

Bid Requirements

The following procedures shall be in effect for purchasing through the bidding process:

- A. Formal bids shall be opened at the time and place stated in the official advertisement for bids, and any interested member of the public may attend the bid opening. It shall be the bidder's sole responsibility to see that his/her bid is delivered to the district prior to the time set for opening of bids. Any bid received after the time set for opening the bids shall be returned to the bidder unopened and shall receive no consideration by the district.
- B. Formal bid tabulations shall be presented at the next meeting of the Board for study purposes.
- C. Formal bid awards shall be made by the Board on the basis of staff recommendations at the second meeting after the bid opening except that the Board can waive this requirement when time is of the essence.
- D. Brand names and manufacturers' catalog numbers used in specifications are for the purpose of identification and to establish a standard of quality. Bids on equal items shall be considered providing the bidder specifies brand and model and furnishes descriptive literature. The acceptance of alternative "equal" items shall be conditioned on the district's inspection and testing after receipt. If not found to be equal, the material shall be returned at the seller's expense and the contract cancelled.
- E. The district shall reserve the right to reject any or all bids, waive any formalities and make the award in its best interest.
- F. On construction projects, the bidder shall include a notarized statement agreeing to comply with prevailing wage and affirmative action requirements and shall provide a performance bond.
- G. The Superintendent may solicit bids by telephone and/or written quotation for furniture, equipment and supplies which have an estimated cost of less than \$50,000. At least three telephone or written bids shall be secured prior to the date established by the Superintendent. All telephone quotations must be confirmed in writing within seven days in order to constitute a valid quotation.
- H. For public works projects estimated to cost less than \$50,000, the Superintendent may solicit bids by telephone and/or written quotations from all contractors who have requested to be placed on the small works roster. The small works roster shall be revised at least once each year by publishing a notice of such opportunity in at least one newspaper of general circulation in the district.

Such notice shall indicate where interested licensed contractors may secure information and application forms related to the small works roster. The application form shall be designed to collect such information as (1) name of contractor, (2) State of Washington contractor's license number, (3) bonding verification, (4) liability coverage, (5) related contracts completed, and (6) references (bond and clients).

The following steps shall be employed to engage a contractor for a small works project:

1. Written specifications shall be prepared which describe the work to be completed and the materials to be used; completion date; contractor's assurances (prevailing wages, fair employment, etc.); bid and performance bond requirements; opportunity to visit the work site; closing date; and bid form.
2. Unless the Board declares by resolution the existence of an emergency, all qualified small works contractors shall receive written invitation to bid, including a brief description of the project and the process to follow in acquiring the project specifications. In addition, the district shall telephone at least three qualified small works contractors (drawn by lot) to advise them of the opportunity to bid.
3. After the closing time, bids shall be opened, recorded and made available for inspection or telephone inquiry.
4. The Superintendent shall award the contract to the lowest responsible bidder.

The following factors shall be considered in determining the lowest responsible bidder:

1. The ability, capacity and skill of bidder to perform the work required;
 2. The character, integrity, reputation, judgment, experience, and efficiency of the bidder;
 3. The ability of the low bidder to perform the work in the time specified;
 4. The quality of performance of previous contracts or services;
 5. The previous and existing compliance of the bidder with laws relating to public works; and
 6. Such other information related to the performance of the contract as the Superintendent deems advisable.
- I. An acceptable bid or offer and a district purchase order shall constitute the only contract necessary for the purchase of supplies, equipment, and minor repairs of construction projects, except that the successful bidder shall meet all conditions included in the specifications.
 - J. Formal written contracts shall be prepared for all major construction and repair projects. Such contracts shall be signed by the Board President/Chair and Secretary on behalf of the district after the contracts have been awarded by a majority vote of the board with action recorded in the minutes of the Board meeting. All contracts shall provide that, in the event of a suit by the district to enforce the terms of the contract, venue for the suit shall be laid in the county in which the district is located and that, if the district is successful in the suit, the court may order reimbursement of the district's attorney's fees and court costs in such amount as the court deems reasonable. The contract shall contain a proviso requiring the contractor to prohibit any of its employees who has ever been convicted of or pled guilty to

any of the child related felonies from working where he/she has contact with public school children. The contract shall also provide that failure to comply with this requirement is grounds for immediate termination of the contract.