



Authority on Payments to Contractors

To: Dr. Joel Boyd, Superintendent of Schools

From: Dr. James P. Hall, Chief Operating Officer

Date: April 13, 2020

The following report is a partial response to the motion by Robert Hoey on March 27, 2020:

[By Bob Hoey]: Superintendent to review with Solicitor the School Committee's authority to vote on paying transportation providers and other vendors when services could not be performed because of COVID-19 closure of schools.

We have received legal guidance on whether the Governor's emergency orders to municipalities granted any flexibility to the School Committee to make payments when services were not rendered due to the COVID-19 closure of school.

The School Committee's authority continues to be limited by the Lowell Code of Ordinances, Sec 28-7; supporting case law; and the Contracts themselves. The City Auditor's approval is also needed for any payment and such must be made "in accordance with the terms of the contract" (Lowell Code of Ordinances, 28-7).