - i. All contractors on the list of qualified contractors maintained by the district for the category of work being bid, unless the product or service is proprietary, at least 10 calendar days before bids are due.
    - ii. All construction trade journals identified pursuant to Public Contract Code section 22036
  - b. The district shall review the informal bids that were submitted and award the contract, except that:
    - i. If all bids received through the informal process are in excess of the amount set forth in Public Contract Code section 22032(b), the contract may be awarded to the lowest responsible bidder, provided that the Governing Board adopts a resolution with a four-fifths vote to award the contract at the amount set forth in Public Contract Code section 22034(d) or less and the Board determines the district's cost estimate was reasonable.
    - ii. If no bids are received through the informal bid procedure, the project may be performed by district employees by force account or negotiated contract.
3. Public projects, except as otherwise provided by law, be subject to formal bidding procedures up to the applicable CUPCCAA bid thresholds, as follows: (Public Contract Code 22032(c), 22037, 22038)
  - a. Notice inviting formal bids shall state the time and place for receiving and opening sealed bids and distinctly describe the project. The notice shall be disseminated in both of the following ways:

**Uniform Public Construction Cost Accounting Procedures** (continued)

- i. Through publication in a newspaper of general circulation in the district's jurisdiction or, if there is no such newspaper, then by posting the notice in at least three places designated by the district as places for posting its notices. Such notice shall be published at least 14 calendar days before the date that the bids will be opened.
- ii. Sent electronically, if available, by either fax or email, and mailed to all construction trade journals identified pursuant to Public Contract Code section 22036. Such notice shall be sent at least 15 calendar days before the date that bids will be opened.

In addition to the notice required above, the district may give such other notice as it deems proper.

- b. The district shall award the contract as follows:
  - i. The contract shall be awarded to the lowest responsible bidder. If two or more bids are the same and the lowest, the district may accept the one it chooses.
  - ii. At its discretion, the district may reject all bids presented and declare that the project can be more economically performed by district employees, provided that the district notifies an apparent low bidder, in writing, of the district's intention to reject the bid. Such notice shall be mailed at least two business days prior to the hearing at which the district intends to reject the bid.
  - iii. If no bids are received through the formal bid procedure, the project may be performed by district employees by force account or negotiated contract.

**Policy Reference Disclaimer:**

These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

**State References**

Pub. Cont. Code 1102  
 Pub. Cont. Code 20110-20118.4  
 Pub. Cont. Code 22000-22020  
 Pub. Cont. Code 22000-22045  
 Pub. Cont. Code 22032  
 Pub. Cont. Code 2203  
  
 Pub. Cont. Code 22035  
 Cont. Code 22037-22038  
 Cont. Code 22050

**Description**

Definition of emergency  
 Local Agency Public Construction Act; school districts  
 California Uniform Construction Cost Accounting Commission  
 Alternative procedures for public projects (UPCCAA)  
 Applicability of procedures based on amount of project  
 Uniform Public Construction Cost Accounting Act informal bidding ordinance.  
 Repair or replacement of facilities in case of emergency Pub.  
 Formal bidding procedures for projects exceeding \$200,000 Pub.  
 Emergency contracting procedures

**Uniform Public Construction Cost Accounting Procedures (continued)**

**Management Resources**

California Uni. Constr. Cost Acctg. Com.  
California Uni. Constr. Cost Acctg. Com.  
Website  
Website  
Website  
Website

**Description**

Cost Accounting Policies and Procedures Manual Pub.  
Frequently Asked Questions  
CSBA District and County Office of Education Legal Services  
California Uniform Construction Cost Accounting Commission  
CSBA  
California Association of School Business Officials

**Cross References**

3311  
3311  
3312  
7000  
7110  
9323.2  
9323.2-E(1)

**Description**

Bids  
Bids  
Contracts  
Concepts And Roles  
Facilities Master Plan  
Actions By The Board  
Actions By The Board