Bid Requirements

Procurement policy (and procedure) is included in Policy #6220 – Bid Requirements. The following procedure will be in effect for public works projects through the bidding process.

A. Public Works Projects > $300,000
   1. The Formal Bid Process will be followed for public works projects estimated to cost in excess of $300,000, including sales tax.
      a. Formal bids will 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 will 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 will be returned to the bidder unopened and will receive no consideration by the district;
      b. Formal bid tabulations will be presented at the next regular meeting of the board.
      d. Formal bid awards will be made by the board on the basis of staff recommendations
      e. 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 will be considered providing the bidder specifies brand and model and furnishes descriptive literature. The acceptance of alternative "equal" items will be conditioned on the district's inspection and testing after receipt. If not found to be equal, the material will be returned at the seller's expense and the contract canceled. The district shall be the sole judge as to acceptability of alternate items;
      f. The following factors will 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.

The district will reserve the right to reject any or all bids, waive any formalities and cancel the solicitation, if a compelling reason exists;
2. Such contracts will be signed by the superintendent or designee 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.

3. All contracts will provide that, in the event of a suit by the district to enforce the terms of the contract, venue for the suit will be 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.

4. The contract will contain a proviso requiring the contractor to prohibit any of its employees who has ever been convicted of or pled guilty to any child related felonies from working where he/she has contact with public school children. The contract will also provide that failure to comply with this requirement is grounds for immediate termination of the contract.

B. Public Works Projects < $300,000 – Small Works Roster Process (RCW 39.04.155)

1. For public works projects estimated to cost less than $300,000, the superintendent, or designee may solicit bids by telephone, electronic means and/or written quotations from contractors who have requested to be placed on the small works roster.

2. The district will not break a project into units or phases in order to come within the scope of the small works roster.

3. The small works roster will 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. Also, responsible contractors will be added to the small works roster any time they submit a written request and necessary records. The application form should 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). Contractors desiring to be placed on or remain on the small works roster are required to keep current records of applicable licenses, certifications, registrations, bonding and insurance on file with the district.

4. The following steps will be employed to engage a contractor for a small works project:

   a. Written specifications will 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 may be provided. Detailed plans and specifications need not be included in the invitation;

   b. All qualified small works contractors may receive written invitation to bid. In the alternative, quotations may be invited from at least five contractors on the roster qualified to do the work being contracted in a manner that will equitably distribute the opportunity among qualified contractors on the roster. If the estimated cost of the work is between $150,000 and $300,000 and five or more contractors are invited to offer quotations, all other contractors on the roster will be notified of the quotations being sought by mail, facsimile or other electronic means;

   c. After the closing time, bids will be opened, recorded and made available for inspection or telephone inquiry;

   d. All contracts $25,000 or greater will be approved by the board at a board meeting;
5. The following steps will be employed to engage a contractor for a limited public works projects estimated to cost less than $35,000:
   a. The superintendent or designee may solicit electronic or written quotations from a minimum of three contractors from the small works roster.
   b. The contract may be awarded to the lowest responsible bidder pursuant to the factors listed in A.5. above.
   c. After an award is made, the quotations received are open to public inspection and are available by electronic request.
   d. The superintendent or designee will attempt to distribute opportunities for limited public works projects equitably among contractors willing to perform in the district.
   e. The district will maintain a list of the contractors contacted and the contracts awarded during the previous twenty-four months under the limited public works process, including the name of the contractor, the contractor’s registration number, a brief description of the work and the date the contract was awarded.
   f. A project may not be divided into parts in order to qualify for the limited public works process.

6. The district will post a list of contracts awarded pursuant to the small works roster once every two months, including the name of the contractor or vendor, amount of the contract a brief description of the work done or items purchased and the date awarded. The notification must also include the location where quotations for the contracts listed are available for public inspection.

C. **Public Works Projects < $100,000 – Alternative Process (RCW 28A.335.190)**
   a. The following steps will be employed to engage a contractor for a public works project estimated to cost less than $100,000, including sales tax:
      a. The district will solicit bids from three contractors.
      b. Invitations will include the scope, nature of work to be performed and materials and equipment to be furnished.
      c. When bid requirements are waived such as allowed in this process, a document explaining the factual basis for the exception and the contract will be recorded and open for public inspection.

D. Contracts less than $25,000 may be approved by the superintendent or designee without the approval of the board. The superintendent or designee will award the contract to the lowest responsible bidder.

E. For minor repairs or minor construction projects, an acceptable bid or offer and a district purchase order will constitute the only contract necessary, except that the successful bidder will meet all conditions included in the specifications.