

# San Dieguito Union High School District

## Payment for Goods and Services

AR 3314

### Business and Noninstructional Operations

Payment on any contract for the creation, construction, alteration, repair, or improvement of any district property or facility or other public works project shall be made in accordance with the estimates, process, and/or schedule approved by the Governing Board.

As necessary, the Superintendent or designee may make progress payments as actual work is completed or materials are delivered. When a payment request is properly submitted by a contractor, any undisputed portion of the payment request shall be paid within 30 days. If the Superintendent or designee determines any payment request to be improper, he/she shall return the payment request to the contractor with a written statement of reasons why the request is not proper.

The district may withhold up to five percent of the proceeds due to the contractor until completion and acceptance of the project.

The proceeds to be withheld by the district may exceed five percent when the Board has made a finding, prior to the bid and during a properly noticed and regularly scheduled public meeting, that the project is substantially complex and requires a higher retention amount than five percent. In such cases, the Board's finding shall include a description of the specific project and why it is a unique project that is not regularly, customarily, or routinely performed by the district or licensed contractors. The bid documents shall include details explaining the basis for the finding and the actual amount to be withheld.

At any time after 50 percent of the work has been completed, the Board may release the withheld proceeds if it finds that satisfactory progress is being made.

Proceeds withheld by the district from payments to contractors for public works contracts shall be released within 60 days after the construction or improvement is completed. In the event of a dispute between the district and the contractor, the district may withhold from the final payment an amount not to exceed 150 percent of the disputed amount.

### State References

2 CCR 22000-22005

CCP. 685.010

Ed. Code 17605

Ed. Code 42630-42651

Ed. Code 42800-42806

Ed. Code 42810

Ed. Code 42820

Gov. Code 16.5

Gov. Code 5500-5506

Gov. Code 8111.2

Pub. Cont. Code 20104.50

Pub. Cont. Code 7107

Pub. Cont. Code 7201

Pub. Cont. Code 9203

### Description

Digital signatures -

<https://simbli.eboardsolutions.com/SU/jjoxXkoplusnSsKsUaPsIshQplusYg>

Rate of interest -

<https://simbli.eboardsolutions.com/SU/ICui7yTZI55GsYXWV3f4Mg>

Delegation of authority to purchase supplies and equipment

Orders, requisitions and warrants

Revolving cash fund

Revolving cash funds; use; administrators

Prepayment funds

Digital signatures

Uniform Facsimile Signatures of Public Officials Act

Definition of public entity

Timely progress payments

Retention proceeds; withholding; disbursement

Retention proceeds; limits and exceptions

Payment for projects costing over \$5000

**Management Resources References**

Website

**Description**

California Secretary of State, digital signatures -  
<https://simbli.eboardsolutions.com/SU/rLQWpu9nOpaVis5clkoAOg>

Website

CSBA -  
<https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg>

Website

Fiscal Crisis and Management Assistance Team -  
<https://simbli.eboardsolutions.com/SU/1KDBnxplus9GCiDTyFvbLOOxQ>

**Board Readopted: April 20, 2022**