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AB-948 School facilities: task-order procurement contracting. (2025-2026)

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AMENDED IN ASSEMBLY APRIL 21, 2025

CALIFORNIA LEGISLATURE— 2025–2026 REGULAR SESSION

ASSEMBLY BILL

NO. 948

Introduced by Assembly Member Flora

February 20, 2025

An act to amend the heading of Article 3.1 (commencing with Section 20118.5) of Chapter 1 of Part 3 of Division 2 of, and to add *and repeal* Article 3.2 (commencing with Section ~~20119.9.5~~ *20118.9.5*) ~~to~~ of Chapter 1 of Part 3 of Division 2 of, the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 948, as amended, Flora. School facilities: task-order procurement contracting.

Existing law establishes, until January 1, 2034, a pilot project authorizing the governing board of the Los Angeles Unified School District to award multiple annual task-order procurement contracts, as prescribed, for purposes that include services, repairs, and construction funded by the school district's general fund, local school construction bonds, or federal or state funds.

This bill would, in addition, *until January 1, 2031*, authorize a school district *with an average daily attendance of 2,500 or less* or a county superintendent of ~~schools, with an average daily attendance of 10,000 or less, schools~~ to award multiple task-order procurement contracts for repair and renovation of buildings and grounds, for projects not exceeding \$3,000,000, through a single request for bids. The bill would require these contracts to be paid for with money from the county or school district's general fund, a local construction bond, or federal or state funds and to be awarded to the lowest responsible and responsive bidder. *The bill would require, on or before January 1, 2030, a school district or county office of education that uses the task order procurement contracting method to submit to the appropriate policy and fiscal committees of the Legislature a report on its use of the task order procurement contracting method, as specified.*

This bill would limit the scope of these contracts to those purposes authorized by its funding source. The bill would also require the contracting educational agency to ensure that it is in compliance with existing provisions that authorize personal service contracting for services currently or customarily performed by classified school employees before entering into a contract pursuant to this bill.

Vote: majority Appropriation: no Fiscal Committee: no Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. The heading of Article 3.1 (commencing with Section 20118.5) of Chapter 1 of Part 3 of Division 2 of the Public Contract Code is amended to read:

Article 3.1. ~~Task-Order~~ **Task-order** Contracting for Los Angeles Unified School District

SEC. 2. Article 3.2 (commencing with Section 20118.9.5) is added to Chapter 1 of Part 3 of Division 2 of the Public Contract Code, to read:

Article 3.2. Task-order Contracting for School Districts *with Average Daily Attendance of 2,500 or Less* and County Superintendents of Schools ~~with Average Daily Attendance of 10,000 or Less~~

20118.9.5. (a) Notwithstanding any other provision, a school district *with an average daily attendance of 2,500 or less* or a county superintendent of schools ~~with an average daily attendance of 10,000 or less~~ may award multiple task-order procurement contracts for repair and renovation of buildings and grounds, for a project not exceeding three million dollars (\$3,000,000), through a single request for bids.

(b) For purposes of this article, a task-order procurement contract may include, but is not limited to, service and repairs, including maintenance, replacement, and reconstruction, and any material as authorized in Section 20111.

(c) A task-order procurement contract awarded pursuant to this article shall be paid for with money from the county or school district's general fund, a local construction bond, or federal or state funds.

(d) The scope of a task-order procurement contract awarded pursuant to this article shall be limited to the purposes authorized by its funding source.

(e) A task-order procurement contract awarded pursuant to this section shall be awarded to the lowest responsible and responsive bidder and shall be based primarily upon plans and specifications for typical work.

(f) Before entering into a contract pursuant to this section, the contracting educational agency shall ensure that it is in compliance with Section 45103.1 of the Education Code.

(g) Task-order procurement contract shall be awarded only to supplement existing personnel and shall not be used to supplant existing classified personnel.

(h) (1) On or before January 1, 2030, a school district or county office of education that uses the task order procurement contracting method pursuant to this section shall submit to the appropriate policy and fiscal committees of the Legislature a report on its use of the task order procurement contracting method. The report shall be prepared by an independent third party and the school district or county office of education shall pay for the cost of the report.

(2) Multiple school districts and county offices of education may work together to submit a single report reflecting the use of the task order procurement contracting method by each of the participating school districts and county offices of education.

(3) The report shall include, but is not limited to, all of the following information:

(A) A description of the projects awarded using the task order procurement contracting method.

(B) The contract award amounts.

(C) The task order contractors awarded the projects.

(D) A description of any written protests concerning any aspect of the solicitation, bid, or award of the task order procurement contracts, including the resolution of the protests.

(E) A description of the prequalification process.

(F) If a project awarded under this article has been completed, an assessment of the performance on a per project basis, including, but not limited to, a summary of any delays or cost increases. The report may also include an assessment of the performance on a per contractor basis.

(4) A report to be submitted pursuant to subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(i) Except as otherwise provided in this article, the task order procurement contracting method is not intended to change any guideline, criterion, procedure, or requirement of the governing board of the school district to let a contract for a project to the lowest responsible bidder or else reject all bids.

(j) This section shall remain in effect only until January 1, 2031, and as of that date is repealed.