

Bid Requirements

The Board of Directors of the Burlington-Edison School District recognizes the importance of:

- maximizing the use of district resources;
- the need for sound business practices in spending public money;
- the requirement of complying with state laws governing purchasing;
- the importance of standardized purchasing regulations; and
- the need for clear documentation in meeting auditing requirements.

Use of State Funds for Purchases

Whenever the Board estimates that the purchase of furniture, supplies or equipment (except books) will cost:

- less than \$40,000, no competitive bidding process is required to make the purchase;
- between \$40,000 and \$75,000, the Board will follow the informal competitive bidding process by requiring quotes from at least three different sources to be obtained in writing or by telephone and recorded for the public to review.
- over \$75,000, the Board will follow the formal competitive bidding process by: 1) preparing clear and definite plans and specifications for such work or purchases; 2) providing notice of the call for formal bids by publication in at least one newspaper of general circulation in the district at least once each week for two consecutive weeks; 3) providing the clear and definite plans and specifications to vendors interested in submitting a bid; 4) require that bids be in writing; 5) open and read bids in public on the date and in the place named in the notice; and 6) file all bids for public inspection after opening.

The Board may waive bid requirements for purchases:

- clearly and legitimately limited to a single source of supply;
- involving special facilities or market conditions;
- in the event of an emergency;
- of insurance or bonds; and
- involving public works in the event of an emergency.

“Emergency” means unforeseen circumstances beyond the district’s control that present a real, immediate threat to the proper performance of essential functions or will likely result in material loss or damage to property, bodily injury or loss of life if immediate action is not taken.

Whenever bid requirements are waived, a document explaining the factual basis for the exception and the contract will 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 districts.

The Board will include in each contract a proviso requiring the contractor to prohibit any of its employees who has 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 students. The contract will also provide that failure to comply with this requirement is grounds for immediate termination of the contract.

Use of State Funds for Improvements or Repairs

The Board may make improvements or repairs to district property through a district department without following the competitive bidding process if the total cost of improvements or repairs does not exceed \$75,000. If the Board estimates that the total cost is \$75,000 or more, the Board will follow the formal competitive bidding process outlined above unless the contract is let using the small works roster process authorized by RCW 39.04.155 or under any other procedure authorized for school districts.

Use of Federal Funds

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 and federal law.

Legal References: [ESHB 1633](#)

Amending RCW 28A.335.190

[RCW 28A.335.190](#)

Advertising for bids — Competitive bid procedures — Purchases from inmate work programs — Telephone or written quotation solicitation, limitations — Emergencies

RCW [28A.400.330](#)

Crimes against children — contractor employees — Termination of contract

RCW [39.04.155](#)

RCW [39.04.280](#)

RCW [39.30.060](#)

RCW [43.19.1911](#)

[34 CFR § 80.36](#)

[34 CFR § 85](#)

Small works roster contract procedures
— Limited public works process
Definition
Competitive bidding requirements —
Exemptions
Bids on public works — Identification,
substitution of contractors
Competitive Bids — Notice of
modification or cancellation —
Cancellation requirements — Lowest
responsible bidder — Preferential
purchase — Life cycle costing
Procurement
Debarment and Suspension

Management Resources:

Policy and Legal News, June 2013

Policy News, April 2012

Policy News, February 2011

Policy News, October 2005

Policy News, June 2001

Bid limit increase offers districts more
flexibility and greater savings
Bid requirements policy revised to
address audit concerns
Bid requirements
Competitive bid process changes
Legislation further simplifies bid
compliance

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