
Best Value Procurement (AB 361) Policy 2-304

Purpose

The District is committed to ensuring cost-effective, high-quality school construction and modernization projects. Assembly Bill 361 (Public Contract Code § 20119 et seq.) provides an optional Best Value Procurement process, which selects contractors using a combination of price and qualifications rather than low bid alone.

Scope:

In addition to other procurement options, the District may utilize Best Value Procurement for eligible public works projects initiated prior to December 31, 2030, with an estimated value exceeding \$1,000,000.

This policy establishes local procedures for implementing Best Value Procurement in accordance with state law

1. Board Authorization

The Governing Board may, for public projects in excess of the statutory threshold, utilize a best value procurement method as an alternative to awarding contracts to the lowest responsible bidder, in accordance with applicable provisions of the Public Contract Code.

The use of best value procurement is discretionary and shall be applied only when determined by the Governing Board to be in the best interests of the District and in accordance with Board adopted procedures and guidelines.

2. Definition

Best Value means a procurement process whereby a contractor is selected based on objective criteria evaluating both price and qualifications, resulting in the selection that represents the best overall value to the District.

3. Implementation

The Superintendent or designee shall implement this policy and any Board-approved procedures in accordance with applicable law.

Administrative Regulations

Best Value Procurement Procedures

This Regulation establishes the legally mandated Best Value Procurement Procedures for the District to utilize the best value procurement method for eligible public projects. The Board may also choose to adopt a separate resolution, but a resolution is not required.

1. Definition

Best Value means a procurement process whereby a contract is awarded based on objective criteria evaluating both price and bidder qualifications, resulting in the selection that provides the best overall value to the District.

2. Prequalification

- The Superintendent or designee shall establish a prequalification process consistent with the law.
- Prequalification documents shall require:
 - Evidence of appropriate licensing
 - Financial statements

- Experience on similar public works projects
- References
- Safety record information
- Labor compliance history
- Only prequalified bidders shall be invited to submit a Best Value proposal.

3. Solicitation Documents

Each solicitation using Best Value Procurement shall include:

- Notice that the District is using Best Value Procurement under PCC § 20119.
- The evaluation criteria and weighting system.
- The methodology for calculating the Best Value Score.
- A requirement that bidders submit both a price proposal and a qualifications package.

4. Objective Evaluation Criteria

All criteria shall be applied uniformly and shall be capable of evaluation using a defined scoring methodology.

The following criteria may be used, as appropriate for the project:

- Relevant Experience
Experience performing projects of similar size, scope, and complexity
- Safety Record
Documented safety performance, including experience modification rate (EMR) or incident history
- Financial Condition
Demonstrated financial capacity and bonding capability
- Management Competency
Qualifications and experience of key personnel and project management team
- Labor Compliance Record

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History of compliance with prevailing wage and labor laws

- Technical Expertise
Specialized skills and capabilities relevant to the project
- Past Performance
Performance on prior projects, including timeliness, quality, and claims history
- Project Approach and Delivery Capability
Proposed approach to completing the work, including scheduling and coordination
- Life-Cycle Cost Considerations
Long-term cost efficiency, durability, and maintenance implications

5. Evaluation Process

- The District shall appoint an evaluation team trained in scoring qualifications in accordance with PCC § 20119.3.
- Scores shall be assigned for each criterion and converted into a Qualification Score.
- The Best Value Score shall be calculated by dividing the bidder's price by its Qualification Score. The lowest resulting Best Value Score shall be recommended for award.

6. Award of Contract

- The evaluation team shall submit a written recommendation to the Governing Board.
- The Board shall award the contract to the bidder with the lowest Best Value Score.
- If the selected bidder fails to execute a contract, the Board may award to the next-lowest Best Value Score.

7. Documentation

The District shall maintain documentation sufficient to demonstrate that:

- The evaluation criteria were applied consistently;
- The scoring process was conducted in accordance with these procedures; and

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The policies are developed in collaboration with the Small School Districts' Association for general informational, educational and procedural purposes only and are not intended to constitute legal advice for any specific situation.

- The award decision was based on the established criteria.

8. Reporting Requirements

The District shall prepare and submit any reports required by law regarding the use of the best value procurement method.