

BIDS

Advertised Bids

The district shall seek competitive bids through advertisement for contracts involving an expenditure of \$15,000 or more for a public project. In addition, competitive bids shall be sought through advertisements for contracts exceeding \$50,000 for the following: (Public Contract Code 20111)

1. The purchase, rent or lease of equipment, material or supplies
2. Services excluding construction services, professional services or advice, and insurance services
3. Repairs, including maintenance that is not a public project

Unless otherwise authorized by law, contracts shall be let to the lowest responsible bidder who shall give such security as the Governing Board requires, or else all bids shall be rejected. (Public Contract Code 20111, 20112)

Instructions and Procedures for Advertised Bids

The Superintendent or designee shall call for bids by advertising in a local newspaper at least once a week for two weeks. (Public Contract Code 20112)

Bid instructions and specifications shall include the following requirements and information:

1. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111)
 - a. Cash
 - b. A cashier's check made payable to the district
 - c. A certified check made payable to the district
 - d. A bidder's bond executed by an admitted surety insurer and made payable to the district

The security of unsuccessful bidders shall be returned in a reasonable period of time, in no event any later than 60 days after the bid is awarded. (Public Contract Code 20111)

BIDS (continued)

2. Under no condition shall bids be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
3. When two or more identical bids are received, the Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)
4. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.
5. After being opened, all advertised bids shall be made available for review by all interested parties. (Government Code 6252)

(cf. 1340 - Access to District Records)

Bids Not Required

Upon a case-by-case determination that it is in the best interests of the district and to the extent permitted by law, the Board may authorize the purchase, lease or contract for equipment and supplies through a public corporation or agency without advertised bids. (Public Contract Code 20118)

(cf. 3310 - Purchasing Procedures)

Supplementary textbooks, library books, periodicals, educational films, audiovisual materials, test materials, workbooks and instructional computer software packages may be purchased without taking estimates or advertising for bids. (Public Contract Code 20118.3)

Perishable commodities such as foodstuffs may be purchased through bid or on the open market, depending on district preference. (Education Code 39873)

In an emergency when repairs, alterations, work or improvement is necessary for the continuance of existing school classes or to avoid danger to life or property, the Board, by unanimous vote and with the approval of the County Superintendent of Schools, may contract for labor and materials or supplies without advertising for or inviting bids. (Public Contract Code 20113)

Bids shall also not be required for day labor under circumstances specified in law.

BIDS (continued)

Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

Prequalification

For any contract for which bids are legally required, the Board may require that each prospective bidder complete and submit a standardized questionnaire and financial statement. For this purpose, the Superintendent or designee shall supply a form which requires a complete statement of the bidder's financial ability and experience in performing public works. Prospective bidders shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids. The information shall be verified as prescribed by law, and bidders must be deemed prequalified by the district at least one day before the fixed bid-opening date. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Public Contract Code 20111.5)

The Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. The Superintendent or designee shall furnish each qualified bidder with a standardized proposal form. Bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)