Bid Requirements

The following procedures shall be in effect for purchasing through the bidding process:

A. Formal bids shall be opened at the time and place stated in the official advertisement for bids, and any interested member of the public may attend the bid opening. It shall be the bidder's sole responsibility to see that his/her bid is delivered to the district prior to the time set for opening of bids. Any bid received after the time set for opening the bids shall be returned to the bidder unopened and shall receive no consideration by the district.

B. Formal bid tabulations shall be presented at the next regular meeting of the board for study purposes.

C. Formal bid awards shall be made by the board on the basis of staff recommendations at the second meeting after the bid opening except that the board can waive this requirement when time is of the essence.

D. Brand names and manufacturers' catalog numbers used in specifications are for the purpose of identification and to establish a standard of quality. Bids on equal items shall be considered providing the bidder specifies brand and model and furnishes descriptive literature. The acceptance of alternative "equal" items shall be conditioned on the district's inspection and testing after receipt. If not found to be equal, the material shall be returned at the seller's expense and the contract canceled.

E. The district shall reserve the right to reject any or all bids, waive any formalities and cancel the solicitation, if a compelling reason exists.

F. On construction projects, the bidder shall include a notarized statement agreeing to comply with prevailing wage and affirmative action requirements and shall provide a performance bond.

G. The superintendent may solicit bids by telephone and/or written quotation for furniture, equipment and supplies which have an estimated cost between $40,000 and $75,000. At least three telephone or written bids shall be secured prior to the date established by the superintendent. All telephone quotations must be confirmed in writing within seven days in order to constitute a valid quotation.

H. For public works projects estimated to cost less than $200,000, the superintendent may solicit bids by telephone, electronic means and/or written quotations from contractors who have re- quested to be placed on the small works roster. The district will not break a project into units or phases in order to come within the scope of the small works roster. The small works roster shall be revised at least once each year by publishing a notice of such opportunity in at least one newspaper of general circulation in the district. Also, responsible contractors shall be added to the small works roster any time they submit a written request and necessary records. The application form shall be designed to collect such information as (l) name of contractor, (2) state of Washington contractor's license number, (3) bonding verification, (4) liability coverage, (5) related contracts completed, and (6) references (bond and clients). Contractors desiring to be placed on or remain on the small works roster are required to keep current records of applicable licenses, certifications, registrations, bonding and insurance on file with the district.

The following steps shall be employed to engage a contractor for a small works project:

1. Written specifications shall be prepared which describe the work to be completed and the materials to be used. Completion date; contractor's assurances (prevailing wages, fair employment, etc.); bid and performance bond requirements; opportunity to visit the work site; closing date; and bid form may be provided detailed plans and specifications need not be included in the invitation.

2. All qualified small works contractors may receive written invitation to bid. In the alternative, quotations may be invited from at least five contractors on the roster qualified to do the work being contracted in a manner that will equitably distribute the opportunity among qualified contractors on the roster. If the estimated cost of the work is between $100,000 and $300,000 and five or more contractors are invited to offer quotations, all other contractors on the roster shall be notified of the quotations being sought by publishing notice in a legal newspaper in general circulation in the district. (Implementation note: Districts may choose to provide notification by mail, facsimile or other electronic means instead of publication. Administrators should choose the ONE method that is most efficient under the circumstances in the local district--availability of an appropriate newspaper, size of the roster, availability of facsimile or e-mail communications with local contractors, etc.--and place that means in this paragraph instead of the reference to publication in a newspaper.)

3. After the closing time, bids shall be opened, recorded and made available for inspection or telephone inquiry.

4. The superintendent shall award the contract to the lowest responsible bidder. The district shall post a list of contracts awarded pursuant to the small works roster once every two months, including the name of the contractor or vendor, amount of the contract a brief description of the work done or items purchased and the date awarded. The notification must also include the location where quotations for the contracts listed are available for public inspection.

The following factors shall be considered in determining the lowest responsible bidder:

1. The ability, capacity and skill of bidder to perform the work required;
2. The character, integrity, reputation, judgment, experience, and efficiency of the bidder;
3. The ability of the low bidder to perform the work in the time specified;
4. The quality of performance of previous contracts or services;
5. The previous and existing compliance of the bidder with laws relating to public works; and
6. Such other information related to the performance of the contract as the superintendent deems advisable.

I. For limited public works projects estimated to cost less than $35,000 the superintendent may solicit electronic or written quotations from a minimum of three contractors from the small works roster. The contract may be awarded to the lowest responsible bidder pursuant to the factors listed above. After an award is made, the quotations received are open to public inspection and are available by electronic

request. The superintendent shall attempt to distribute opportunities for limited public works projects equitably among contractors willing to perform in the district. The district will maintain a list of the contractors contacted and the contracts awarded during the previous twenty-four months under the limited public works process, including the name of the contractor, the contractor's registration number, a brief description of the work and the date the contract was awarded. A project may not be divided into parts in order to qualify for the limited public works process.

J. An acceptable bid or offer and a district purchase order shall constitute the only contract necessary for the purchase of supplies, equipment, and minor repairs of construction projects, except that the successful bidder shall meet all conditions included in the specifications.

K. Formal written contracts shall be prepared for all major construction and repair projects. Such contracts shall be signed by the board president/chair and secretary on behalf of the district after the contracts have been awarded by a majority vote of the board with action recorded in the minutes of the board meeting. All contracts shall provide that, in the event of a suit by the district to enforce the terms of the contract, venue for the suit shall be laid in the county in which the district is located and that, if the district is successful in the suit, the court may order reimbursement of the district's attorney's fees and court costs in such amount as the court deems reasonable. The contract shall contain 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 has 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.

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