

Procurement Procedures

All contractual services and purchases of supplies, materials, and equipment of \$25,000 or more will be put to bid. This does not apply, however, to professional services, instructional services, or materials, or private instructional placements required by law. Other purchases may be made in the open market but will, when possible, be based on competitive quotations or prices.

Competitive selection

All contracts and all open market orders will be awarded to the lowest responsible and responsive supplier, taking into consideration the quality of materials (services) meeting specifications desired and their contribution to program goals.

The district reserves the right to reject any or all bids and to accept that bid which appears to be in the best interest of the district.

The following may be used for competitive procurement:

1. An invitation to bid (ITB) from two or more firms. If the procurement department determines that it is advantageous to the district to request written sealed bids for services, supplies, materials or equipment less than \$25,000, it may do so at any time.
2. Where it is not possible to develop detailed specifications, a request for proposal (RFP) process will be used. The procurement department is responsible for coordinating the development of a set of objective criteria to be used as a basis for evaluation of these proposals. Requests for proposals must be submitted from vendors in the same manner as an invitation to bid.
3. Specifications must be written in such a manner as to stimulate competition among all levels of sales, manufacturing and service organizations (i.e., vendors who handle the same lines, vendors who handle competitive lines and manufacturers of competitive lines). The administrative unit requesting the purchase when feasible will be responsible for writing and verifying all specifications. Assistance from the procurement department will be available.
4. If there is a need to maintain uniformity or to satisfy certain technical requirements, it may be appropriate to seek a product or service from a sole source or to stipulate one brand or manufacturer. Written documentation for this need will be required. The procurement department will have the authority to request reconsideration of specifications or quantity of material if, in its opinion, the district's interests may be better served.

The following requirements must be met for all competitive procurements:

1. The district must issue notice of competitive procurements. If only one response is received, the procurement department will investigate and document the reasons.
2. All competitive procurements must be facilitated through the procurement department.
3. Sufficient time for submission of responses must be allowed.

4. Responses must be opened publicly at the time specified in the solicitation documents.
5. Recommendations for award must be made in the best interest of the district.

Pre-qualification

With regard to materials or services for which bids are required, the superintendent or designee will develop a procedure to pre-qualify bidders. Suppliers will be invited to receive information about pre-qualifying. When specifications are prepared, they will be provided to all merchants and firms who have pre-qualified. Only pre-qualified bidders may submit bids.

Any vendor may withdraw a bid if a written request for withdrawal is received by the procurement department prior to the time set for opening of responses. No vendor may withdraw a response after the time of the opening except in the case of an obvious error. In this event, the response may be withdrawn but not changed. Second-chance bidding will not be allowed.

Awarding a bid

Barring extenuating circumstances, award of an ITB must be made to the lowest responsive, responsible bidder who meets the qualifications for quality, price, terms and service. Award of an RFP must be made in advance with the criteria outlined in the RFP document. The Board reserves the right to reject any and all bids in part or in whole.

When favorable to the district, preference will be given to local and/or state businesses.

After the responses have been opened and awarded, all documents must be available through open records requests. Open records requests will be compiled to the extent of the law, but original documents must not be removed from the procurement department.

The bidder to whom an award is made will be required to submit proof of liability insurance and, when appropriate, proof of workers' compensation insurance, to the district as outlined in the solicitation documents, and may be required to enter into a written contract with the district. Any written contract must include a provision requiring a criminal background check for any person providing direct services to students under the contract, including but not limited to transportation, instruction, or food services as required by law. The contracting entity is responsible for any costs associated with the background check.

Emergency purchasing

If adhering to this policy would cause a condition which likely would result in physical injury to persons, damage to district property or significant financial loss to the district, limited emergency purchases may be made without following competitive procurement procedures provided the superintendent or designee authorizes such purchases. Such deviation from policy must be reported to the Board.

Adopted: November 19, 1968
Revised: November 11, 1978

Revised: April 25, 1984
Revised: November 17, 1993
Revised: June 8, 1994
Revised: December 10, 1997
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Revised: November 11, 2020
Revised: December 13, 2023

LEGAL REFS.: C.R.S. 22-32-109 (1)(b) (Board required to adopt bidding procedures)
C.R.S. 22-32-109.7 (Board duties regarding the employment of personnel)
C.R.S. 22-32-122 (4) (background check provision required in service contracts)
C.R.S. 24-18-201 (public official's interest in contract)

CROSS REFS.: BCB, School Board Member Conflict of Interest
DJB*, Federal Procurement
DJCA*, Purchasing Procedures

St. Vrain Valley School District RE-1J, Longmont, Colorado