

## CONSTRUCTION CONTRACTS BIDDING AND AWARDS

An appropriate construction approach will be selected for each capital improvement project after funding has been approved and during the planning stage for the project.

Competitive bidding procedures, approved by the superintendent or superintendent's designee and consistent with applicable purchasing and competitive bidding Board policies, shall be used for all construction projects for new school buildings, additions to existing buildings or extensive renovation to District facilities. Construction projects to be solicited through a competitive process shall be advertised in a newspaper of general circulation within the District at least ten (10) days prior to the deadline date for acceptance of proposals.

The superintendent or designee shall take all bids under advisement, allowing ample time for careful consideration by the architect, the administration, and the school district's attorney. The superintendent or designee shall reserve the right to accept or reject any or all bids or to waive technicalities or irregularities.

Professional services are exempt from the competitive bidding process. Contracts and the associated fees for professional services, such as architects, engineering surveys, soil investigation and analysis, concrete testing, material testing, third party inspections, construction manager/general contractor (CMGC), shall be negotiated. Fees for these services must be competitive, with the specific fee structure to be negotiated based on pertinent, project-related factors.

After determining the apparent, successful contractor, a recommendation for contract award will be provided to the Board for approval.

The contract will be awarded in a timely manner consistent with the established timeline. The superintendent or designee shall sign all contracts under \$100,000. For contracts of over \$100,000 or more, the Board shall pass a resolution that the bid has been accepted accepting the bid and shall authorize and authorizing the superintendent or designee to execute the execution of a formal agreement with the contractor and will be executed by the Superintendent or designee. The Board will be notified if superintendent or designee are unavailable to execute a contract. Provided the contract is under the approved project allocation.

The Board shall not enter into a construction contract unless an appropriation has been made for the project as required by law. The Board shall require legal counsel review prior to entering into a contract with the successful contractor.

In all construction projects, the District shall reserve the right to further negotiate with the apparent, successful contractor prior to bid acceptance and to negotiate revisions to the contract after award.

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