



N O T I C E

SPECIAL BOARD MEETING OF THE BELLEVUE UNION SCHOOL

DISTRICT BOARD OF TRUSTEES WILL BE HELD ON

Tuesday August 23, 2022,

5:30PM OPEN SESSION

IN PERSON

BELLEVUE UNION SCHOOL DISTRICT 3150 EDUCATION DRIVE SANTA

ROSA, CA 95407

DATED: August 22, 2022

**Michael Kellison
SECRETARY TO THE BOARD
AND DISTRICT SUPERINTENDENT**

POSTED: August 22, 2022

BELLEVUE UNION SCHOOL DISTRICT
Special Board Meeting
In Person At the BUSD District Office 3150 Education Dr
Tuesday, August 23, 2022

AGENDA

1. Open Session 5:30 pm

1.1. Call To Order

1.2. Public Comment

At this time, members of the public may express opinions or make statements regarding issues pertinent to the District. Action may not be taken on statements or testimony made regarding any item not on the agenda, per Government Code 54954.2. There will be a limit of three minutes placed on each individual making a statement and a total 30 minute time allocation. Persons wishing to comment should complete the public comment form.

To access the [Public Comment Form](#), please click on the link: [BUSD Digital Comment Form](#) to submit your comment to Moriah Hart prior to the start of the meeting. All comments received prior to the start of the meeting will be shared during the meeting.

Because this is the time for the public to comment, it is our time to hear from you. Although Government Code Section 54954.2(a) limits the ability of Board Members to respond to public comments we want you to know that we are listening to you carefully.

2. Action

2.1. Consider Approval Of Resolution No 4: Adopting Procedures And Guidelines For Selection Of lease-Leaseback Contractor (Education Code §17406)

3. Planning

September 6, 2022	Special Board Meeting- Board Study Session: Governance Training	5:30 pm	BUSD District Office 3150 Education Drive
September 13, 2022	Regular Board Meeting	5:30 pm	BUSD District Office 3150 Education Drive Live stream on Zoom linked from the District’s Homepage: www.bUSD.org

Notice

The Bellevue Union School District complies with the Americans with Disabilities Act. Should you require special accommodations, or more information about accessibility, please contact the Superintendent's Office by calling (707)542-5197 x2. All efforts will be made for reasonable accommodations.

Agenda available in Spanish upon request. Orden del día disponible en español si se solicita.

*District Employees, parents and community members shall treat each other with civility, courtesy and respect.
Civility Policy (BP 1313)*

Bellevue Union School District

Agenda Item for Board Meeting of August 23, 2022

Agenda Category: Review and Action

Agenda Item Title: Review and Consideration of Approval of Resolution Adopting Procedures and Guidelines for Selection of Lease-Leaseback Contractor

Prepared By: Michael Kellison, Superintendent

Background:

The purpose of this resolution is to establish procedures and guidelines specified in Education Code section 17406(a)(2)(A)-(G) for use when seeking proposals for a public project using the lease-leaseback delivery method. The District will implement a best value process that establishes objective criteria for evaluating the qualifications of the proposers for all public projects in which this methodology is utilized. The adoption of the required procedures and guidelines will ensure that best value selections are fair and impartial and that the selection represents the best combination of price and qualifications.

Recommended Action:

Approval of Resolution Adopting Procedures and Guidelines for Selection of Lease-Leaseback Contractor

Supporting Documents:

Resolution Adopting Procedures and Guidelines for Selection of Lease-Leaseback Contractor

RESOLUTION ADOPTING PROCEDURES AND GUIDELINES FOR SELECTION OF LEASE-LEASEBACK CONTRACTOR (Education Code §17406)

WHEREAS, for lease-leaseback construction contracts awarded on or after January 1, 2017, Education Code section 17406 requires California school districts to use a best value process to select the lease-leaseback contractor; and

WHEREAS, for such lease-leaseback contracts, Education Code section 17406 requires the governing board of the school district to adopt required procedures and guidelines for evaluating the qualifications of proposers that ensure that the best value selections by the school district are conducted in a fair and impartial manner; and

WHEREAS, for such lease-leaseback contracts, Education Code section 17406 states that the best value process shall be a competitive procurement process where the contractor is selected on the basis of objective criteria for evaluating the qualifications of the proposers with the resulting selection representing the best combination of price and qualifications; and

WHEREAS, Education Code section 17406 requires that the lease-leaseback contractor selection process shall at a minimum include that statute's requirements.

NOW THEREFORE BE IT RESOLVED that the procedures and guidelines specified in Education Code section 17406(a)(2)(A)-(G), effective January 1, 2017 (see Exhibit A to this Resolution) are adopted for use when the Bellevue Union School District seeks proposals for a public project using the lease-leaseback delivery method pursuant to Education Code section 17406.

The foregoing Resolution was adopted by the Governing Board of the Bellevue Union School District of Sonoma County, State of California, at a meeting held of said Board held on the 23rd day of August, 2022, by the following vote:

- AYES:**
- NOES:**
- ABSENT:**
- ABSTAIN:**

President, Governing Board
Bellevue Union School District

I, _____, Clerk of the Governing Board of the Bellevue School District, County of Sonoma, State of California, do hereby certify that the foregoing is a true copy of the Resolution adopted by said Board at a regular meeting thereof, at the time and by the vote therein stated, which original Resolution is on file in the office of said Board.

Clerk, Governing Board
Bellevue Union School District

EXHIBIT A

Procedures and Guidelines for Selection of a Lease-Leaseback Contractor

A. The Bellevue Union School District (“District”) shall prepare a request for sealed proposals from qualified proposers. The District shall include in the request for sealed proposals an estimate of the price of the project, a clear, precise description of any preconstruction services that may be required and the facilities to be constructed, the key elements of the instrument to be awarded, a description of the format that proposals shall follow and the elements they shall contain, the standards the District will use in evaluating proposals, the date on which proposals are due, and the timetable the District will follow in reviewing and evaluating proposals.

B. The District shall give notice of the request for sealed proposals in the manner of notice provided in Section 20112 of the Public Contract Code and in a trade paper of general circulation published in the county where the project is located, with the latest notice published at least 10 days before the date for receipt of the proposals.

C. If applicable, the District will follow all prequalification procedures including the following. A proposer shall be prequalified in accordance with subdivisions (b) to (m), inclusive, of Section 20111.6 of the Public Contract Code in order to submit a proposal. If used, electrical, mechanical, and plumbing subcontractors shall be subject to the same prequalification requirements for prospective bidders described in subdivisions (b) to (m), inclusive, of Section 20111.6 of the Public Contract Code, including the requirement for the completion and submission of a standardized prequalification questionnaire and financial statement that is verified under oath and is not a public record.

D. The request for sealed proposals shall identify all criteria that the District will consider in evaluating the proposals and qualifications of the proposers, including relevant experience, safety record, price proposal, and other factors specified by the District. The price proposal shall include, at the District’s discretion, either a lump-sum price for the instrument to be awarded or the proposer’s proposed fee to perform the services requested, including the proposer’s proposed fee to perform preconstruction services or any other work related to the facilities to be constructed, as requested by the District. The request for proposals shall specify whether each criterion will be evaluated pass-fail or will be scored as part of the best value score, and whether proposers must achieve any minimum qualification score for award of the instrument under this section.

E. For each scored criterion, the District shall identify the methodology and rating or weighting system that will be used by the District in evaluating the criterion, including the weight assigned to the criterion and any minimum acceptable score.

F. Proposals shall be evaluated and the instrument awarded under this section in the following manner:

1. All proposals received shall be reviewed to determine those that meet the format requirements and the standards specified in the request for sealed proposals.

2. The District shall evaluate the qualifications of the proposers based solely upon the criteria and evaluation methodology set forth in the request for sealed proposals, and shall assign a best value score to each proposal. Once the evaluation is complete, all responsive proposals shall be ranked from the highest best value to the lowest best value to the District.

3. The award of the instrument shall be made by the governing board of the District to the responsive proposer whose proposal is determined, in writing by the governing board of the District, to be the best value to the District.

4. If the selected proposer refuses or fails to execute the tendered instrument and related documents within the time period specified in the request for sealed proposals, the governing board of the District may award the instrument to the proposer with the second highest best value score if the governing board of the District deems it to be for the best interest of the District. If the second selected proposer refuses or fails to execute the tendered instrument, the governing board of the District may award the instrument to the proposer with the third highest best value score if the governing board of the District deems it to be for the best interest of the District.

5. Notwithstanding any other law, upon issuance of a contract award, the District shall publicly announce its award, identifying the entity to which the award is made, along with a statement regarding the basis of the award. The statement regarding the District's contract award and the contract file shall provide sufficient information to satisfy an external audit.

G. The governing board of the District, at its discretion, may reject all proposals and request new proposals.