

Regulation DJED-R(1): Bids and Quotations

Status: ADOPTED

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Section I - General Requirements

- A. Purchases of goods and services with an aggregate dollar amount of more than \$1.00 but less than \$10,000.00 require a written quotation from one or more vendors.
- B. Purchases of goods and services with an aggregate dollar amount of more than \$10,000.00 but less than \$50,000.00 require a written quotation from three or more vendors.
- C. Purchases of goods and services with an aggregate dollar amount of \$50,000.00 or more require sealed bids or sealed proposals. Proposed purchases of goods and services will be given sufficient advertisement to encourage broad participation from competitive sources. Verbal or facsimile bids or proposals may not be used.
- D. All Requests for Proposals ("RFPs") will be in writing regardless of the dollar value.
- E. All school nutrition purchases shall adhere to the District school nutrition procurement plan and all applicable state and federal law and regulations.

Section II - Soliciting bids and quotations.

- A. All bidders will be provided with the same information concerning the goods or services to be procured to include changes to the original solicitation. Each solicitation will include the Board terms and conditions of the purchase.
- B. All Invitations to Bid and RFPs will be advertised on the School District's third-party website and on the Georgia Procurement Registry.
- C. All bidders will be given the same deadline for response to solicitations. Bids submitted after the closing date and time will not be considered. Late bids will be marked with the date and time received and filed with other related bid documents.

Section III - Selecting and awarding bids

- A. Bids will be awarded to the lowest responsible and responsive bidder. The term responsible means that the bidder has the capacity and capability to provide the goods and services requested. The term responsive means that the bidder has responded to all requirements of the bid solicitation. In determining the lowest responsible and responsive bidder, the following factors should be considered:
 - 1. The ability, capacity, and skill of the bidder to perform the contract or provide the goods or services required.
 - 2. The capability of the bidder to perform the contract or provide the goods or services promptly, or within the time specified, without delay or interference.
 - 3. The character, integrity, reputation, judgment, experience, and efficiency of the bidder.
 - 4. The quality of performance of any previous contract or services.
 - 5. The previous and existing compliance by the bidder with laws, policies, terms, and conditions relating to the contract or services.
 - 6. The financial resources of the bidder and ability of the bidder to perform the contract or provide the goods or service.
 - 7. The quality, availability and adaptability of the supplies or services required by the solicitation.
 - 8. The number and scope of conditions attached to the bid by the bidder, if any.

9. The life cycle cost when the solicitation is for equipment with a life expectancy of three or more years.

B. Requests for Proposals ("RFPs") shall include the following procedures:

1. Until the contract is awarded, the contents of all proposals will not be disclosed to anyone other than District employees and/or authorized consultants involved in selecting the best proposal.
2. A register of all vendors submitting proposals will be made available for public inspection.
3. After the opening of proposals, discussions and negotiations may be conducted with the responsible and responsive offerors who submitted proposals determined to be capable of being selected for award. These discussions are for the purpose of clarification to assure full understanding of, and responsiveness to the RFP requirements and to negotiate the best possible position for the school system. Offerors will be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals. Revisions may be permitted after original submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there will be no disclosure of any information derived from proposals submitted by competing offerors.
4. Awards will be made to the responsible offeror whose proposal is determined to be the most advantageous to the Board taking into consideration price and the evaluation factors set forth herein as well as in the applicable RFP. The contract file will contain the basis on which the award is made.
5. In the event of a tie after evaluation, the bid will be awarded to a local Bibb County vendor, if applicable. If there are no local vendors, the award will be determined by coin toss in public with vendors present or disinterested personnel witnessing the coin toss.
6. If after a bid is opened and the low-bidder claims an appreciable error in the preparation of the bid and can support such claim with evidence satisfactory to the Director of Purchasing, the bidder will be permitted to withdraw the bid. The bidder will be disqualified from again bidding on the same goods or services should additional bids be required.
7. A Request for Proposal will be prepared and posted as set forth in this regulation when the evaluation of a proposal will be based upon criteria in addition to price.

C. To determine the appropriate bid involving a vehicle or property damage claim, the aggregate dollar amount of the repairs will be netted against any insurance proceeds received by the District.

Section IV - Exempt Purchases

1. "Sole source" products and services are those, which are available from only one vendor. Such products and services are exempt from the bid and RFP requirements. The purchase of sole source products and services must be justified. A letter of justification must be attached to the purchase order/requisition when forwarded to the Purchasing Department. In situations where "sole source" classification is debatable, the Director of Purchasing will make the final determination.
2. "Emergency purchases" are those purchases which if not performed immediately would result in health or safety hazards to students or employees, would result in additional damage, or would cause interruption of the instructional program or essential business operations of the school system. To avoid emergency purchases, principals and department heads will ensure that their staffs plan and execute purchase requirements in a timely manner. Emergency purchases are exempt from bid and RFP requirements.
3. "Single source purchases" are defined as those purchases of goods or services that, for a justifiable reason such as compatibility or standardization, are obtained from one source among others in a competitive marketplace. Single source purchases may include contracted services or academic materials required from a specific source to meet an academic or professional learning program priority at the discretion of the superintendent.
4. All items under the Department of Administrative Services ("DOAS") and the National International Governmental Purchasing ("NIGP") exempt Listings may be purchased without competitive bids, regardless of amount. Board approval, however, is required prior to the purchase of items from the DOAS or NIGP listings over ~~\$200,000.00~~ **\$150,000.00**.

5. Additional purchases of the same or like equipment, material, supplies, services, rentals, or leases previously bid may be made provided the additional order is at the same or lower price or does not exceed a 5% increase.
 6. Agreements and renewal agreements for maintenance service from the original vendor or authorized agent of the installed equipment or products are exempt. When a renewal agreement cost increase exceeds 5% of the current cost and the service can be competitively bid, the renewal must be bid.
 7. Purchases made under existing state bid contracts or applicable cooperative purchasing agreements are exempt from the requirement for competitive bids.
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