TO: BOARD OF TRUSTEES
FROM: SUPERINTENDENT

**COMMUNICATION NO. 61-2009/10-BS**
Prepared by the Office of Vice President Business Services
for Presentation to the Board of Trustees
September 14, 2009

**SUBJECT: RATIFICATION OF CONTRACT TO GROUNDS FOR PLAY**

## A. BACKGROUND

In June 2007, the California Department of Education awarded the Antelope Valley College Child Development Center (CDC) $16,200 for the purpose of facilities renovation and repair projects. In accordance with the grant requirements, Antelope Valley College Foundation and the CDC also received a $15,000 grant in support of a playground renovation. The Antelope Valley College Foundation was also able to secure in-kind donations from Granite Construction Company in support of the renovation.

To meet state grant deadlines for awarding contracts and encumbering grant funds, it was necessary to award the contract for this project prior to the September Board of Trustees meeting. The vendor, Grounds for Play, will provide playground equipment according to General Services Administration (GSA) guidelines and pricing. GSA allows for the competitive bidding process with approved discounts. Education Code section 81655 (Attachment B) allows the Board to vote to delegate its power to contract to the district superintendent. The recommended vendor, per GSA guidelines, is Grounds for Play.

## B. BUDGET IMPLICATIONS

Contract award of approximately $48,500 will be expended from a State grant and Antelope Valley College Foundation funds. Granite Construction will also provide an in-kind donation for playground installation at no cost to the district.

## C. RECOMMENDATION

It is recommended that the Board of Trustees ratify the contract award to Grounds for Play.

Respectfully submitted,

Jackie L. Fisher, Sr.
Superintendent/President

Prepared by:

Deborah Wallace

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Vice President Business Services

Education Code 81655. Wherever in this code the power to contract is invested in the governing board of the community college district or any member thereof, such power may by a majority vote of the board be delegated to its district superintendent, or to such persons as he may designate, or if there be no district superintendent then to such other officer or employee of the district as the board may designate. Such delegation of power may be limited as to time, money or subject matter or may be a blanket authorization in advance of its exercise, all as the governing board may direct; provided, however, that no contract made pursuant to such delegation and authorization shall be valid or constitute an enforceable obligation against the district unless and until the same shall have been approved or ratified by the governing board, said approval or ratification to be evidenced by a motion of said board duly passed and adopted. In the event of malfeasance in office, the district official invested by the governing board with such power of contract shall be personally liable to the district employing him for any and all moneys of the district paid out as a result of such malfeasance.