Code: DJC
Adopted: June 24, 2006
Revised: May 16, 2023
Reviewed: April 8, 2025

Bidding Requirements

The Purposes of this policy, a "bid" refers to the formal process to solicit estimates from vendors based on a specified set of criteria. The District may seek less formal estimates through phone calls, catalogs, sales literature, requests for written estimates or quotes, or more formal means if necessary.
Unless otherwise excluded by NRS 332.115 the District or its authorized representative shall follow the following criteria with respect to bid requirements:

Purchases from $0 to $49,999
No bid requirements
District authorized representatives must seek to purchase items through the most economical means.
Superintendent has authority to purchase items up to $25,000.
(Please see Federal Purchasing Requirements)

Purchases of $50,000 or more
The District will follow bid requirements pursuant to NRS 332.063 and other provisions of NRS. 332 that apply.

Purchases of $100,000 or more
The District will follow bid requirements pursuant to NRS 332.065 and other provisions of NRS.332 that apply.

This section does not prohibit the District or its authorized representatives from advertising for or requesting bids regardless of the estimated annual amount required to perform the contract.

When competitive bids are required, they shall be submitted in writing and presented in a sealed envelope. Receipt of such bids shall be at the place, date and time designated in the notice of publication.

The Superintendent or its authorized representative shall maintain a record of all requests for bids and all bids received for the contract for at least 7 years after the date of execution of the contract. (NRS.332.091)

Dividing the total purchase price among several purchase orders to avoid the requirements of this policy and NRS.332 will not be allowed. Any proposal for leasing must have prior Board approval.

All bid advertisements must be reviewed and approved by the Finance Officer prior to placement. All bids involving facilities, transportation, and maintenance must also be reviewed and approved by the director of Maintenance and Transportation prior to placement.

Pursuant to NRS 332.195 with respect to on-line bidding. The District or its authorized representatives may use on-line bidding to receive bids submitted in response to a request for bids but shall not use on-line bidding as the exclusive means of receiving bids.

Pursuant to NRS 332.195 the District or its authorized representative(s) may join or use the contracts of the State or another State and other local governments located within or outside this State with the authorization of the contracting vendor.

Awarding bids will be done in accordance with Nevada Revised Statutes (NRS 332.065)

Any or all bids received in response to a request for bids may be rejected by the District if it is either determined that any bidder is not responsive or responsible or that the quality of the services, supplies, materials, equipment or labor offered does not conform to requirements or if the public interest would be served by such a rejection. Acceptance of any bid is also contingent upon bidder being in good standing with the Secretary of State of Nevada and upon the bidder not being included on the debarment list in SAM.

When a local merchant's quotations for materials or services are competitive with out of the area businesses, the Board prefers to purchase from the established local merchant with the district, provided the local merchant is properly licensed through the State of Nevada.

Competitive bidding is not required for emergency contracts per Nevada Revised Statutes (NRS 332). Unless otherwise provided by NRS, an emergency is a result of a disaster such as, but not limited to fire, flood, hurricane, riot, power outage, or disease.

The Superintendent has authority to approve emergency purchase orders when deemed necessary for the continued operation of the district. A purchase order must have a clear statement to explain why the purchase must be considered an emergency and must be reported to the Board at the next public meeting.

Exceptions to Requirements for Competitive Bidding

Contracts that, by their nature, are not adapted to award by competitive bidding may not be subject to competitive bidding
requirements. The District will follow the provisions in NRS 332.112 through NRS 332.148 governing these exceptions. This includes, but is not limited, to the following categories which may be further defined by NRS:

1. Items which may only be contracted from a sole source;
2. Professional services;
3. Additions to and repairs and maintenance of equipment which may be more efficiently added to, repaired or maintained by a certain person;
4. Equipment which, by reason of the training of the personnel or of an inventory of replacement parts maintained by the local government is compatible with existing equipment;
5. Perishable goods;
6. Insurance;
7. Hardware and associated peripheral equipment and devices for computers;
8. Software for computers;
9. Books, library materials and subscriptions;
10. Supplies, materials or equipment that are available pursuant to an agreement with a vendor that has entered into an agreement with the General Services Administration or another governmental agency located within or outside this State;
11. Items for resale through a retail outlet operated in this State by a local government or the State of Nevada;
12. Goods or services purchased from organizations or agencies whose primary purpose is the training and employment of persons with disabilities; and
13. The design of, and equipment and services associated with, systems of communication,
14. Emergency contracts as defined by NRS 332.112

END OF POLICY

Legal Reference(s): NRS 332

NRS 332.063 Contracts for which estimated annual amount required to perform is more than $50,000 but not more than $100,000: Solicitation of responses; permissive advertisement; award.

1. Except as otherwise provided by specific statute, if the estimated annual amount required to perform a contract is more than $50,000 but not more than $100,000, the governing body or its authorized representative:

(a) Shall solicit responses from two or more persons capable of performing the contract, if such persons are available; and

(b) May advertise the contract in the manner prescribed in NRS 332.045.

2. The governing body or its authorized representative shall award such a contract on the basis of price, taking into account the minimum requirements of a responding offeror prescribed in the solicitation pursuant to NRS 332.043 and the method prescribed in that solicitation for awarding the contract.

(Added to NRS by 2019, 767)

NRS 332.065 Contracts for which estimated annual amount required to perform is more than $100,000: Advertisement required; permissive solicitation; award; prohibition on entering without certification relating to certain boycotts of Israel.

1. Except as otherwise provided by specific statute, if the estimated annual amount required to perform a contract is more than $100,000, the governing body or its authorized representative:

(a) Shall advertise the contract in the manner prescribed in NRS 332.045; and

(b) May issue a solicitation for the contract.

2. If the estimated annual amount to perform a contract is more than $100,000 and the method for obtaining the contract designated in the solicitation is an invitation to bid, the governing body or its authorized representative must, except as otherwise provided by specific statute, award the contract to the lowest responsive and responsible bidder. The lowest responsive and responsible bidder may be judged on the basis of:

(a) Price;

(b) Conformance to specifications;

(c) Qualifications of the bidder, including, without limitation:

(1) The possession of or limit on any required license of the bidder;

(2) The financial responsibility of the bidder;

(3) The experience of the bidder; and

(4) The ability of the bidder to perform the contract;

(d) Adequacy of the equipment of the bidder;

(e) Past performance;

(f) Performance schedule or delivery date;

(g) If the contract requires the delivery of goods, the total cost of ownership of the goods;

(h) If the contract requires the delivery of goods, the purpose for which the goods to be supplied are required;

(i) The best interests of the public; and

(j) Such other criteria as may be set forth by the governing body or its authorized representative in the advertisement or solicitation, as applicable, that pertains to the contract.

Ê If after the lowest responsive and responsible bidder has been awarded the contract, during the term of the contract he or she does not perform in accordance with the bid specifications, or if he or she repudiates the contract, the governing body or its authorized representative may award the contract to the next lowest responsive and responsible bidder without requiring that new bids be submitted. Awarding the contract to the next lowest responsive and responsible bidder is not a waiver of any liability of the initial bidder awarded the contract.

3. Except as otherwise provided by specific statute, if the estimated annual amount to perform a contract is more than $100,000 and the method for obtaining the contract designated in the solicitation is a method other than an invitation to bid, the governing body or its authorized representative shall award such a contract taking into account the minimum requirements for a responding offeror prescribed in the solicitation pursuant to NRS 332.043 and the method prescribed in that solicitation for awarding the contract.

4. A governing body or its authorized representative shall not enter into a contract pursuant to this section with a company unless the contract includes a written certification that the company is not currently engaged in, and agrees for the duration of the contract not to engage in, a boycott of Israel.

5. As used in this section:

(a) "Boycott of Israel":

(1) Means, except as otherwise provided in subparagraph (2), refusing to deal or conduct business with, abstaining from dealing or conducting business with, terminating business or business activities with or performing any other action that is intended to limit commercial relations with:

(I) Israel; or

(II) A person or entity doing business in Israel or in territories controlled by Israel,

Ê if such an action is taken in a manner that discriminates on the basis of nationality, national origin or religion.

(2) Does not include an action that is described in subparagraph (1) if the action:

(I) Is based on a bona fide business or economic reason;

(II) Is taken pursuant to a boycott against a public entity of Israel if the boycott is applied in a nondiscriminatory manner; or

(III) Is taken in compliance with or adherence to calls for a boycott of Israel if that action is authorized in 50 U.S.C. § 4607 or any other federal or state law

(b) "Company" means any domestic or foreign sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited-liability partnership, limited-liability company, or other domestic or foreign entity or business association, including, without limitation, any wholly owned subsidiary, majority owned subsidiary, parent company or affiliate of such an entity or business association, that exists for the purpose of making a profit.

(b) "Total cost of ownership" includes, without limitation:

(1) The history of maintenance and repair of the goods;
(2) The cost of routine maintenance and repair of the goods;
(3) Any warranties provided in connection with the goods;
(4) The cost of replacement parts for the goods; and
(5) The value of the goods as used goods when given in trade on a subsequent purchase.

(Added to NRS by 1975, 1537; A 1991, 375, 1673, 2191; 1999, 1683; 2001, 1315; 2003, 618; 2005, 2553; 2017, 1610, 1611; 2019, 769)

NRS 332.091 Maintenance of records of solicitations and responses. A governing body or its authorized representative shall maintain a record of each solicitation and response to a solicitation for at least 7 years after the date of execution of the contract.

(Added to NRS by 2019, 766)