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LETTER 60-52-L

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BETSY FREDERICKSON

I Concur

WADE CHURCH

March 23, 1960

Mr. Alvin F. Krupp
County Attorney
Graham County
Safford, Arizona

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ARIZONA ATTORNEY GENERAL

Dear Mr. Krupp:

The rule that "In the absence of some controlling constitutional or statutory provision, municipal ordinance, or other legislative requirement, competitive bidding is not an essential prerequisite to the validity of contracts for public work, contracts to furnish materials to public bodies, or other contracts by and with public bodies" is quoted in Hertz Driv-Ur-Self System v. Tucson Airport Authority, 81 Ariz. 80, 299 P.2d 1071. It is applicable, I think, to the situation described in your letter of March 18, where the school district has voted to sell a portion of a school site.

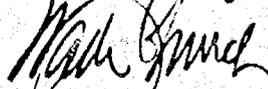
Arizona has no constitutional or statutory provision requiring the school board to advertise for bids in order to complete the sale of the property voted upon.

Subject to the general admonishment contained in Prescott Community Hospital v. Prescott School District No. 1, 57 Ariz. 492, 115 P.2d 160, that any disposition of school property must be for the benefit of the school district, the Board of Trustees has full discretion in carrying out the district electorate's direction to sell. The Board is not required to solicit competitive bids.

Please advise us if you need anything further from this office.

Very truly yours,

WADE CHURCH
The Attorney General



BETSY C. FREDERICKSON
Special Assistant
Attorney General

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