
Best Value Procurement (AB 361) Policy 2-304

Scope:

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.

Board Authorization

This policy is adopted pursuant to a Best Value Procurement resolution adopted by the Governing Board. The resolution is attached to this as Exhibit A and shall serve as the publication of the District's procedures, evaluation criteria, and weighting methodology.

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. This policy establishes local procedures for implementing Best Value Procurement in accordance with state law and provides guidance for small and rural district implementation.

Administrative Regulations

Best Value Procurement Procedures

1. Prequalification

- The Superintendent or designee shall establish a prequalification process consistent with PCC § 20119.2.
- 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.

2. Solicitation of Bids

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.

3. Evaluation Process

- The District shall appoint an evaluation team trained in scoring qualifications in accordance with PCC § 20119.3.
- Evaluation shall be based on:

Adopted on:
Revised on: N/A

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- Experience and demonstrated ability
- Management competency
- Financial condition
- Labor compliance and past performance
- Safety record
- 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.

4. 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.

5. Retention

Retention shall not exceed 5 percent when the contractor provides performance and payment bonds, consistent with PCC § 20119.8.

6. Reporting Requirements

The District shall submit performance and outcome information to the Legislative Analyst's Office as required under PCC § 20119.11.

7. Annual Review

This policy and regulation shall be reviewed annually and updated as needed to remain consistent with state law.



RESOLUTION OF THE GOVERNING BOARD OF THE _____ UNION
SCHOOL DISTRICT AUTHORIZING THE USE OF BEST PRACTICE VALUE
PROCUREMENT AS A BIDDING METHODOLOGY FOR THE SELECTION OF
CONTRACTORS FOR PUBLIC WORKS PROJECTS AND ADOPTING REQUIRED
EVALUATION CRITERIA, PROCEDURES, AND STANDARDS, _____ COUNTY,
CALIFORNIA
RESOLUTION NO. _____

WHEREAS, Assembly Bill 361, codified at Public Contract Code §20119 et seq., authorizes school districts to use Best Value Procurement for certain public works projects initiated prior to December 31, 2030; and

WHEREAS, the statute requires the Governing Board to adopt the procedures, evaluation criteria, weighting system, standards, and scoring methodology used in the Best Value selection process; and

WHEREAS, Best Value Procurement allows the District to evaluate bidders using a combination of price and qualifications, including demonstrated experience, management competency, financial condition, labor compliance, and safety record; and

WHEREAS, the District has developed and published Best Value evaluation criteria, weighting factors, prequalification requirements, and scoring methodology consistent with Public Contract Code §§20119.2 through 20119.4; and

WHEREAS, the District has established a Qualifications Score methodology and shall determine the Best Value Score for each bidder by dividing the bidder's proposed price by its Qualifications Score, as required by law; and

WHEREAS, the District has also established procedures for solicitation, evaluation, award, retention, documentation, and state-required reporting in compliance with Public Contract Code §§20119.5 through 20119.11;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the _____ School District Name hereby:

1. Authorizes the use of Best Value Procurement for eligible public works projects under AB 361 and Public Contract Code §20119 et seq.;
2. Adopts the District's Best Value Procurement Policy and Administrative Regulation 6-103, including all criteria, weighting, scoring methodology, evaluation procedures, and award standards required by statute;

Adopted on:
Revised on: N/A

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3. Approves the use of the Best Value Score formula (bid price ÷ qualification score) as the basis for determining the lowest Best Value bidder;
4. Approves the District’s procedures for solicitation, prequalification, evaluation, and contract award as set forth in Policy and Administrative Regulation 6-103;
5. Affirms the statutory retention limit of 5 percent when the contractor provides performance and payment bonds; and
6. Directs the Superintendent or designee to submit required performance and outcome reports as mandated by Public Contract Code §20119.11.

APPROVED AND ADOPTED by the Governing Board of Directors of the _____ School District at a regularly scheduled meeting of the governing board held on this the ____ day of _____, 2026, in _____ County, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

_____, President
Governing Board of the
_____ School District



I, _____, Superintendent of the District and Secretary to the Governing Board of the _____ School District of _____ County, California, do hereby certify that the foregoing is a true, and correct copy of a resolution and reflection of its vote as duly adopted by said Board at a meeting thereof, which Resolution is on file and of record in the office of the Superintendent.

Date: _____

Superintendent

And Secretary to the Governing Board

_____ School District