

# Liberty Union High School District

## Administrative Regulation

Classification: Business

Policy No. **AR 3311**

Page 1 of 2

Effective 9-25-91

Revised

Subject: Bids

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### Advertised Bids

Whenever letting contract exceeding \$15,000 for work to be done or \$21,000 for material or supplies, the Superintendent or designee shall call for bids by advertising in a local newspaper at least once a week for two weeks. Unless otherwise authorized by law, contracts shall be let to the lowest responsible bidder who shall give such security as the Governing Board requires, or else all bids shall be rejected. (Public Contract Code 20111, 20112)

When letting a contract for the procurement and/or maintenance of electronic data processing systems and supporting software, the Board may contract with any one of the three lowest responsible bidders. (Public Contract code 20118.1)

The Board shall secure bids for any transportation service expenditure of more than \$10,000 when contemplating that such a contract may be made with a person or corporation other than a common carrier, municipally-owned transit system or a parent/guardian of students who are to be transported. The Board may let this contract to other than the lowest bidder. (Education Code 39802)

### Instructions and Procedures for Advertised Bids

Bid instructions and specifications shall include the following requirements and information:

1. All bidders, including bidders for printing contracts, shall specify the minimum, if not exact, percentage of recycled product in the products offered, and both the postconsumer and secondary waste content. (Public Contract Code 12169, 12213)
2. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111, 20129)
  - a. Cash
  - b. A cashier's check
  - c. A certified check
  - d. A bidder's bond executed by an admitted surety insurer
3. The security of unsuccessful bidders shall be returned in a reasonable period of time, in no event any later than 60 days after the bid is awarded. (Public Contract Code 20111)
4. Under no condition shall bids be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
5. When two or more identical bids are received, the Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)
6. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.
7. After being opened, all advertised bids shall be made available for review by interested parties.

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Page 2 of 2

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### **Nonadvertised Bids**

Supplementary textbooks, library books, periodicals, educational films, audiovisual materials, test materials, workbooks and instructional computer software packages may be purchased without advertised bidding. (Public Contract Code 20118.3)

The District may, upon a case-by-case determination of the Board, purchase lease, or contract for equipment and supplies through a public corporation without advertised bids to the extent permitted by state law. (Public Contract Code 20118)

Perishable commodities such as foodstuffs can be purchased through bid or on the open market, depending on District preference. (Education Code 39873) In its purchases, the District shall give preference to products grown, manufactured, or produced in California and to foods grown or processed in the United States. (Government Code 4331, Public Contract Code 3410)

Fitness and quality being equal, the District shall purchase recycled products whenever available at no more than the total cost of nonrecycled products.

(Public Contract Code 12168, 12210)