

OHLONE COMMUNITY COLLEGE DISTRICT

MEMORANDUM

TO: Board of Trustees  
FROM: Douglas Treadway  
DATE: September 13, 2006  
SUBJECT: Ratification of Award of Contract for Purchase of Experimental Classroom Audio/Visual Equipment for Classrooms 1402 and 1406

District Regulation 12.1 states: *(A) Under California law, the power to contract is invested in the governing body of the District, the Board of Trustees; and further that (B) To facilitate and expedite the process of contracting, such as for service to be provided by the District or to procure service for the District, prior authority to contract may be delegated by the Board of Trustees to the extent provided by law. The Board may delegate such authority to the President/Superintendent or to such other employee of the District as the Board may designate; and in addition that (D) For work or purchase of supplies, material, apparatus, equipment, and services in excess of the expenditure limits specified in Sections 20651, 20655, and 20685 of the Public Contract Code, formal competitive bidding procedures shall be employed. In the solicitation of bids, the President/Superintendent or his designee is delegated authority to solicit bids in accordance with Section 53068 of the Government Code and Section 81641 of the Education Code.*

Furthermore Public Contract Code 20652 states: *Notwithstanding any other provisions of Sections 81640 to 81654, inclusive, of the Education Code, or of Sections 20651 to 20659, inclusive, of this code, the governing board of any community college district without advertising for bids, and when that board has determined it to be in the best interests of the district, may authorize by contract, lease, requisition, or purchase order, any public corporation or agency, including any county, city, town, or district, to lease data-processing equipment, purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner in which the public corporation or agency is authorized by law to make the leases or purchases.*

On March 5, 2002 the local voters passed the Measure A Bond. One of the projects authorized under the Bond is Classroom/Lab upgrades. As a part of the Classroom/Lab upgrade project Ohlone College proposes to remodel classrooms 1402 and 1406 to support innovative learning strategies and technologies.

The Associate Vice President of Information Technology working with Ohlone College's Learning College Task Force (LCTF) has identified the following main components required for each classroom along with associated components and installation:

- Two 50" HDTV plasma displays with Polyvision flat screen module for interactive display
- One Hitachi XGA projector and 150" projection screen
- One Polyvision walk and talk cordless lectern
- One Polyvision CopyCam Image Capturing System
- Integrated sound system
- Panasonic DVD/VCR combination unit
- Wall mounted controls for all equipment
- Wireless equipment controls

The total cost of this acquisition is \$95,906.46.

The District proposes to acquire this equipment through Steelcase distributor One Work Place, under the U.S. Communities Government Purchase Alliance Contract. District legal counsel has reviewed this purchasing vehicle and concurs that Ohlone College is authorized to acquire equipment under this contract in accord with Public Contract Code 20652.

**RECOMMENDATION:**

The President/Superintendent recommends that the Board of Trustees ratifies the purchase of the Experimental Classroom Audio/Visual Equipment for Classrooms 1402 and 1406 for \$95,906.46. This project is funded under Measure A Bond Project 3-28.

Attachments:

Chancellor Office Competitive Bid Letter 1 *page*

ATTACHMENT A

**STATE OF CALIFORNIA**

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**CALIFORNIA COMMUNITY COLLEGES  
CHANCELLOR'S OFFICE**

1102 Q STREET  
SACRAMENTO, CA 95814-6511  
(916) 445-8752  
[HTTP://WWW.CCCCO.EDU](http://www.cccco.edu)



April 24, 2001

Larry Toy, Ph.D.  
President/CEO  
Foundation for California Community Colleges  
1102 Q Street  
Sacramento, CA 95814

Re: U.S. Communities

Dear Dr. Toy:

We have reviewed and concur with the legal opinion prepared by your counsel which concludes that a community college district may purchase from contracts competitively bid by a public agency pursuant to Public Contract Code section 20652. This would be the case if the public agency were affiliated with U. S. Communities so long as the contract is with the public agency itself. Moreover, this same principle can apply to other contracts developed by public agencies not involving U.S. Communities.

Sincerely,

Paul Sickert  
Assistant General Counsel

PS:sj

cc: Ralph Black, General Counsel  
Dave Stuart, Director of Operations