

BID REQUIREMENTS

Whenever ~~in the opinion of the board~~ the estimated cost of any furniture, supplies, equipment or work ~~shall exceed \$50,000~~ exceeds the amount specified by law for formal bids, formal bids shall be called for by issuing public notice placed in at least one (1) newspaper of general circulation within the district once each week for two (2) consecutive weeks, ~~unless a statutory exception permits another contracting option~~. Clear and definite specifications shall be prepared and made available to all vendors interested in submitting a bid.

For purposes of this policy, a lease-purchase agreement, whereby the district may own the property at the end of a lease term, shall be subject to the same conditions as an outright purchase.

When the cost of any furniture, supplies, equipment or furniture, or work is estimated to shall exceed \$15,000 but be less than \$50,000 the amount specified by law for informal bids, informal bids ~~shall~~ will be solicited from responsible vendors or, if a works project, licensed contractors who appear on the district's small works roster. ~~The superintendent shall establish bidding and contract awarding procedures for all purchases of furniture, equipment, or supplies (except for books), the cost of which is estimated to be in excess of \$15,000.~~

~~The competitive bid process shall be used for every building improvement, repair or other public works project, which is estimated to be in excess of \$10,000 and only one trade or craft is involved.~~

~~For any public works contract expected to cost over \$1,000,000.00 the bids shall include the names of subcontractors who will do the heating, ventilation and air conditioning, plumbing or electrical work. Failure to name a subcontractor or the bidder for each category of work renders the bid non-responsive and void. Naming more than one subcontractor for a category of work, unless different contractors are named in alternative bids, also voids a bid.~~

Bid procedures ~~shall~~ will be waived when the board declares an emergency, for purchases involving special facilities or market conditions for purchases of insurance or bonds or when purchases are clearly limited to a single source of supply. Any time bid requirements are waived pursuant to this provision, a document explaining the factual basis for the exception and the contract shall be recorded and open for public inspection.

The board may by resolution reject any and all bids and make further calls for bids in the same manner as the original call. The board reserves the right to purchase through an inter-local cooperative agreement with another governmental agency provided such agency has complied with the bidding requirements that are applicable to school district.

The board shall include in each contract a proviso requiring the contractor to prohibit any of its employees who have ever been convicted of or pled guilty to any of the child related felonies from working where he/she would have contact with public school children. The contract shall also provide that failure to comply with this requirement is grounds for immediate termination of the contract.

When federal funds are used for procurement of supplies, other property, or professional services, the following steps will be followed:

1. An order for supplies or other property that totals \$75,000.00 or more must be publicly solicited using sealed bids. Orders for less than \$75,000.00 may be procured using price or rate quotations from three or more qualified sources;
2. A professional services contract that totals \$100,000.00 or more must be publicly solicited using sealed bids. Services contracts for less than \$100,000.00 may be procured using price or rate quotations from three or more qualified sources;
3. Procurement by noncompetitive proposals may only be used when it is infeasible to use informal quotes or sealed bids and one of the following circumstances applies:
 - a. The item is only available from a single source;
 - b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - c. The awarding agency (e.g. OSPI) authorizes noncompetitive proposals; or
 - d. After solicitation of a number of sources, competition is determined inadequate;
4. For any procurement transaction over \$25,000.00 the vendor or contractor must not be suspended or debarred from participating in federal assistance programs; and
5. For any subcontract award in any amount, the grantee must not be suspended or debarred.

The superintendent will establish bidding and contract awarding procedures for all purchases of furniture, equipment, supplies (except books) or public works projects consistent with state law. Public works include construction, alterations, repair and improvements other than ordinary maintenance. Such procedures shall ensure compliance with state and Federal regulations and provide a means to obtain competitive pricing for District Expenditures. The procedures will also promote open competitive participation by vendors.

Legal References:	RCW 28A.400.330	<u>Crimes against Children—</u> <u>Contractor employees—Termination</u> <u>of Contract</u> of Contract
	28A.335.190	Advertising for bids— <u>Competitive</u> Bid procedure— <u>Purchases from</u> <u>inmate work programs—Telephone</u>

	<u>or written quotation</u> solicitation, limitations-Emergencies
39.04.155	Small Works roster--Contract award —Process <u>procedures</u> — <u>Limited</u> <u>public works process Definition</u>
39.04.280	Competitive bidding requirements— Exemptions
39.30.060	<u>Bids on public works</u> — <u>Identification, substitution of</u> <u>contractors</u> Contracts — Indebtedness — Limitations <u>Competitive Bidding</u> — Violations
43.19.1911	Letting contract — <u>Lowest</u> responsible bidder, determination — Public inspection of bids <u>Competitive</u> <u>Bids</u> — <u>Notice of Modification or</u> <u>Cancellation</u> — <u>Cancelation</u> <u>requirements</u> — <u>Lowest Responsible</u> <u>Bidder</u> — <u>Preferential Purchase</u> — <u>Life Cycle Costing</u>
	<u>Procurement</u>
34 CFR § 80.36	
34 CFR § 85	<u>Debarment and Suspension</u>

AGO 8402.00 - 1984 No. 2 Competitive Bidding on School
District Transportation Contracts

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