

RESOLUTION NO. 047-21/22

APPROVAL OF THE DESIGNATION OF SPECIFIC MATERIAL(S), THING(S), PRODUCT(S), OR SERVICE(S) FOR KEY CARD ACCESS UPGRADE PROJECTS PURSUANT TO PUBLIC CONTRACT CODE SECTION 3400(C)(2)

WHEREAS, pursuant to California Public Contract Code Section 3400 (“**PCC § 3400**”) and other applicable law, the District wishes to list and/or designate in its bids for future projects a specific product and/or material; and

WHEREAS, PCC § 3400(c)(2) provides that the District may specify particular material(s), products(s), thing(s), or service(s) in its specifications for bids in connection with the construction, alteration, or repair of public works upon a finding by the District Board that particular material(s), product(s), thing(s), or service(s) are necessary “in order to match other products in use on a particular public improvement either completed or in the course of completion;” and

WHEREAS, PCC § 3400(c) requires that the District include in its Invitation to Bid for a public works project specifying material(s), product(s), thing(s), or service(s) in its specifications a description of the finding that “a particular material, product, thing, or service is designated by specific brand or trade name” for the public works for any of the specific purposes identified in PCC §§ 3400(c)(1) through (4); and

WHEREAS, on the District’s Project, the District desires to list Motorola Solutions products as the only acceptable material, product, or thing for use for key card access upgrades on District projects because the specified Motorola Solutions products “match” previously installed products at various District sites in connection with a public works project (PCC § 3400(c)(2)); and

WHEREAS, although PCC § 3400(c)(2) does not require the Board to make specific findings as to why it wishes to match other products in use, the District believes this action is desirable, among other reasons, and to the extent applicable to the specific Motorola Solutions products because:

- The use of a consistent key card access system will ensure a uniform monitoring platform from a central location throughout the District for optimal efficiency.
- The ongoing maintenance, repair, and other work that District staff and/or service providers will have to perform on key card access systems throughout the District will be simplified, more efficient, and less costly if those persons do not have to service different and varied key card access products.
- The warranties and guarantees for the specific Motorola Solutions products will be easier to coordinate, track, and call upon in the years to come if they are with the same manufacturer.
- It would be beneficial for the entire District to reduce costs by implementing uniform key card access systems throughout the District, facilitating maintenance, engineering and overall reliability.

WHEREAS, the District will endeavor to list, whenever feasible, more than one key card access system when more than one product or system is acceptable and has already been used for improvement(s) either completed or in the course of completion and the above conditions are sufficiently satisfied.

NOW THEREFORE BE IT RESOLVED, the Governing Board of the Livermore Valley Joint Unified School District hereby resolves, determines, and finds the following:

1. That the foregoing recitals are true.
2. That the use of a consistent key card access system will ensure a uniform monitoring platform from a central location throughout the District for optimal efficiency.
3. That the ongoing maintenance, repair, and other work that District staff and/or service providers will have to perform on key card access systems throughout the District will be simplified, more efficient, and less costly if those persons do not have to service different and varied key card access products.
4. That the warranties and guarantees for the specific Motorola Solutions products will be easier to coordinate, track, and call upon in the years to come if they are with the same manufacturer.
5. That it would be beneficial for the entire District to reduce costs by implementing uniform key card access systems throughout the District, facilitating maintenance, engineering and overall reliability.
6. That the District will endeavor to list, whenever feasible, more than one key card access system when more than one product or system is acceptable and has already been used for improvement(s) either completed or in the course of completion and the above conditions are sufficiently satisfied.
7. That Motorola Solutions and related systems are the only material, product, or thing for use on future key card access upgrades because the Motorola Solutions products "match" the previous key card access products installed at other District school sites in connection with a public works project.
8. That the District shall list in its Invitation to Bid for the project that Motorola Solutions systems are the only acceptable key card access system for use on future District projects, and shall describe in its Invitations for Bid for future projects the Board's finding pursuant to PCC § 3400(c)(2).
9. That the District's Superintendent, or the Superintendent's designee, is authorized pursuant to this Resolution to take any action which is necessary to complete the procedures necessary to carry out, give effect to, and comply with the terms and intent of this Resolution.

PASSED AND ADOPTED by the Governing Board of the Livermore Valley Joint Unified School District on this 19th day of April 2022, by the following vote:

AYES: Bueno _____ Prusso _____ Guzmán _____ Wang _____ White _____

NOES: Bueno _____ Prusso _____ Guzmán _____ Wang _____ White _____

ABSTENTIONS: Bueno _____ Prusso _____ Guzmán _____ Wang _____ White _____

ABSENT: Bueno _____ Prusso _____ Guzmán _____ Wang _____ White _____

Clerk of the Board of Education
 Livermore Valley Joint Unified School District of Alameda
 County and Contra Costa County, State of California