

BIDDING/PURCHASING REQUIREMENTS

The Board expects all purchases made by CRCS to be consistent with applicable laws and sound business practices. The Executive Director shall be responsible for developing and implementing administrative procedures for bidding and purchasing consistent with this policy.

This policy is intended solely as an internal guide to purchasing by CRCS. It does not afford any vendor any property or contractual rights against CRCS. No vendor shall have any enforceable rights against CRCS based upon this policy or alleged violations of this policy. No vendor shall have any rights against CRCS until such time as a written contract between the vendor and CRCS is executed by the vendor and an authorized representative of the school.

A. Bidding Required by Law

Maine law requires the Board to competitively bid property and casualty insurance; school bus and transportation contracts in excess of \$4,000; school building construction, alterations and repairs over \$25,000 (except contracts for professional architectural and engineering services); and bond anticipation notes for state-subsidized school construction projects.

B. Competitive Bidding of Other Purchases

Where bidding is not required by law, it shall be the policy of CRCS to competitively bid purchases of equipment, supplies, materials or services over \$10,000 provided that it is practical and cost-effective to specify the materials or services with sufficient particularity to allow meaningful comparison of bids.

If competitive bidding is not utilized, the Executive Director may seek Requests for Proposals (RFP) for purchases over \$10,000. An RFP identifies the need the school intends to meet, but permits the vendor to propose the manner in which the work is to be performed and the materials to be used.

The Executive Director may forego the competitive bid or RFP process only when he/she determines that quality, expertise, time factors, or other important considerations outweigh the possible benefits of bidding or requesting proposals. In each such case, the Board shall be informed of the Executive Director's decision and the reasons for it in advance of entering into a contract.

If the Executive Director wishes to make a proposal of over \$10,000 in an emergency situation, it must be voted on in an emergency Board meeting.

C. Procedures for Bidding and Requesting Proposals

The method of notification that the school uses to solicit bids and proposals shall be reasonably designed to attract qualified vendors. Depending upon the circumstances, such notification may include public advertising and/or mailing of notices to potential vendors.

Bid Procedures

- A. The notification shall specify the deadline for submitting bids and the time and place of bid opening. Bid alternates shall be permitted at the discretion of the Executive Director. The notice shall reserve the right of the school to reject any or all bids, and to waive technical or immaterial non-conformities in bids if in the best interest of the school, and to exercise judgment in evaluating bids.
- B. **Written bids.** Bids shall be in writing, sealed with outside envelope or wrapper plainly marked "Bid, not to be opened until (insert appropriate date)," and mailed or filed with the Executive Director.
- C. **Time of opening.** No bid may be opened until the appointed time.
- D. **Public opening.** At the time and place stated in the public notice, and open to the public, all bids shall be opened by the Executive Director or, in the Executive Director's absence or disability, by any Board member designated for the purpose by the Chair of the Board.
- E. **Reading.** If any citizens who are not Board members or employees of the school or if any representatives of the press are present, bids shall, at that time, either be made available for examination by them or shall be read aloud in a manner to be heard plainly by those in attendance.
- F. In general, the Executive Director and/or Board will award contracts to the vendor whom they deem will best be able to meet the requirements of the school.

RFP Procedures

- A. Proposals should be submitted in plain envelopes clearly marked "Proposal, not to be opened until (state time and date)." The RFP shall state the time and date that proposals shall be opened, and no proposals shall be opened before that time. Public opening is not required.
- B. Proposals are to be evaluated based on criteria appropriate for the project in question, and the contract will be awarded to the vendor whom the Executive Director and Board deem best able to meet the requirements of the school.

Legal Reference: 5 MRSA § 1743-A (ALL)
 20-A MRSA §§ 1001(14), 5401(13)(D); 5402 (ALL)
 20-A MRSA § 1314 (MSAD)
 Me. DOE Rules, Ch. 61 (Rules for School Construction Projects) (ALL)

Adopted: 8/29/2012