

**PERRIS UNION HIGH SCHOOL DISTRICT**

**RESOLUTION NO. 32:21-22**

**RESOLUTION OF THE BOARD OF TRUSTEES OF THE PERRIS UNION HIGH SCHOOL DISTRICT SELF-CERTIFYING INCREASED FEDERAL MICRO-PURCHASE THRESHOLD**

**WHEREAS**, pursuant to 48 C.F.R. section 2.101, an acquisition of supplies or services below the threshold of \$10,000 is, for the purpose of federal law, a “micro-purchase” which does not require formal procurement methods such as competitive bidding;

**WHEREAS**, the Perris Union High School District (“District”) is currently bound by the federal micro-purchase threshold of \$10,000 for applicable transactions funded by federal funds;

**WHEREAS**, pursuant to 2 C.F.R. section 200.320, non-federal entities, including local public school districts, may annually self-certify a micro-purchase threshold of up to \$50,000 if (1) the non-federal entity qualifies as a low-risk auditee, (2) the non-federal entity has an annual internal institutional risk assessment to identify, mitigate, and manage financial risks, or (3) a higher threshold would be consistent with state law;

**WHEREAS**, the District may permissibly self-certify a higher micro-purchase threshold under the third potential justification set forth above because it would be consistent with state law, since California has higher thresholds. Specifically, California law requires competitive bidding of public project contracts above \$15,000, as further set forth in Public Contract Code section 20111, a copy of which is attached hereto as **Exhibit A**;

**WHEREAS**, for contracts and purchases for other goods and services, California generally requires competitive bidding for contracts and purchases over \$99,100. This threshold is in accordance with Public Contract Code section 20111(a), as has been adjusted pursuant to statute by the California Department of Education; and

**WHEREAS**, in accordance with the above, the District is justified in self-certifying a micro-purchase threshold of \$50,000 for contracts other than public projects, and a threshold of \$15,000 for public projects.

**NOW, THEREFORE BE IT RESOLVED** by the Board as follows:

1. The above recitals are true and correct.
2. The Board hereby self-certifies a limit of \$50,000 for federally funded micro-purchases that are not public projects provided that such purchases comply with all applicable laws.
3. The Board hereby self-certifies a limit of \$15,000 for federally funded micro-purchases that are public projects provided that such purchases comply with all applicable laws.
4. The Board hereby instructs District staff to retain this resolution, as well as its exhibits, for a period of three years, in accordance with 2 C.F.R. § 200.334.

This Resolution shall take effect upon adoption by a majority of all members of the Board.  
**ADOPTED, SIGNED AND APPROVED** this 15th day of June, 2022.

AYES:

David G. Nelissen \_\_\_\_\_

NOS:

Anthony T. Stafford, Sr. \_\_\_\_\_

Dr. Jose Luis Araux \_\_\_\_\_

ABSTAIN:

Dr. Randall Freeman \_\_\_\_\_

Elizabeth Vallejo \_\_\_\_\_

ABSENT:

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David Nelissen, President of the Board of Trustees

ATTEST:

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Elizabeth Vallejo, Clerk of the Board of Trustees

I, Elizabeth Vallejo, Clerk of the Board of Trustees of the Perris Union High School District, hereby certify that this Resolution was duly adopted at a regular meeting of the Board held on June 15th, 2022 and that it remains in full force and effect.

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Elizabeth Vallejo, Clerk of the Board of Trustees

**EXHIBIT A****California Public Contract Code section 20111**

(a) (1) The governing board of any school district, in accordance with any requirement established by that governing board pursuant to subdivision (a) of Section 2000, shall let any contracts involving an expenditure of more than fifty thousand dollars (\$50,000) for any of the following:

(A) The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district.

(B) Services, except construction services.

(C) Repairs, including maintenance as defined in Section 20115, that are not a public project as defined in subdivision (c) of Section 22002.

(2) The governing board shall let the contract to the lowest responsible bidder who shall give security as the board requires, or else reject all bids.

(b) (1) The governing board shall let any contract for a public project, as defined in subdivision (c) of Section 22002, involving an expenditure of fifteen thousand dollars (\$15,000) or more, to the lowest responsible bidder who shall give security as the board requires, or else reject all bids. All bids for construction work shall be presented under sealed cover, and shall be accompanied by one of the following forms of bidder's security:

(A) Cash.

(B) A cashier's check made payable to the school district.

(C) A certified check made payable to the school district.

(D) A bidder's bond executed by an admitted surety insurer, made payable to the school district.

(2) Upon award to the lowest bidder, the security of an unsuccessful bidder shall be returned in a reasonable period of time, but in no event shall that security be held by the school district beyond 60 days from the time the award is made.

(c) Procurement bid solicitations and awards made by a school district approved to operate at least one federal nonprofit child nutrition program for purchases in support of those programs shall be consistent with the federal procurement standards in Sections 200.318 to 200.326, inclusive, of Part 200 of Title 2 of the Code of Federal Regulations. These awards shall be let to the most responsive and responsible party. The price shall be the primary consideration, but not the only determining factor.

(d) This section applies to all equipment, materials, or supplies, whether patented or otherwise, and to contracts awarded pursuant to subdivision (a) of Section 2000. This section shall not apply to professional services or advice, insurance services, or any other purchase or service otherwise exempt from this section, or to any work done by day labor or by force account pursuant to Section 20114.

(e) Commencing January 1, 1997, the Superintendent of Public Instruction shall annually adjust the dollar amounts specified in subdivision (a) to reflect the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce

for the 12-month period ending in the prior fiscal year. The annual adjustments shall be rounded to the nearest one hundred dollars (\$100).