

Policy No. 610

Section FINANCES

Policy Guide



Title PURCHASES SUBJECT TO BID/QUOTATION

Adopted AUGUST 21, 1989

Revised NOVEMBER 20, 2014;
MARCH 19, 2011

POLICY NO. 610 PURCHASES SUBJECT TO BID/QUOTATION		
Section 1	<p><u>Purpose</u></p> <p>It is the policy of the Board to obtain competitive bids for products and services where such bids are required by law or where such bids may be believed to bring about a cost savings to the School District.</p>	SC 751, 807.1
Section 2	<p><u>Guidelines</u></p> <p>The amounts contained in this policy regarding competitive bid and price quotation requirements are subject to adjustments based on Pennsylvania law and are published annually by the Department of Labor and Industry.</p> <p>Act 57 of 1998 allows for the District to enter into cooperative purchasing programs such as COSTARS, PEPPM, and KPN. Items or services purchased using any of these programs are not subject to the bidding/quotation requirements as described in this policy.</p> <p><u>Competitive Bids</u></p> <p>When seeking competitive bids for an amount greater than or equal to the base amount for competitive bidding [\$19,100]¹ per law, the Board shall advertise once a week for three (3) weeks in not less than two (2) newspapers of general circulation and on the District website.</p>	<p>SC 120, 751, 807.1</p> <p>62 Pa. C.S.A. Sec. 1901, 1902 24 P.S. Sec. 951 <i>et seq.</i></p> <p>SC 751, 807.1</p>

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After due public notice advertising for competitive bids, the Board shall be authorized to:

1. Purchase furniture, equipment, school supplies and appliances costing greater than or equal to the base amount for competitive bidding [\$19,100]¹ per law unless exempt by law.

2. Contract for construction, reconstruction, repairs, maintenance or work on any school building or property having a total cost or value greater than or equal to the base amount for competitive bidding [\$19,100]¹ per law unless exempt by law.

SC 807.1

SC 751

The Board prohibits the practice of splitting purchases to avoid advertising and bidding requirements.

SC 751, 807.1

With kind, quality, and material being equal, the bid of the lowest responsible bidder meeting bid specifications shall be accepted upon resolution of the Board, unless the Board chooses to reject all bids.

SC 751, 807.1

Not having sufficient quotes from multiple bidders on a line item basis (i.e. a significant number of items would be “sole sourced”) may be a basis for rejection of all bids.

The Board recognizes that emergencies may occur when imminent danger exists to persons or property or the continuance of existing school classes is threatened, and time for bidding cannot be provided because of the need for immediate action. In such case, competitive bids are to be solicited from at least three (3) responsible bidders and approval granted by the Secretary of Education.

SC 751

Electronic Bidding

The Board may receive bids electronically in compliance with applicable laws and Board policy.

62 Pa. C.S.A. Sec. 4602, 4603

The District shall electronically maintain the confidentiality of the bid until the bid opening.

62 Pa. C.S.A. Sec. 4603

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Competitive Electronic Auction Bidding

The Board shall adopt a resolution approving the use of competitive electronic auction bidding for contracts for supplies or services.

62 Pa. C.S.A. Sec.
4602, 4604

An invitation for bids shall be issued and shall include:

62 Pa. C.S.A. Sec.
4604

1. Procurement description.
2. All contractual terms, when practical.
3. Conditions applicable to procurement including notice that bids will be received in an electronic auction manner.

Public notice and advertisement of the invitation for bids shall be given in the manner required for non-electronic bidding.

Bids shall be accepted electronically at the time and in the manner designated in the invitation for bids.

During the auction, bidders shall be able to review their bid rank or the low bid price, and may reduce their prices during the auction.

At the conclusion of the auction, the record of the bid prices received and the name of each bidder shall be open to public inspection.

After the auction period has expired, the District shall grant in writing withdrawal of a bid when the bidder requests relief and presents credible evidence of a clerical mistake due to reasons permitted by law, within the time period established by the District.

The contract shall be awarded within sixty (60) days of the auction by written notice to the lowest responsible bidder, or all bids may be rejected. Extensions of the award date may be written, upon mutual consent of both parties.

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Price Quotations

Unless exempt by law, at least three (3) written or telephonic price quotations shall be requested by the Board for:

SC 751, 807.1

1. Furniture, equipment, school supplies and appliances costing a greater than or equal to the base amount for quotation [\$10,300]¹, but less than the base amount established annually per law for competitive bidding [\$19,100]¹.
2. All contracts for construction, reconstruction, repairs, maintenance or work on any school building or property, having a total cost or value greater than or equal to the base amount for quotation [\$10,300]¹, but less than the base amount established annually per law for competitive bidding [\$19,100]¹.

SC 807.1

SC 751

If it is not possible to obtain three (3) quotations, a memo must be kept on file showing that fewer than three (3) qualified vendors exist in the market area.

SC 751, 807.1

For supplies, contracts, and professional services (excluding student services) costing greater than or equal to \$5,000, and not subject to the bidding and quotation requirements of Pennsylvania, the Board requires that the District advertise the request for goods or services on the District website for no less than 14 days. At least three (3) price quotations must be solicited from responsible vendors. If it is not possible to obtain three (3) quotations, a memo must be kept on file showing that fewer than three (3) qualified vendors exist in the market area.

The written price quotations, records or telephone price quotations and memoranda shall be kept on file for a period of three (3) years.

Work Performed By District Maintenance Personnel

The Board may authorize district employees to perform construction, reconstruction, repairs or work where the entire cost or value, including labor and materials is less than the base amount required for quotation [\$10,300]¹ per law.

SC 751

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Section 3

Delegation of Responsibility

Bid specifications shall be prepared by the appropriate district administrator and reviewed by the Director of Fiscal Services and the responsible committee of the Board and as necessary, the Solicitor and Superintendent prior to the advertising for bids.

Bid specifications shall provide for alternative wherever possible. "No substitution" items in bid specifications must be justified and preapproved in writing prior to the advertisement of the bid.

Like items of supply and material shall be combined whenever it is feasible, and permissible under statute, and purchases shall not be split to avoid these requirements for bidding.

Bids shall be opened publicly by the Director of Fiscal Services, the Superintendent, or his/her designee before one (1) or more witnesses at a previously designated time and place. Contracts shall be awarded to the lowest responsible bidder upon resolution of the Board, unless the Board chooses to reject all bids.

The Administration shall develop procedures for presenting detailed bid tabs/quotes to the Board and to the public within the bounds of the law and will develop/maintain consistent templates for all RFP documents used by the District.

A Bid Bond or an acceptable substitute is required. A Performance Bond or a certified check is required for any services or work performed.

Nonperformance of a contract shall include, but not be limited to, the following actions: verbal discussion, letter requesting performance and legal action against the Performance Bond.

Whenever a contractor shall submit a bid for the performance of work and contractor later claims a mistake, error or omission in preparing said bid, the contractor shall, before the bids are open, make known the fact and in such case the bid shall be returned unopened.

SC 751, 807.1

73 P.S. Sec. 1602

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[]¹ Indicates the values for 2014

References:

School Code – 24 P.S. Sec. 751, 807.1, 951 *et seq.*

Common Wealth Procurement Code Act 57 of 1998 – 62 Pa.
C.S.A Sec. 1901,1902

Local Government Unit Electronic Bidding Act – 62 Pa. C.S.A.
Sec. 4602, 4603, 4604

Act 4 of 1974 Withdrawal of Bids – 73 P.S. Sec. 1602

Notes:

The Department of Labor and Industry will publish notice, in the Pennsylvania Bulletin prior to January 1 of each calendar year, of the annual percentage change and the unadjusted or final adjusted base amounts at which competitive bidding is required and written or telephonic price quotations are required, respectively, for the calendar year beginning the first day of January after publication of the notice. This policy will be adjusted annually based on the notice published in the Pennsylvania Bulletin.