

**WHITE RIVER SCHOOL DISTRICT #416
BOARD POLICY**

No. 6220

6000 MANAGEMENT SUPPORT

Purchasing

6220 - Bid Requirements

The board of directors of the White River School District recognizes the importance of maximizing the use of district resources, the need for sound business practices in spending public money, the requirement of complying with state and federal laws governing purchasing regulations, and the need for clear documentation in meeting auditing requirements.

Use of State & Local Funds for Purchases

Whenever the estimated cost of furniture, supplies, or equipment (except books) will cost:

- Less than \$40,000, no competitive bidding process is required to make the purchase;
- Between \$40,000 and \$75,000, the board will follow the informal competitive bidding process by requiring quotes from at least three different sources to be obtained in writing or by telephone and recorded for the public to review.
- Greater than \$75,000, the board will follow the formal competitive bidding process by: 1) preparing clear and definite plans and specifications for such work or purchases; 2) providing notice of the call for formal bids by publication in at least one newspaper of general circulation in the district at least once each week for two consecutive weeks; 3) ensuring the district takes steps to assure when possible, the district will use small and minority businesses, women's business enterprises, and labor surplus firms; 4) providing the clear and definite plans and specifications to vendors interested in submitting a bid; 5) require that bids be in writing; 6) open and read bids in public on the date and in the place named in the notice; and 7) file all bids for public inspection after opening.

The board may waive bid requirements for purchases:

- clearly and legitimately limited to a single source of supply;
- involving special facilities or market conditions;
- in the event of an emergency;
- of insurance or bonds; and
- involving public works in the event of an emergency

“Emergency” means unforeseen circumstances beyond the district’s control that present a real, immediate threat to the proper performance of essential functions or will likely result in material loss or damage to property, bodily injury or loss of life if immediate action is not taken. Whenever bid requirements are waived, a document explaining the factual basis for the exception and the contract will be recorded and open for public inspection.

If an emergency exists, the person or persons designated by the governing body of the district to act in the event of an emergency may declare an emergency situation exists, waive competitive bidding requirements, and award all necessary contracts on behalf of the district to address the emergency situation.

The board may by resolution reject any and all bids and make further calls for bids in the same manner as the original call. The board reserves the right to purchase through an inter-local cooperative agreement with another governmental agency provided such agency has complied with the bidding requirements that are applicable to school districts.

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

Use of State & Local Funds for Improvements or Repairs

The board may make improvements or repairs to district property through a district department without following the competitive bidding process if the total cost of improvements or repairs does not exceed \$75,000. If the board estimates that the total cost is \$75,000 or more, the board will follow the formal competitive bidding process outlined above unless the contract is let using the small works roster process authorized by RCW 39.04.155 or under any other procedure authorized for school districts.

Use of Federal Funds

The following table outlines procurement requirements when using federal funds:

| Procurement Method | Goods (includes books) | Services |
|--|--|----------------------|
| Micro-Purchase - No required quotes; however, must consider price as reasonable, and, to the extent practical, distribute equitably among suppliers. | \$10,000 or less | \$10,000 or less |
| Small Purchase Procedures (Informal) – Obtain/document quotes from a reasonable number of qualified sources (at least three). | \$10,000 - \$75,000 | \$10,000 - \$250,000 |
| Sealed Bids / Competitive Bids (Formal) | \$75,000 or more | \$250,000 or more |
| Non-competitive proposals | Appropriate only when: <ul style="list-style-type: none"> - Available only from a single source (sole source) - Public emergency - Expressly authorized by awarding or pass-through agency in response to written request from district - After soliciting a number of sources, competition is deemed inadequate | |

For any procurement transaction over \$25,000.00 the vendor or contractor must not be suspended or debarred from participating in federal assistance programs; and for any subcontract award in any amount, the grantee must not be suspended or debarred.

The superintendent shall establish bidding and contract awarding procedures for all purchases of furniture, equipment, supplies (except books) or public works projects consistent with state and federal law.

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| Legal References: | RCW 28A.335.190 | Advertising for bids — Competitive bid procedure — Purchases from inmate work programs – Telephone or written quotation solicitation, limitations - Emergencies |
| | RCW 28A.400.330 | Crimes Against Children — Contractor Employees — Termination of Contract |
| | RCW 39.04.155 | Small Works roster contract procedures — Limited public works process – Definition |
| | RCW 39.04.280 | Competitive Bidding Requirements — Exemptions |
| | RCW 39.30.060 | Bids on public works — Identification, substitution of contractors |
| | RCW 43.19.1911 | Competitive Bids — Notice Of Modification Or Cancellation — Cancellation Requirements — Lowest Responsible Bidder — Preferential Purchase — Life Cycle Costing |
| | 34 CFR Section 80.36 | Procurement |
| | 34 CFR Section 85 | Debarment and Suspension |

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| Management Resources: | | |
| | <i>Policy & Legal News</i> , June 2013 | Bid limit increase offers districts more flexibility and greater savings |
| | <i>Policy News</i> , April 2012 | Bid requirements policy revised to address audit concerns |
| | <i>Policy News</i> , February 2011 | Bid requirements |
| | <i>Policy News</i> , October 2005 | Competitive Bid Process Changes |
| | <i>Policy News</i> , June 2001 | Legislation Further Simplifies Bid Compliance |

Original Adoption: June 22, 2005
Revised: 2006, 2011, 2012, 2014, 2015, 2017
Revised 2018. 2020
Supersedes Resolution 13-02