

Business
Purchasing/Paying Procedures

Bidding Procedures

I. COMPETITIVE BIDDING PROCESS

A. Purchasing Requirement Competitive Bidding Process

Purchases of goods or general services, including technology equipment, expected to involve an expenditure of \$10,000 or more must be made by sealed competitive bid. General services include all that result in a measurable end product that can be defined by bid specifications and all services used in the process of building or altering property, excluding architectural, engineering and other design services. The competitive bidding process may be waived under certain circumstances (See Section IV.)

B. Bid Specifications

When competitive bidding is required, all requirements, terms and conditions describing and detailing the goods or general services to be purchased must be included in the bid specifications. The bid specifications define the requirements for quality of materials, equipment and/or services to be procured, and as such, they should clearly and accurately reflect the required characteristics of the goods and services. The bid specifications should also include any vendor or contractor qualification requirements and, if the purchase will require entering into a contract, a draft contract whenever possible.

Bid specifications must be written in a manner which will allow open competition while ensuring that the Board of Education (the "Board") is able to obtain the quality of product or service desired. Therefore, all information should be stated as precisely as possible to avoid misinterpretation by prospective bidders and to ensure that bids can be compared and evaluated on an equitable basis.

The requesting administrator will develop the proposed bid specifications and send the specifications and any other bid documents, to the Director of Business and Finance.

When the Board utilizes municipal or state bids there is no need to develop bid specifications. However, the vendor must provide the District with documentation demonstrating that the vendor is an authorized city or state vendor.

C. Advertising

A legal notice inviting sealed bids must be published at least once in a local daily newspaper. At least five (5) calendar days must intervene between the date of the last newspaper publication and the final date for submitting bids. The notice shall contain a general description of the goods or services being bid, and the day, hour and place of the bid opening.

The District shall, in addition to placing the published notice, solicit bids from all qualified potential vendors. Suppliers shall be invited to have their names placed on a mailing list to receive invitations to bid. When specifications are prepared, they will be mailed to all approved, responsible and qualified merchants and firms who have indicated an interest in bidding.

BusinessPurchasing/Paying Procedures (Cont'd)Purchasing (Cont'd)**I. COMPETITIVE BIDDING PROCESS****D. Bid Openings**

All bids, and bid security, if applicable, must be submitted to the Director of Business and Finance in sealed envelopes and show the title of the bid and the bidder's name on the face of the envelope. All envelopes will be date stamped by the Business Office as received.

All bids shall be opened in public and read aloud at the time stated in the legal notice. No bids shall be accepted or opened, that were not received by the Business Office prior to the advertised time of the bid opening.

Following the opening, the Business Office will tabulate the bids and notify the requesting administrator of the results. A record of all bids submitted, giving the names of the bidders, the amounts of the bids and indicating the successful bidder, shall be preserved by the Director of Business and Finance for not less than three (3) years in a file open to public inspection.

E. Bid Security

When the Director of Business and Finance judges that bid security is advisable, all bids must be accompanied by security in one of the following forms: certified check, cashier's check, personal money order, letter of credit or bid bond. The requirement for and amount of the security must be set forth in the bid advertisement. All security presented must show the Brookfield Board of Education as the payee.

F. Requirements Governing Bid Awards

The award shall be made to the bidder whose bid meets the requirements, terms and conditions contained in the bid specifications and is the lowest among those bidders possessing the skill, ability and integrity necessary for faithful performance of the work based on objective criteria considering past performance and financial responsibility (the "Lowest Responsible Qualified Bidder").

In determining the Lowest Responsible Qualified Bidder the following criteria will be considered, as applicable:

- (1) The ability and capacity of the bidder to perform the work based on an evaluation of the character, integrity, reputation and experience of the bidder. Consideration shall be given to previous work performed by the bidder for the Board or for other agencies, including the quality and degree of satisfaction with the work performed.
- (2) The financial resources of the bidder and the bidder's ability to enter into a written contract.
- (3) Compliance by the bidder with all applicable federal, state and local laws, including any licensing requirements.
- (4) Delivery or completion time.
- (5) Cost.
- (6) Involvement in litigation.

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I. COMPETITIVE BIDDING PROCESS

G. Rejection of Bids

The Board has the right to reject any and all bids in whole or in part. Any or all bids may be rejected if there is any reason to believe that collusion exists among the bidders. Individual bids may be rejected for irregularities of any kind, including, without limitation alteration of form additions not called for, conditional bids, incomplete bids and unexplained erasures. The Board retains the right to waive any formality or procedural irregularities in the bids received. Nothing in this Section should be construed to limit in any way the right of the Board to reject any and all bids.

H. Recommendations for Bid Awards

Upon receipt of the bid tabulation from the Business Office, the requesting administrator shall review the results and submit a recommendation for the award of the bid to the Lowest Responsible Qualified Bidder to the Director of Business and Finance. Unless there is notation otherwise the signature of the person making the award recommendation certifies that the Lowest Responsible Qualified Bidder is also the low bidder. The signature also certifies that to the requesting administrator's knowledge there has been no previous adverse experience with any bidder(s) receiving the award.

A bid award recommendation shall not be processed by the Director of Business and Finance unless a requisition for the amount of the award is attached. The full amount required for the award must be in the account designated on the requisition. When portions of a bid will be awarded to more than one bidder, a separate requisition must be submitted for each bidder for the appropriate portion of the award. The bid award recommendation and the requisition(s) are to be sent directly to the Director of Business and Finance. The Director of Business and Finance shall award the bid and present notification of the award to the Business and Finance Committee of the Board after he/she has reviewed the bid award recommendation form.

The situation may arise when, although the normal bidding procedure is followed, only one bidder submits a bid. When this occurs, the Director of Business and Finance shall contact other potential vendors in an attempt to ascertain why they did not submit a bid. The Board Business and Finance Committee must approve the award of any bid when there is only one bidder. To assist in the review of the bidding process, information regarding the advertisement of the bid, any pre-bid meetings and the bid specifications should be assembled for the Committee. The bid may be awarded upon the approval of the Committee.

I. Advisement of Bid Award

If, upon review, the bid award recommendation is approved by the Director of Business and Finance, a letter shall be sent to the successful bidder(s) announcing a conditional award of the bid. If five (5) business days pass and no appeal is received from an unsuccessful bidder, a purchase order or a contract for execution shall be sent to the successful bidder(s).

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I. COMPETITIVE BIDDING PROCESS

J. Appeal of Bid Award

Any unsuccessful bidder may appeal the award by filing a written appeal with the Superintendent of Schools within five (5) business days after the conditional advisement of bid award has been mailed. The Business and Finance Committee, augmented by the Superintendent and Director of Business and Finance shall review the award of the bid, with or without a hearing, and take such action as it deems advisable. The Committee shall order the rejection of any and all bids and the re-advertising of the goods or services to be purchased in the event that the award of the bid is set aside. The decision of the Committee is final and binding.

II. COMPETITIVE QUOTATION PROCESS

A. Purchases Requiring Competitive Quotation Process

Price quotations should be requested for all purchases of goods or general services, including technology equipment, expected to involve an expenditure of between \$5,000 and \$10,000. Purchases of goods or services which involve an expenditure of less than \$5,000 may be made directly, without regard to any competitive bid or quotation process. Waivers from the quotation process are available for the same reasons that Waivers are available from the bidding process. (See Section IV).

B. Process for Obtaining Quotations

Generally, quotations, either oral or written, should be solicited by the Director of Business and Finance from at least three (3) vendors or obtained from current catalogues or price sheets. The refusal of an otherwise valid supplier to quote shall qualify as a quotation. The quotation process does not require a public opening, and the Director of Business and Finance may send requests to a limited number of selected vendors. However, vendors must furnish all of the necessary information to the buyer by the specified date.

The following quotation procedure should be followed:

- (1) The requesting administrator should forward a description of the item(s) required along with a list of suggested vendors (if possible) to the Director of Business and Finance.
- (2) Purchasing shall review the bidder list for additional appropriate vendors, prepare a request for quotation letter and forward the form to the vendors.
- (3) Following the reply due date, purchasing shall send copies of all quotations received and a summary of the quotations to the requesting administrator for review and award recommendation.
- (4) The requesting administrator shall review the quotes and make a written award to the Director of Business and Finance.
- (5) After reviewing the memorandum, the Director of Business and Finance shall make the award and process the purchase order.

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III. COMPETITIVE PROPOSAL PROCESS

A. Purchases Requiring Competitive Proposal Process

Purchases of Special or Professional Services that exceed twenty-five thousand dollars (\$25,000) shall be prepared by the administrator desiring the service with the assistance of the Business Office. All requirements, terms and conditions, including provider qualifications, should be included in the RFP, as well as a draft contract whenever possible. All RFP's must be approved by the Superintendent of Schools. If the RFP exceeds \$50,000, it must be referred to the Business and Finance Committee for approval prior to issuance.

Special or Professional Services involve the furnishing of judgment, expertise, design, advice or effort by persons other than Board employees, and do not involve the delivery of a specific end product that is defined by bid specifications. Examples of Professional Services include but are not limited to in-service instructional leaders, pupil services, special education evaluations, interpreters, tutors, computer programmers, architects, auditors, attorneys, and temporary agencies. Special Services include repair services for Board property, equipment and vehicles where the nature of the repair cannot be defined in advance by bid specifications and the professional expertise of the service provider is critical. Waivers from the proposal process are available for the same reasons that Waivers are available from the bidding process (see Section IV). Funds must be available in the proper account in order to begin development of a Request for Proposal ("RFP").

B. Formal Competitive Proposal Process

The Director of Business and Finance shall arrange to have a legal notice requesting proposals published in a local newspaper at least ten (10) business days prior to the deadline for submitting proposals. Whenever the service requested is so specialized that few appropriate providers can reasonably be expected to respond to this notice, the notice will also be published in other newspapers or periodicals appropriate to the nature of the service requested. The advertisement shall include the general description of the services sought and the location where RFP's may be obtained. Notice should also be forwarded by the Business Office to all persons or firms that are potential providers of the service desired at least ten (10) business days prior to the deadline for submitting proposals.

When possible, proposals should be solicited from at least three (3) potential service providers. A refusal by a valid provider shall qualify as a proposal. The process shall be documented in writing by the Director of Business and Finance. If a single reasonable source exists for the service, solicitation from that source alone should not be a violation of the policy.

No proposals will be opened or reviewed until the deadline for submitting proposals has passed. An evaluation of the proposals will be made by the requesting administrator along with the Director of Business and Finance. The contract shall be awarded to the service provider whose proposal is deemed to best provide the services desired, taking into account the cost, and the requirements, terms and conditions contained in the RFP.

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III. COMPETITIVE PROPOSAL PROCESS (Cont'd)

A record of all proposals submitted, giving the names of the service providers, the amount of the proposal and indicating the successful provider, shall be preserved by the Director of Business and Finance for not less than three (3) years in a file that is open to public inspection.

The person or firm submitting an unsuccessful proposal may appeal by filing a written appeal with the Superintendent of Schools within five (5) business days after notice of an award has been mailed. The appeal procedure shall be the same as the appeal of a bid award.

IV. Waivers

In certain situations the bidding, quotation and proposal processes described above may be waived by the Superintendent of Schools even though the estimated cost exceeds the dollar threshold established by the Board, for any of the following reasons:

- (1) Only one (1) reasonable or qualified source can be identified. This shall include situations such as the purchase of copyrighted materials.
- (2) Time is a critical factor, and taking the time necessary to comply with the formal process would not be in the best interest of the Board.
- (3) An emergency requires the purchase of goods or services to avoid injury or damage to human life or property.
- (4) A special source, including but not limited to a sale, purchasing plan, government discount or trade-in allowance, will supply a lower cost than that which would result from a bid process.
- (5) A formal process would result in substantially higher costs to the Board, or inefficient use of personnel, or cause disruption of Board operations.
- (6) Prices of goods or services are subject to federal or state regulation.
- (7) Goods available through existing municipal or state bid.

The waiver will be reviewed by the Business and Finance Subcommittee at its meeting.

V. AUDITS

The Director of Business and Finance may periodically engage an independent audit firm to review the purchasing procedures outlined herein.

BROOKFIELD PUBLIC SCHOOLS
 BROOKFIELD, CONNECTICUT

Legal References: C.G.S.
 10-248 Payment of School Expenses
 10-221

Policy Adopted: 8/14/02