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MANAGEMENT SUPPORT

Requirements for Bids and Contracts

The superintendent shall establish bidding and contract awarding procedures for all purchases of furniture, equipment and supplies and for all public works projects. Public works include construction, alterations, repair and improvements other than ordinary maintenance. Such procedures shall ensure compliance with **state non-federal** and federal laws and regulations and provide a means to obtain competitive pricing for district expenditures. The procedures shall also promote open competitive participation by vendors.

Small Works Roster

The board has authorized the establishment of a small works roster for use in selecting vendors for public works projects. The superintendent shall establish procedures for establishing and maintaining the small works roster.

Exemptions

Bid procedures may be waived when the board declares an emergency or when purchases are clearly limited to a single source of supply. The board may reject any and all bids and make further calls for bids in the same manner as the original call.

Interlocal Cooperation

The board reserves the right to enter into interlocal cooperative agreements for purchases and public works with other governmental agencies pursuant to [2 CFR 200.318\(e\)](#) and the Interlocal Cooperation Act, [Chapter 39.34 RCW](#). **The board will ensure that the other governmental entities have followed their own procedures for procurement prior to making any purchases under this section.** The superintendent or designee shall establish procedures for the review and approval of cooperative agreements.

Crimes Against Children

The board shall include in any contract for services with an entity or individual other than an employee of the district a provision requiring the contractor to prohibit any employee of the contractor from working at a public school who has contact with children at a public school during the course of the employee's employment and who has pled guilty to or been convicted of any felony crime specified under [RCW 28A.400.322](#). The contract shall also contain a provision that any failure to comply with this section shall be grounds for the district immediately terminating the contract.

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Cost/Price Analysis

The district will perform a cost or price analysis in connection with every procurement action in excess of the federal simplified acquisition threshold [[2 CFR 200.324\(a\)](#)], currently set at \$250,000 or other limits identified in [48 CFR 2.101](#), including contract modifications. The method and degree of analysis is dependent on facts surrounding the procurement situation, but should include, as a starting point, independent estimates before receiving bids or proposals.

In cases where no price competition exists and, in all cases, where the district performs the cost analysis, profit must be negotiated as a separate element in the process. To ensure profit is fair and reasonable, consideration must be given to the complexity of the work performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of the contractor's past performances, and industry standard profit rates in the surrounding geographical area.

Costs or prices based on estimated costs for contracts are allowed only to the extent that the costs incurred or cost estimates would be allowable under [2 CFR 200.400-476](#).

Conflict of Interest

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by federal funds if they have a real or apparent conflict of interest. Such a conflict would arise when the employee, officer, or agent, any member of their immediate family, their partner, or an organization that employs or is about to employ any of the parties indicated herein has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.

Cross references:

[Board Policy 1332](#)
[Board Policy 6106](#)
[Procedure 6220P](#)
[Board Policy 6230](#)
[Board Policy 6925](#)

Authorization of Signatures
Allowable Costs for Federal Programs
Requirements for Bids and Contracts
Relations with Vendors
Selection of Architects and Engineers

Legal references:

[RCW 28A.160.195](#)

[RCW 28A.335.190](#)

[RCW 28A.400.330](#)

Vehicle acquisition—School bus
categories—Competitive
specifications—Purchase—
Reimbursement—Rules
Advertising for bids—Competitive bid
procedures—Purchases from inmate
work programs—Telephone or written
quotation solicitation, limitations—
Emergencies
Crimes against children—Contractor
employees—Termination of contract

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[RCW 39.04.155](#)

Small works roster contract
procedures—Limited public works
process—Definition

[RCW 39.04.280](#)

Competitive bidding requirements—
Exemptions

[RCW 39.04.350](#)

Bidder responsibility criteria—Sworn
statement—Supplemental criteria

[RCW 39.26.160](#)

Bid awards—Considerations—
Requirements and criteria to be set
forth—Negotiations—Use of enterprise
vendor registration and bid notification
system

[RCW 39.30.060](#)

Bids on public works—Identification,
substitution of subcontractors—**Review,
report of subcontractor listing
requirements**

[Chapter 39.34 RCW](#)

Interlocal cooperation act

[2 CFR Part 200](#)

Uniform Administrative Requirements,
Cost Principles, and Audit Requirements
for Federal Awards

~~[2 CFR § 200.67](#)~~

Micro-purchase

~~[2 CFR § 200.88](#)~~ [2 CFR § 200.1](#)

Simplified acquisition threshold

[2 CFR § 200.318](#)

General procedure standards

[2 CFR § 200.320](#)

Methods of procurement to be followed

~~[2 CFR 200.324](#)~~

Contract Cost and Price

[2 CFR 200.520](#)

Criteria for a low-risk auditee

[2 CFR Part 3485](#)

Nonprocurement Debarment and
Suspension

Adopted: November 21, 1980

Revised: August 26, 1985

Revised: June 6, 1994

Revised: October 13, 1997

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