

PROPOSED REVISION



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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 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.

Construction-Related Services

The board, when contracting for construction-related professional and personal services, shall include in bid documents language that encourages participation by minority or women-owned business enterprises.

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 Act

The board reserves the right to enter into interlocal cooperative agreements for purchases and public works with other governmental agencies **or groups of 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 board must have entered into these agreements prior to making any purchase arrangements utilizing the contracted terms.** 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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Women and Minority Owned Businesses

The district will take affirmative steps to ensure that it is providing every opportunity for businesses owned by women or minorities to submit bids on any contract. The district will also ensure that any small works roster or similar list is open and available to participation by women or minority-owned businesses, and that such businesses on its small works roster are treated fairly and equally when requesting bids.

Federal Agency or Pass-Through Entity Review

The district will maintain records of all purchases made using Federal funds and shall provide any and all documentation to the Federal awarding agency or the state pass-through entity for compliance with all rules and regulations.

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.

No employee, officer, or agent of the district may solicit or accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. Violation of these standards may result in disciplinary action including, but not limited to, suspension, dismissal, or removal.

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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](#)

[RCW 39.04.155](#)

[RCW 39.04.280](#)

[RCW 39.04.350](#)

[RCW 39.26.160](#)

[RCW 39.30.060](#)

[Chapter 39.34 RCW](#)
[2 CFR Part 200](#)

[2 CFR § 200.1](#)

[2 CFR § 200.318](#)

[2 CFR § 200.320](#)

[2 CFR 200.321](#)

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
Small works roster contract procedures—Limited public works process—Definitions
Competitive bidding requirements—Exemptions
Bidder responsibility criteria—Sworn statement—Supplemental criteria
Bid awards—Considerations—Requirements and criteria to be set forth—Negotiations—Use of enterprise vendor registration and bid notification system
Bids on public works—Identification, substitution of subcontractors—Review, report of subcontractor listing requirements
Interlocal cooperation act
Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards
Definitions—Simplified acquisition threshold
General procedure standards
Methods of procurement to be followed
Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

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2 CFR 200.324	Contract cost and price
2 CFR 200.325	Federal awarding agency or pass-through entity review
2 CFR 200.520	Criteria for a low-risk auditee
2 CFR Part 3485	Nonprocurement debarment and suspension

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