

## Bidding Procedures

All contractual services and purchases of supplies, materials and equipment shall be put to bid in instances where bidding is practical, possible or the most cost effective. This shall not apply, however, to professional services or instructional materials. When bidding is not practical or possible, purchases made in the open market shall be based on at least three competitive quotations on prices.

All contracts and all open market orders shall be awarded to the lowest responsible and responsive qualified bidder, taking into consideration the quality of materials (services) desired and what is in the best interest of the District.

Local business preference may be used as one factor in determining the award of a bid hereunder. This local preference will only be available to responsible and responsive bidders whose bid otherwise conforms in all material respects to all requirements and criteria set out in the invitation to bid. In the event a determination is made that a submitted bid is from a responsible and responsive bidder and that the business submitting the bid is a qualifying Local Business (as defined below), then that Local Business shall be given a price preference over a non-Local Business per the below table.

	Garfield Re-2 SD Primary Preference Local Business	Garfield County Secondary Preference Local Business
Bids between \$10,000 - \$25,000	5%	2.5%
Bids between \$25,000 - \$100,000	4%	2%
Bids between \$100,000 - \$500,000	2%	1%
Bids over \$500,000	\$10,000	\$5,000

Primary Preference Local Business shall mean a business applying for Local Business designation which meets criteria listed below:

A commercial office is located within the boundaries of Garfield School District No. Re-2 for not less than one year prior to the deadline date of the bid. In the event the business is incorporated or otherwise registered, it must be incorporated or otherwise registered in Colorado.

Secondary Preference Local Business shall mean a business applying for Local Business designation which meets criteria listed below:

A commercial office is located within the boundaries of Garfield County for not less than one year prior to the deadline date of the bid. In the event the business is

incorporated or otherwise registered, it must be incorporated or otherwise registered in Colorado.

Included in the submitted bid, any business wishing to obtain the Local Business designation shall apply for such designation by submitting Local Bidder Preference Form included in Policy DJE-E. Garfield School District No. Re-2 has the ability to request additional information to determine Local Business designation. Local Business designation shall be determined by the Superintendent or his/her designee.

Local preference shall not apply to contracts required by applicable state or federal laws or regulations to be awarded to the "lowest responsible bidder" or to any contracts that are statutorily or otherwise precluded from the use of local vendor preference. No local preference shall apply where grant funds are used which expressly prohibit the use of such local preference. Further, under no circumstances shall a Local Business preference be granted where the award of a contract to a Local Business will result in the District exceeding its budgeted appropriation for that contract award.

Every invitation for bids under this Policy shall contain notification of this section setting forth this Local Business Preference and shall require a bidder to submit, at a time to be specified, the manner in which, if at all, such business may qualify for Local Business designation.

When bidding procedures are used, bids shall be advertised appropriately and all applicable laws and regulations will be followed.

When the bidding process requires sealed bids, all bids shall be submitted in sealed envelopes, addressed to the superintendent or designee, and plainly marked with the bid number and the time of the bid opening. Bids shall be opened in public by appropriate district officials or employees at the time specified, and all bidders shall be invited to be present.

The Board reserves the right to reject any or all bids and to accept that bid which appears to be in the best interest of the district.

The bidder to whom an award is made shall be required to submit to the district proof of liability insurance and when appropriate, proof of workers' compensation insurance, and may be required to enter into a written contract with the district. Any written contract shall include a provision requiring a criminal background check for any person providing direct services to students under the contract, including but not limited to transportation, instruction or food services as required by law. The

contracting entity shall be responsible for any costs associated with the background check.

Adopted: September 27, 1988

Revised: September 12, 1989

Revised: September 26, 2006

Revised: August 22, 2011

Revised: August 8, 2016

Revised: November 10, 2021

LEGAL REFS.: C.R.S. 22-32-109 (1)(b)(board required to adopt bidding procedures)

C.R.S 22-32-122 (background check provision required in service

CROSS REFS.: BCB, School Board Member Conflict of Interest

DJB, Purchasing Procedures