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Reference Document: Sumner-Bonney Lake School District - Purchasing, Bidding, Contracting, and Environmental Policies

Date: April 25, 2025

Prepared For: Bond Oversight Committee

Subject: Review of Sumner-Bonney Lake School District Policies on Purchasing, Bidding, Contracts, and Environmental Compliance

Introduction:

This document summarizes the key themes, important ideas, and facts from policies and procedures of the Sumner-Bonney Lake School District (SBLSD). The policies and procedures cover purchasing and bidding requirements, contract management, architect and engineering services, project acceptance, facility naming, and environmental policy compliance. All policies and procedures may be found on the district website at <https://www.sumnersd.org/about-us/governance/school-board/policies-procedures>.

1. Purchasing and Bidding Requirements (Policies 6220P & 6220):

These policies outline the procedures for purchasing goods, services, and public works, differentiating between informal and formal competitive bidding processes based on cost thresholds. They also address the small works roster process and considerations for federal funding.

Informal Competitive Bidding: Required for goods and services between specific cost ranges (e.g., \$40,000-\$75,000 as per 6220). Requires obtaining quotations from no less than three different sources, with documentation of attempts if three are not available. "Quotations shall be documented and be available for the public to review following the awarding of the contract." (6220P)

Formal Competitive Bidding: Required for purchases and public works exceeding higher thresholds (e.g., over \$75,000 for goods, \$100,000 for public works as per 6220). Involves preparing clear specifications, public notice in a newspaper for two consecutive weeks, public opening of sealed bids, and board approval based on staff recommendations.

Small Works Process: For public works under \$350,000 (exclusive of sales tax), the district may use a small works roster. For contracts under \$150,000 with small businesses on the roster, direct contracting with rotation is preferred. "For any work being done through a small works roster, the district will secure written or electronic quotations to ensure that a competitive price is obtained. The district will award the contract to the lowest responsible and responsive bidder." (6220P)

Responsible Bidder Criteria: The district will award contracts to the "lowest responsible bidder" (6220P, referencing RCW 39.26.160(2)), considering factors such as ability, integrity, experience, performance history, and compliance with relevant laws. Specific registration and compliance requirements for public works projects are detailed.



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Rejection of Bids: The board reserves the right to "reject any or all bids or proposals, waive any formalities, and/or irregularities, and cancel the solicitation, if a reason exists." (6220P)

Federal Funds Procurement: Purchases made with federal funds have additional requirements, including prioritizing US-produced goods ("to the greatest extent practicable, ensure that goods, products, or materials are produced in the United States" - 6220P), ensuring open competition, and including specific contract provisions. Different quotation and bidding thresholds apply based on whether the district qualifies for self-certification as a low-risk auditee. Noncompetitive procurement is allowed only under specific circumstances.

Food Procurement: For child nutrition programs, there is a preference for domestically grown and substantially produced food, and a potential preference for locally grown unprocessed food, even if it means not awarding it to the lowest bidder.

Interlocal Cooperation: The district may enter into cooperative purchasing agreements with other governmental entities, provided their procurement processes meet specific criteria and the contract terms align with the district's needs.

2. Contract Management (Policies 6221, 6221P):

These policies define the process for entering into and approving contracts, agreements, and memoranda of understanding (MOUs).

Alignment with District Goals: All contracts should "support the district's mission, vision, core values and beliefs" and positively impact student performance. (6221)

Signature Authorization: Specific personnel at different levels (School Principal, Director, Superintendent, Chief Finance Officer) have varying signature authority based on contract value. Contracts exceeding one million dollars require signatures from both the Superintendent and CFO.

Board Approval: Non-construction contracts of \$75,000 or more (including sales tax) require School Board approval. Changes exceeding 15% or \$10,000 of the amended contract also require board approval.

Review Process: Every non-construction and small works project contract over \$40,000, agreement, and MOU must be sent to the Business Services Department for review prior to signing.

Contract Templates: The district has pre-approved contract templates available through the Business Services Department.

Emergency Contracts: Procedures exist for emergency contracts to address unforeseen circumstances posing immediate threats or potential for significant loss.

Crimes Against Children: All service contracts with non-employees must include a provision prohibiting employees with specific felony convictions who would have contact with children from working at a school, with non-compliance being grounds for immediate termination.

3. Architect, Engineering, and Other Construction-Related Services (Policy 6925):

This policy outlines the process for acquiring professional services for construction projects.

Notice of Need: The board will issue a notice in general circulation publications stating the scope and nature of required services. Efforts will be made to inform minority, women, and veteran-owned firms.

Statement of Qualifications: Interested firms will submit statements of qualifications and performance data for the board's evaluation.

Selection Criteria: The superintendent will establish selection criteria, which will be included in the notice.



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Superintendent Recommendation: The superintendent will recommend one or more firms to the board for consideration.

Emergency Waiver: In emergencies, the board may waive this selection process.

4. Acceptance of Completed Project (Policy 6959):

This policy details the conditions for final payment on a completed construction project.

Conditions for Final Payment: These include completion of building commissioning, the architect's letter of inspection, superintendent certification of no liens (or a list of liens), and written final acceptance by the board.

Tax Certification: Final payment will not be made until the district receives certification from state agencies (Department of Revenue, Employment Security, Labor and Industries) that all contractor taxes are paid.

Retainage: A percentage of the project cost (typically 5%) will be retained to ensure the project is free of liens. The district may accept a bond in lieu of retainage.

5. Naming Schools and Facilities (Policies 6970, 6970P):

These policies establish the criteria and procedures for naming district schools and facilities.

Community Focus: The district will generally seek to name facilities after the broader community, surrounding neighborhood, geographical traits, or historical attributes.

Commemorative Naming: In special circumstances, a facility may be named after a person with national or local prominence in specific fields.

Sponsorship/Naming Rights: Facilities or portions thereof may be named after corporate, family, or organizational sponsorships, subject to board approval and an acceptable image. "When deemed appropriate, for an amount and length of time approved by the school board, a facility or smaller portion thereof, may be named after a corporate, family or organizational sponsorship, provided the entity represents an image acceptable for the educational setting." (6970)

Naming Committee: The superintendent will select a committee to propose a list of names for new schools, soliciting input from students and the community.

Consideration of Naming Rights: A memo (Addendum A to 6970P) outlines the pros and cons of selling naming rights for district facilities, including potential revenue generation and IRS implications related to private activity bonds. Current policy does not allow for purchased naming rights, requiring policy changes to define criteria, processes, and oversight.

6. State Environmental Policy Act (SEPA) Compliance (Policies 6890, 6890P):

These policies outline the district's commitment to complying with the State Environmental Policy Act.

Adoption of SEPA Rules: The district adopts by reference the policies, procedures, and definitions of SEPA (RCW Chapter 43.21C) and the SEPA Rules (WAC Chapter 197-11).

Early Integration: Department heads are instructed to integrate the SEPA process early in planning decisions.

Responsible Official: The Superintendent or their designee is designated as the Responsible Official for SEPA compliance.

Lead Agency: The district will determine the Lead Agency for proposals and is typically the Lead Agency for its own projects.



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Categorical Exemptions: Certain activities are categorically exempt from SEPA requirements. The applicability of exemptions is determined by the Responsible Official, adopting the flexible thresholds of the local city or county.

Environmental Checklist: For non-exempt actions, proponents must prepare an environmental checklist.

EIS Preparation: If required, an Environmental Impact Statement (EIS) will be prepared by the applicant, the Lead Agency, or a consultant, and must be approved by the Responsible Official.

Public Notice: Public notice will be provided as required by SEPA Rules.

Critical Areas: The district will respect critical areas as defined by local governments under the Growth Management Act.