

**FRESNO UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION**

AGENDA ITEM A-7

AGENDA SECTION <i>(Check Box Below)</i>			
A CONSENT	B DISCUSSION	C RECEIVE	RECOGNIZE/ PRESENT
X			

BOARD MEETING DATE:
January 30, 2019

ACTION REQUESTED: <i>(Adopt, Approve, Ratify, Discuss, Receive, etc.)</i>	Adopt
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TITLE AND SUBJECT: Adopt Resolution 18-08 to Establish Compatibility, Uniformity and Standardization of Specific Products and Equipment for Use Throughout the District

DESCRIPTION/DISCUSSION: Included in the Board binders and recommended for approval is Resolution 18-08, to establish consistency of maintenance, conformity of design and compatibility of existing systems in construction projects. By adopting the resolution, and pursuant to Public Contract Code 3400(c)(2), the Board finds that it is in the best interest of the district to standardize the products and equipment listed in Exhibit A-1 and Exhibit A-2 in order to match other products and equipment in use throughout the district. Standardization of products and equipment is part of a larger initiative to create a District Design Guide to ensure district requirements are consistently and thoroughly communicated to architects/engineers. Bid documents will specify the products and equipment listed in Exhibit A-1 and Exhibit A-2 by brand or trade name, and not allow for substitutes.

Standardization is an industry standard best practice with the following benefits:

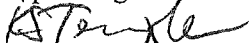
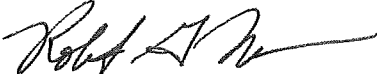
- Reduce pricing due to combined volume of districtwide purchases
- Reduce design issues when architect/engineer can design to specific equipment
- Reduce delays in construction of projects by avoiding design review resubmittal
- Reduce the need to stock more than one brand of product/equipment
- Reduce additional staff training required on systems, along with reducing the need to subcontract services and repair work to an outside source in emergency situations, minimizing downtime of critical systems
- Increase reliability of product/equipment by allowing district to specify proven items
- Increase consistent and cost-effective maintenance by reducing operating and repair costs
- Simplify coordination, tracking and servicing of warranties for designated products
- Allow for spare/salvaged parts to be used to repair and replace existing equipment
- Maintain compatibility of existing software programs and computer hardware currently utilized by the district

Specific justifications for each item are available for review in the Board office.

The district will retain the option to specify specialized products and equipment to meet the needs of individual projects such as improvement of historic buildings or to provide distinct features.

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FINANCIAL SUMMARY: Adopting the resolution results in no direct financial impact; pricing for products and equipment will be on a project-by-project basis.

PREPARED BY: Paul Rosencrans, Executive Director, Purchasing	DIVISION: Operational Services PHONE: (559) 457-3134
DATA REVIEWED BY:	PHONE: (559)
CABINET LEVEL APPROVAL: Karin Temple, Chief Operating Officer (Signature Required) 	SUPERINTENDENT APPROVAL: 

RESOLUTION NO. 18-08

RESOLUTION OF THE BOARD OF EDUCATION OF FRESNO UNIFIED SCHOOL DISTRICT ESTABLISHING COMPATIBILITY, UNIFORMITY AND STANDARDIZATION OF SPECIFIC PRODUCTS AND EQUIPMENT

WHEREAS, pursuant to California Public Contract Code section 3400 ("PCC § 3400) and other applicable law, the Fresno Unified School District ("District") wishes to establish uniform, complete and compatible products and equipment in its bids or requests for price/proposals to various suppliers/contractors in furtherance of the District's program to operate, modernize or construct school facilities within the District and to best serve the District's administrative and educational purposes; and

WHEREAS, PCC § 3400 states that a school district cannot limit the bidding, directly or indirectly, to any one specific concern, when letting contracts for the construction, alteration, or repair of public works; and

WHEREAS, PCC § 3400 states that its restrictions on specifying only one specific brand or trade name are inapplicable if the District makes a finding that is described in the invitation for bids that a particular product or equipment is designated by specific brand or trade name for any of the purposes including matching other products or equipment in use on a particular public improvement either completed or in the course of completion (PCC § 3400(c)(2)); and

WHEREAS, on all future District modernization and new construction projects or requests for materials pricing/service proposals the District desires to specify the following products and equipment listed in Exhibit A-1 and Exhibit A-2 as the only acceptable products and equipment because these products and equipment, pursuant to PCC § 3400(c)(2):

- a. Have been provided and are currently in use throughout the District as a result of prior Board of Education awarded contracts; and
- b. Are needed to match other product(s) in use on other District public improvement(s) either completed or in the course of completion; and

WHEREAS, the District's existing facilities already utilize the specific products/brands identified in Exhibit A-1 and Exhibit A-2. The District's intent is to match those existing systems and products currently in the District and to avoid the cost of designing and engineering systems that may not be compatible, could never be made compatible or could only be made compatible after expending considerable District resources and funds; and

WHEREAS, the District has determined that due to the compatibility issues which arise with systems and products listed above, the only manufacturers who may provide products are those as set forth in these documents unless overwhelming circumstances may be presented that other manufacturers can provide completely identical and compatible products; and

NOW THEREFORE, the Governing Board of the Fresno Unified School District hereby finds, determines, declares, orders and resolves as follows:

Section 1. That the above recitals are true and correct.

Section 2. That the listed products and equipment in Exhibit A-1 and Exhibit A-2 are the only acceptable products and equipment for construction, alteration or repair of District facilities, or request for products or equipment pricing proposals.

Section 3. That the District shall designate/list in its invitation to bid for all District modernization and new construction projects, or in its requests for materials pricing proposals, the listed products and equipment in Exhibit A-1 and Exhibit A-2 as the only acceptable products and equipment and describe the purposes for the designation listed in the above recitals.

Section 4. That the District's Superintendent and/or his or her designee is authorized pursuant to this Resolution to take any action necessary to carry out, give effect to, and comply with the terms and intent of this Resolution.

The foregoing Resolution was adopted at a meeting of the Board of Education of the Fresno Unified School District this 30th day of January, 2019, by the following vote:


AYES: 7

NOES: 0

ABSTAIN: 0

ABSENT: 0

I, Claudia Cazares, President of the Fresno Unified School District Governing Board, do hereby certify that the foregoing is full, true, and correct copy of the Resolution passed and adopted by said Board at a regularly scheduled and conducted meeting held on said date, which Resolution is on file in office of said Board.



President of the Board of Education
Fresno Unified School District

I, Carol Mills, J.D., Clerk of the Board of Education of the Fresno Unified School District Governing Board, do hereby certify that the foregoing Resolution was regularly introduced and adopted by the Board of Education of the Fresno Unified School District Governing Board at a regular meeting thereof held on the 30th day of January, 2019, by the above described vote of the Governing Board;

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the Fresno Unified School District Governing Board this 30th day of January, 2019.

A handwritten signature in cursive script that reads "Carol Mills". The signature is written in black ink and is positioned above a horizontal line.

Clerk of the Board of Education
Fresno Unified School District