

BIDDING REQUIREMENTS

In accordance with state bidding laws, bidding is required when a purchase or contract will be equal to or exceeding the amounts established in current state law, except in the following cases:

1. For textbooks and text-related workbooks, maps, periodicals and technical pamphlets; laboratory apparatus and appliances.
2. For an emergency maintenance need that would necessitate the closing of school while it would otherwise be in session or which will endanger the usefulness of remaining school property.
Even in an emergency situation, as far as practicable, the Board will secure at least two competitive quotations and retain them in its files. A meeting will be held finding such an emergency and minutes reflecting this. At the next meeting of the Board the minutes will contain a statement of the quotations received, identifying the bidder and the amount of the bid.
3. When purchasing surplus facilities, equipment and supplies from another South Dakota political subdivision or the State of South Dakota.
4. For the purchase of electric power, light, water or gas.
5. For the purchase of perishable food, raw materials used in the construction or manufacture of products for resale, and contracts for asbestos removal in emergency situations.
6. For the purchase of contracts for services provided by individuals or firms for consultants, audits, legal services, architectural services, engineering services, insurance and transportation for students.
7. For the purchase of communication technologies, computers hardware and software, peripheral equipment and related connectivity.
8. Any purchase of equipment of less than fifty thousand dollars.
9. Equipment repair contracts.
10. Any purchase from the lowest bidder of an item contained on the state price list. The school district may also purchase items from any vendor, if less than or equal to the state price list, but must be the exact same item.
11. Purchases of real property having a particular use or benefit.
12. For purchases under federal programs, federal government bidding requirements will be followed if more stringent than state law.

Bids for materials, supplies or equipment involving a purchase price equal to or greater than the amount set by current state law will be advertised and printed in the official newspaper of the district for at least ten days prior to the opening of bids. The advertisement will state the time and place the bids will be opened and passed upon by the Board. In the notice the Board will reserve the right to reject any and all bids.

Bids are required on all construction for public improvements (including repairs and alterations) equal to or greater than the amount set by current state law. When the contract is for the construction of a public improvement the advertisement must state where the plans and specifications may be examined. In specifying or purchasing goods, merchandise, supplies or

equipment, the Board will not specify any trade-mark or copyrighted brand on any product or any patented product, apparatus, device or equipment where proper competition will be prevented unless bidders also are asked for bids or offers upon other articles of like nature, utility and merit, and naming the make or brand to indicate the type or quality specified.”

The sealed bids will be publicly opened and read at the time and place stated in the advertisement. Any bid may be withdrawn or modified before the time of opening as specified in the advertisement. Unless all bids presented are rejected, the lowest responsible bid, in all cases must be accepted.

If after advertising for bids no bids are received the Board may negotiate a contract for the purchase of the materials, supplies or equipment at the most advantageous price. However, such materials, supplies, or equipment will meet the specifications of the original advertisement for bids.

The Board will contact and attempt to obtain competitive quotations from at least three suppliers. A record of the names of the suppliers, the quotations received and the procurement procedures used in purchasing will be documented, noted in the minutes, and retained on file by the Board. The Board may reject all bids and negotiate a contract if after advertising no firm competitive bids are received.

When supplies or equipment, or construction or remodeling services are to be purchased the Board may require a reasonable deposit or bid bond by the bidders and reserves the right to respect any and all bids. The deposit or bonds must be returned to unsuccessful bidders immediately. No more than 30 days will elapse between opening of bids and acceptance of the lowest responsible bidder or rejection of all bids.

When supplies and equipment are received they will be opened and inspected by the purchasing agent, and compared with the written order to see that they were received as ordered and in acceptable condition for payment. If someone other than the purchasing agent receives such supplies or equipment for the school district, this person will be required to sign the voucher for payment to the effect that they were received as ordered. The purchasing agent of the school district will sign all vouchers before the Board authorizes their payment.

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