

RESOLUTION NO. 12

RESOLUTION OF THE BOARD OF EDUCATION OF THE ALVORD UNIFIED SCHOOL DISTRICT ADOPTING CONTRACT AND AGREEMENT TEMPLATES

WHEREAS, the Alvord Unified School District (“District”) is a public school district located in the County of Riverside, California, that owns and/or operates public schools, administrative offices, and maintenance and other facilities (collectively, the “Public Facilities”); and

WHEREAS, the District has obtained from its legal counsel certain templates for construction-related and non-construction related agreements that presently include terms and conditions necessary to conform to Applicable Law (each a “Template”); and

WHEREAS, the Templates consist of (i) agreement for Public Works Services under PCC Section 20111 bid threshold, (ii) agreement for non-construction consultant services, (iii) maintenance work under PCC Section 20111 bid threshold and

WHEREAS, the District desires that the Board of Education adopt the Templates as standardized agreements to be used by the District from time to time as applicable, and that the Board of Education authorize District staff and District legal counsel from time to time as applicable to update the Templates as necessary to reflect necessary or advisable changes; and

WHEREAS, prior to the Board of Education considering this Resolution, District staff provided to the Board of Education a copy of each Template for consideration and review by the Board of Education; and

WHEREAS, District staff desires that the Board of Education approve and adopt this Resolution to thereby adopt the Templates as standardized agreements for use by the District;

NOW, THEREFORE, the Board of Education does hereby find, resolve, and order as follows:

- Section 1. The foregoing recitals are true and correct.
- Section 2. The Board of Education hereby approves and adopts the Templates as standardized agreements for use by the District from time to time, as District staff determines applicable and appropriate, for Projects hereafter undertaken by the District.
- Section 3. If and when District staff determines to use a Template and, in connection therewith, Board of Education approval of the resulting agreement is required, District staff may present for consideration by the Board of Education only such specific project-related information as used to modify, fill out, and complete the Template (e.g., specific scope of services, cost for services, et cetera), and approval of the agreement by the Board of

Education shall be deemed and construed to include and be based on both such information and the previously-approved and applicable standardized terms and conditions.

Section 4. In the event, as determined by District staff in consultation with legal counsel, changes to any Template are necessary or advisable as a result of changes in Applicable Law, court decisions or for other reasons, District staff may cause the Template to be so changed. At such time as the District next uses that Template, District staff shall present the modifications for consideration by the Board of Education as described in Section 3 of this Resolution. Thereafter, the standardized terms and conditions that have been modified and included in the Template shall not need further and separate approval, but shall be considered to be the approved standardized terms and conditions from that point forward. Notwithstanding the foregoing, District staff shall not be required to present for consideration by the Board of Education any necessary or advisable non-substantive changes in any Template, including, without limitation, correction of typographical or other errors, changes in formatting, rewording for purposes of clarification, et cetera.

Section 5. Subject to the foregoing provisions of this Resolution, District staff may use the Templates, as applicable, for bidding and construction of the Projects that are subject to competitive bidding, without additional approval by the Board of Education of the documents used for bidding purposes. Nothing in this Section shall be deemed or construed to eliminate or supersede any requirement for Board of Education approval of any Project or of the plans for any Project.

Section 6. This Resolution shall take effect immediately upon approval and adoption by the Board of Education, and shall remain in effect until revised or repealed by the Board of Education.

PASSED AND ADOPTED this **20th day of August, 2020**, by the Governing Board of the Alvord Unified School District of Riverside County, California by the following vote:

Aye –

Noe –

Absent –

By:

Dr. Joanna Dorado
Clerk of the Board of Education
Alvord Unified School District