

Bidding and Selection Procedures

In order to treat all qualified vendors fairly and equitably and to serve the best interests of the district, sufficient opportunity shall be given for competitive bidding before the district makes any purchases. The following instances shall be exceptions to the requirement for competitive bidding and may be subject to other appropriate selection procedures:

1. Purchases made cooperatively with other units of government provided formal bid procedures of the other government unit are followed when selecting vendors and establishing prices.
2. Services by individuals possessing a high degree of unique professional skill provided there is a contract signed by the superintendent for services costing more than \$15,000 and not greater than \$50,000. The Board must approve contracts greater than \$50,000. Routine professional services with more than one qualified provider shall be bid in accordance with this policy at least once every five years.
3. Equipment, supplies, services and construction items which can be obtained from only one source provided it is documented and such purchases totaling \$15,000 or more are approved by the superintendent; and service contract renewals, such as hardware and software maintenance agreements, the annual cost of which does not exceed \$50,000.
4. Purchases made from federal, state or other local government units.
5. Textbooks, where there is a district-wide adoption of the textbooks approved by the Board, and library books and subscriptions that are part of or supplement the educational program.
6. Emergency purchases using procedures determined by the purchasing department subject to approval by the superintendent. The "emergency" must be documented in writing and in detail by the supervisor of procurement and distribution, or his/her supervisor and reported to the superintendent as soon as practicable.

Bid awards usually shall be made to the lowest responsible, qualified supplier meeting the specifications contained in the bid or request for proposal. However, the Board reserves the right to reject any or all bids and to accept those bids which appear to be in the best interests of the district.

A contract or purchase order may be awarded for a product, supply service or construction item without competition when the superintendent or designee determines in writing that there is only one source or brand name for the required product, supply, service or construction item and that the sole source provides the best overall value to the district. Prior to the district so acting, the Board of Education shall be notified in writing of the district's intent to enter into any sole source contract or purchase order with an annual cost of more than \$15,000 and the specific reasons for so doing.

Fully executed contracts shall be required for purchased professional services costing \$15,000 or more. Professional service contracts larger than \$50,000, whenever practicable shall include performance standards that clearly describe the services to be delivered with measurable goals, objectives and outcomes and must be presented to the Board for approval.

Performance standards shall be established, where applicable, for purchases of books, supplies and equipment exceeding \$100,000. For example, for a district-wide textbook adoption, the selected vendor would be required to certify the accuracy of the textbook and compliance with Colorado State content standards. The vendor would be required to replace such textbooks at no cost to the district if the delivered product does not meet the standards established in the contract for purchase. Performance bonds required for all capital construction projects would be another example of contracts with performance standards. Each major purchase must be evaluated to identify critical factors unique to that purchase for inclusion as performance standards. For major purchases where performance standards are not applicable, a written explanation must be included with the Board materials where such purchase is presented for approval.

Purchases greater than \$25,000 must be bid using either formal or informal bid procedures. Formal sealed bids are required for purchases over \$50,000. Documented quotes may be used for purchases greater than \$25,000 but less than \$50,000.

When formal sealed bid procedures are used, bid forms shall be mailed to pre-qualified, approved vendors. Vendors shall be invited to have their names placed on mailing lists to receive invitations to bid. Vendors not returning a bid for opening may be dropped from the bid list.

All bids shall be submitted to the purchasing department in sealed envelopes, plainly marked with the bid number and the time of the bid opening. Bids shall be opened in public by an appropriate district official or employee at the time specified. Bidders shall be invited to attend the bid opening.

The bidder to whom an award is made may be required to enter into a written contract with the district. If a written contract is not required, there should be written documentation as to why not, and a detailed purchase order shall be the contract.

A purchase order shall be issued for all purchases including contracted services in order to encumber funds for accounting purposes. Blanket purchases orders without an "amount not to exceed" limit shall not be allowed. A blanket purchase order as a form of data entry on the accounting system to accommodate a series of partial payments over a period of time shall be allowed only when the purchase cannot be described in specific line item detail.

Prescribed limitations identified in this policy may not be avoided by issuing a series of small purchase orders that collectively total more than the amount that requires a formal bid or contract, Board approval or performance standards.

Adopted: March 12, 1985
Revised: September 14, 1999
Revised: June 27, 2000
Revised: December 9, 2003
Revised: September 2012
Revised: October 28, 2014

LEGAL REFS.: C.R.S. 22-32-109 (1)(b)
C.R.S. 22-32-122
C.R.S. 24-18-201

CROSS REFS.: BCB, Board Member Conflict of Interest
DJB, Purchasing Procedures

