

1 **Charlo Public School District**

2
3 **FINANCIAL MANAGEMENT**

7320P
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4
5 Purchasing: Bids and Contracts

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7 The following procedures shall be in effect for purchasing through the bidding process:

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9 1. Formal bids shall be opened at the time and place stated in the official advertisement for bids, and
10 any interested member of the public may attend the bid opening. It shall be the bidder's sole
11 responsibility to see that their bid is delivered to the district prior to the time set for the opening.
12 Any bid received after the time set for opening shall be returned to the bidder unopened and shall
13 receive no consideration by the district.
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15 2. Formal bid tabulations shall be presented at the next regular, or special, meeting of the board.
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17 3. Formal bid awards shall be made by the board no later than the second meeting after the bid
18 opening, except that the board can waive this requirement when time is of the essence.
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20 4. Brand names and manufacturer's catalog numbers used in specifications are for the purpose of
21 identification and to establish a standard of quality. Bids on equal items shall be considered
22 providing the bidder specifies brand and model and furnishes descriptive literature. The
23 acceptance of alternative "equal" items shall be conditioned on the district's inspection and
24 testing after receipt. If not found to be equal, the material shall be returned at the seller's expense
25 and the contract cancelled.
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27 5. The district shall reserve the right to reject any and all bids and waive any formalities.
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29 6. On construction projects, the bidder shall include a notarized statement agreeing to comply with
30 prevailing wage and affirmation action requirements and shall provide a performance bond.
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32 7. The Superintendent may solicit bids by telephone and/or written quotation for furniture,
33 equipment and supplies which have an estimated cost of less than \$7,500.00. At least three
34 telephone or written bids shall be secured prior to the date established by the Superintendent. All
35 telephone quotations must be confirmed in writing within seven (7) working days in order to
36 constitute a valid quotation.
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38 8. For maintenance of improvement projects estimated to cost in excess of \$7,500.00 the
39 Superintendent shall advertise for bids in the manner described in policy 7321.
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41 The following steps shall be employed to engage a contractor for work projects:

- 42
43 a. Written specifications shall be prepared which describe the work to be completed
44 and the materials to be used; completion date; contractor's assurances (prevailing
45 wages, fair employment, etc.); bid and performance bond requirements;
46 opportunity to visit the work site; closing date; and bid form.
47 b. Unless the board declares by resolution the existence of an emergency, all
48 interested and qualified contractors shall receive written invitations to bid,
49 including a description of the project and the process to follow in acquiring the
50 project' specifications.

- c. After the closing time, bids shall be opened, recorded and made available for inspection or telephone inquiry.
- d. The trustees shall award the contract to the lowest responsible bidder, provided that the resident bidder is not more than three percent higher than the lowest responsible bidder who is not a resident of Montana.

The following factors shall be considered in determining the lowest responsible bidder:

- a. The ability, capacity and skill of bidder to perform the work required;
- b. The character, integrity, reputation, judgment, experience, and efficiency of the bidder;
- c. The ability of the lowest resident bidder to perform the work in the time specified;
- d. The quality of performance of previous contracts or services;
- e. The previous and existing compliance of the bidder with laws relating to public works; and
- f. Such other information related to the performance of the contract as the Superintendent deems advisable.

An acceptable bid or offer and a District purchase order shall constitute the only contract necessary for the purchase of supplies, equipment, and minor repairs of construction projects, except the successful bidder shall meet all conditions included in the specifications.

Formal written contracts shall be prepared for all major construction and repair projects. Each contract awarded by the school district shall specify that in all instances products manufactured or produced by Montana industry and labor shall be preferred for use in all projects and in all materials, supplies and equipment procured if such products, materials, equipment, and supplies are comparable in price and quality. Failure to comply shall disqualify such contractor for future contracts for a period of two years. Such contracts shall be signed by the Board Chairperson and clerk on behalf of the District after the contracts have been awarded by a majority vote of the Board with action recorded in the minutes of the Board meeting. All contracts shall provide that, in the event of a suit by the District to enforce the terms of the contract, venue for the suit shall be laid in the county in which the District is located and that, if the District is successful in the suit, the court may order reimbursement of the District's attorney's fees and court costs in such amount as the court deems reasonable.

Policy History:
Promulgated on:
Reviewed on:
Revised on: