

## **BID REQUIREMENTS**

### **A. Purchases**

1. Whenever in the opinion of the board the cost of any furniture, equipment or supplies(except books), shall equal or exceed \$75,000, formal bids shall be called for by issuing public notice placed in at least one newspaper of general circulation within the district once each week for two 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.
2. When the cost of any supplies, equipment or furniture (except books) shall exceed \$40,000 but be less than \$75,000, informal bids shall be solicited from responsible vendors. 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 \$40,000.
3. No bid procedure is required for purchases of furniture, equipment or supplies under \$40,000.

### **B. Public Works Projects**

1. Whenever in the opinion of the board the cost of any public work project shall equal or exceed \$100,000 formal bids shall be called for by issuing public notice placed in at least one newspaper of general circulation within the district once each week for two 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.
2. When the cost of a public works project equals or exceeds \$40,000 but is less than \$100,000 informal bids shall be solicited from responsible vendors. The superintendent shall establish bidding and contract awarding procedures for all public works projects, the cost of which is estimated to be in excess of \$40,000. However, all building improvement, repair or other public work projects estimated to be less than \$200,000 may be awarded to a contractor on the small works roster, pursuant to state's uniform small works roster process.
3. Public works projects that are less than \$40,000 may be performed by district personnel.

Limited public works projects are those estimated to cost less than \$35,000. The district may award contracts for limited public works pursuant to the state limited public works process. With prior board approval for limited public works, the district may waive the payment and performance bond requirements and the retainage requirements of law, thereby assuming liability for a contractor's nonpayment of laborers, mechanics, subcontractors, materialmen, suppliers and taxes. The district shall have the right of recovery against the contractor for any of these payments made on the contractor's behalf.

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 nonresponsive 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 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 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 children. The contract shall also provide that failure to comply with this requirement is grounds for immediate termination of the contract.

Legal References:	RCW 28A.335.190	Advertising for bids — Bid procedure— Telephone solicitation, limitations — Emergencies
	RCW 28A.400.330	Crimes Against Children — Contractor Employees — Termination of Contract
	RCW 39.04.155	Small Works roster — Contract award — Process
	RCW 39.04.280	Competitive Bidding Requirements — Exemptions
	RCW 39.30.060	Bids on public works — Subcontractors must be identified — When
	RCW 43.19.1911	Competitive Bids — Notice Of Modification Or Cancellation — Cancellation Requirements — Lowest Responsible Bidder — Preferential Purchase — Life Cycle Costing

Management Resources:

*Policy News*, October 2005  
*Policy News*, June 2001

Competitive Bid Process Changes  
Legislation Further Simplifies Bid  
Compliance