AR-3311 (a)

BIDS AND PROPOSALS

A. Bid Procedures

1. Full and open competition shall be encouraged whenever practicable among all School District contractors and vendors by competitive bidding.

2. Subject to the exceptions set forth below, contracts for repairs, contractual services, and purchases of supplies and equipment will be based on quality and competitive bids and an award made to the lowest qualified responsive bidder in accordance with the terms of this policy. Contracts estimated to be for amounts of more than $15,000 should be awarded pursuant to the formal bidding procedures or request for proposal procedures described below. Contracts estimated to be for amounts of more than $5,000 but not more than $15,000 shall be awarded pursuant to the informal bidding procedures described below.

   "Qualified" shall be interpreted as requiring the successful bidder to possess financial ability to complete the contract; integrity, trustworthiness, skill, judgment and ability to perform faithful and conscientious work; experience and necessary facilities essential for doing the work, together with other factors. The qualification of a bidder may be reflected by, but is not limited to the following criteria:

   a. Whether the bidder is:
      (i) a manufacturer or regular dealer of a specified product; or
      (ii) a bona fide manufacturer's agent or regularly employed on a salary or commission basis by one or more manufacturers of supplies or services being procured.

   b. Whether the bidder is considered responsible and qualified because of:
      (i) demonstrated judgment and integrity;
      (ii) reputation; or
      (iii) prior work or activity of a similar nature;
      (iii) prior work for the district

   c. The Superintendent, in his/her discretion, may require performance bond of any contractor.

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3. In the discretion of the Superintendent, the following items need not be purchased by competitive bidding:

    a. Contractual services where no reasonable competition exists.

    b. Goods or services for which fixed rates have been set by law.

    c. Professional services.

    d. Goods or services for which the contract or purchase price does not exceed five thousand dollars ($5,000) provided that such amount is not the result of a divided or split bid.

    e. Specialized instructional supplies and equipment where no competition exists.

    f. Items needed to replace or repair existing items or parts.

    g. Weekly and monthly perishable food service requirements.

    h. Goods or services available from vendors on State of Alaska or local municipal contracts, or from cooperative purchasing associations.

    i. Goods or services purchased for and to be reimbursed by student/parent/teacher organizations.

    j. Electronic data processing software.

    k. Emergency purchases where the failure to make a purchase quickly will result in damage to or loss of District property or disruption delay, or cancellation of educational programs.

    l. Selection and commission of artists and the purchase and execution of works of art for District facilities.

    m. Goods or services for which the District's requirements can be met solely by an article or process obtainable from a single source.

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n. Goods or services for which competitive bid procedures have been followed, but no bid has been received.

o. Insurance coverage.

4. Formal Bidding Procedures. Where contracts are estimated to be for amounts greater than $15,000, formal competitive bids are required. Sealed bids shall be solicited by publication in a periodical or through other means, such as posting on a website, judged by the Superintendent to generate the greatest local interest in the bidding. Publication shall be coupled with announcements of the solicitation when, in the Superintendent's judgment, such announcements are necessary to inform prospective bidders/proposers of a solicitation.

    a. Invitation to Bid
        (i). An invitation to bid shall designate the place where bid forms may be obtained, the time and place of bid openings, and a general description of the items or services bid. Exact specifications of items to be purchased need not be published, but such specifications shall be available with the bid form and a notice of the availability of such specifications shall be included in the published solicitation.
        (ii) Such publication shall be made twice between the time bid forms are available and the time the bids are opened with at least 14 calendar days between the second publication and bid opening to allow prospective bidders to prepare and submit bids.
        (iii) Bids may be solicited by sending notice by mail to known prospective bidders.
        (iv) From the initial publication, a minimum of 21 calendar days must transpire before the bids are opened.
        (v) Bids shall be awarded to the lowest qualified responsive bidder taking into consideration conformity with the specifications, past performance, and other conditions stated on the bid form. All bids may be rejected when it is in the interest of the District. The Superintendent shall determine the low bidder and advise the board.
        (vi) Bids shall be quoted on an F.O.B. District basis.

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(viii) Bids should include free samples when feasible, at no cost to the District.

(ix) Any exception to award of a bid by the Superintendent to other than the lowest bidder shall be reported in writing to the Board along with the reasons for the award.

b. Request for Proposals
The Superintendent or his/her designee may also employ a request for proposals procedure. A request for proposals shall be published in the same manner as an invitation to bid. A request for proposals need not include exact specifications for the services and/or goods to be provided by a responsive proposer, but shall include a general description of the goods or services for which a proposal is solicited. Responsiveness of proposals may be measured by quality, service and the over-all needs of the District, as well as price. The basis for judging responsiveness shall be specified in the request for proposals. The District may award a contract pursuant to this paragraph to any qualified, responsive bidder responding to the request for proposals.

5. Informal Bid Procedures. Contracts for an amount estimated to be greater than two thousand five hundred dollars ($2,500) but not greater than fifteen thousand dollars ($15,000) shall be made in the open market by written bid or telephone solicitation, without newspaper advertisement and without observing the procedure prescribed for formal sealed bids.

a. Such open market contracts or purchases, whenever possible and practicable, shall be based on at least three written or verbal bids from interested bidders and shall be awarded to the lowest qualified responsive bidder.

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b. The Superintendent or his/her designee shall maintain a list of interested bidders, which shall contain the names of suppliers who have notified the District of their interest in being solicited for informal bids on specified classes of supplies, equipment or services. Names of suppliers who have become inactive in submitting bids may be removed from the list.

c. Oral or written bids shall be solicited by telephone or in writing from bidders on the interested bidders list and from others known to be interested in submitting such bids. When oral bids are submitted a record shall be made of the bids received.

6. A bid in either the formal or informal bid process may be awarded to a local bidder if his bid is not more than 7.5% higher than the lowest non-local bidder.

a. A local bidder is one who:
   (i) holds a current Alaska business license and submits a bid under the name appearing on that license; and
   (ii) has maintained a place of business within the boundaries of the district [southeast Alaska] for a period of six months immediately preceding the date of the bid.

B. AWARD OF CONTRACTS

1. Purchases estimated to be under $2,500, may be made on the open market without competitive bidding or quotations.

2. The School Board shall award all contracts for purchases estimated to be in excess of $15,000. The Superintendent or his/her designee shall award all contracts for purchases estimated to be $15,000 or less. The Superintendent may reject all bids on contracts to be awarded by him/her if he/she determines that is in the best interests of the District. The School Board retains the power to reject all bids or contracts to be awarded by it if that is in the best interest of the District.

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3. The procedures established in this policy apply unless their application would violate local, state or federal laws.

Software Purchases: In order to conserve resources (human and financial), all requests for the purchase and/or implementation of new software (including cloud or web-based programs) must be made in writing to the superintendent at least 15 days prior to the purchase/implementation. Requests must include the following:

1. Purpose of software requested
2. Cost
3. Timeline for implementation
4. Staff hours required for implementation

Employees may not use the district name or use district procedures in the acquisition of merchandise or services for personal use.

An exception to this would be the approved purchase of technology equipment to be paid for upon receipt or deducted from the staff member's next paycheck. This exception is made to help encourage the use and enhance staff knowledge of technology.

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