

EDUCATION CODE SECTION 17545-17555

17545. (a) The governing board of any school district may sell for cash any personal property belonging to the district if the property is not required for school purposes, or if it should be disposed of for the purpose of replacement, or if it is unsatisfactory or not suitable for school use. There shall be no sale until notice has been given by posting in at least three public places in the district for not less than two weeks, or by publication for at least once a week for a period of not less than two weeks in a newspaper published in the district and having a general circulation there. If there is no such newspaper, then in a newspaper having a general circulation in the district; or if there is no newspaper, then in a newspaper having a general circulation in a county in which the district or any part thereof is situated. The board shall sell the property to the highest responsible bidder, or shall reject all bids.

(b) The governing board may choose to conduct any sale of personal property authorized under this section by means of a public auction conducted by employees of the district or other public agencies, or by contract with a private auction firm. The board may delegate to the district employee responsible for conducting the auction the authority to transfer the personal property to the highest responsible bidder upon completion of the auction and after payment has been received by the district.

GOVERNMENT CODE 6502

If authorized by their legislative or other governing bodies, two or more public agencies by agreement may jointly exercise any power common to the contracting parties, even though one or more of the contracting agencies may be located outside this state.

A school district is authorized to sell surplus personal property.

The highest bidder wins.

The means of sale can be conducted through another public agency, such as the Monterey County Office of Education (MCOE), which met the requirements for advertising, collecting bids, and awarding to the highest bidder for disposal.

MCOE and California school districts both have "common powers" related to the disposal of surplus personal property and related to contracting.

So, there are two places in the law allowing the use of the MCOE contract.