

Completion of Construction Did Not Render Suit for Violation of Public Bidding Laws Moot

“A claim that a contract for construction of a school violated public bidding requirements did not become moot after construction was completed because effective relief – in the form of disgorgement of public funds paid to the contractor – was still available in plaintiff’s taxpayer action. *Davis v. Fresno Unified School District (Davis 2)*, No. F079811 (1st Dist., Nov. 24, 2020),” writes Geoffrey Robinson in *Perkins Coie’s California Land Use Development Law Report*.

“Public school construction contracts generally must be competitively bid under public bidding laws. The Fresno Unified School District sought to rely on an exception for contracts under which the school district leases out district-owned property in return for the lessee’s agreement to construct a building for the use of the school district. Such a “lease-leaseback” arrangement, if properly structured, is exempt from public bidding laws.”

Read the article.