

All purchases requiring competitive bids shall be made in accordance with current statutes, the creation of bid specifications, and adherence to the district's bidding procedures. Bids for equipment or supplies made through collective bidding services shall be deemed to be in compliance with Board policy.

The district shall develop and maintain lists of potential bidders for various types of materials, equipment, and supplies. Such bid lists shall be used in the development of mailing lists for distribution of specifications and invitations to bid.

Any supplier may be included in the list upon request.

All bids and supporting documentation shall be retained in the district office with the Superintendent for a period of one year after bids have been opened.

Bid Specifications

All bid specifications shall be written by the district's purchasing agent in a clear and concise manner. Such specifications shall include, when necessary: required performance, surety, bid and statutory bond information; compliance with preferential bid law; financial statements; the Board's right to reject any or all bids; compliance with all federal, state and local laws, ordinances and regulations; the date, time and place for the opening of bids; and other items as the Board directs.

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Complete Policy Manual Approved:	June 2, 2003
Revised:	July 9, 2008
LEGAL REF:	MCL, 380.1267;380.1274

Non-Negotiated Purchases

Non-negotiated purchases may be made when there is only one supply source, provided the amount does not exceed bidding requirement limitations.

Informal Quotations

Verbal quotations of price on equal products or services secured in person or by telephone, may be used in purchases for routine supplies used by the district.

The Superintendent shall make available to the Board, upon request, the price quotations obtained from vendors for goods or services.

Formal Bid Quotations

The Superintendent is authorized to purchase any item, or group of items in a single transaction, costing no more than \$10,000. The Superintendent shall use discretion in deciding whether such purchases are made on the basis of requested quotations or through advertising for bids.

Competitive Bids

No purchases shall be made of supplies, materials or equipment in a single transaction costing \$10,000.00 or more, unless the purchase is approved by the Board. Except where competitive bidding is required by law, the Board shall use its discretion in deciding whether to advertise for bids.

Competitive Bids on Building Construction, Renovation and Repairs

Prior to commencing construction of a new building, or additions to or repair or renovation of an existing building, the Board shall obtain competitive bids on all material and labor as required by law. The Board shall use its discretion in deciding whether to advertise for bids where this is not required by law. Repair work normally done by district employees is exempted from this bidding requirement.

Excluded Provider List

The successful bidder shall not use subcontractors included on the Federal Excluded Provider List or that have been otherwise suspended or debarred. The successful bidder shall submit written verification of same for each subcontractor used. This requirement shall be made part of all bid specifications.

Single Source Bids

Where only one bid is received, the Superintendent or designee shall search for other vendors who meet the "responsible bidder" requirements of this Policy. If none are found, the District shall request references from the bidder. The Superintendent or designee shall check those references to see if the bid price is consistent with that offered to other purchasers. The Superintendent or designee shall also contact other school districts who have purchased similar items. The District may elect to re-bid the item and may change the bid specifications to attract more bidders.

Professional Services

Competitive bids are not required for professional services.

Procedure

All bids must be submitted to the Superintendent or designated person in sealed envelopes. All bids shall be opened publicly on the stated day and time. All bidders and other interested persons are invited to be present when the bids are opened.

Bids may be opened by the purchasing agent or other person designated by the Board, and such opening shall be witnessed by one other district employee. The bids shall then be arranged in order from low to high before they are presented to the Board for action.

Responsible Bidder

All bids shall be awarded to the lowest responsible bidder. The Board remains the sole judge of whether or not a bidder is "responsible." Criteria that may be used to judge "responsible," by way of illustration and not limitation, are: financial standing, reputation, experience, resources, facilities, judgment and efficiency.

The Board may investigate the "responsibleness" of any bidder by using information at hand to form an intelligent judgment, such as the district's architect, previous clients of the bidder, their own investigation, or an outside investigation agency.

Bid Specifications

The Board shall avoid negotiation of bid specifications after bids have been accepted and shall correct and request new bids if specifications are inadequately written.

If an error is discovered in the bid specifications all bids may be returned unopened, and the project may be rebid using corrected and/or amended specifications.

Any bid submitted to the district may be withdrawn prior to the scheduled time for opening of bids.

Any bid received after the publicized date and time shall not be considered by the Board.

Rejection of Bids

The Board reserves the right to reject any and all bids and to ask for new bids. Such reservation shall be so specified in the publication or notification of bid letting.

The Board reserves the right to waive any informalities in, or reject any part of, a bid.

Supplemental Bidder Guidelines/Prevailing Wage

The Roseville Community Schools Board of Education recognizes the importance of its desire to select responsible low bid contractors to achieve the district's goal of providing quality constructed buildings and structures for the School Bond Construction Program approved by the taxpayers of Roseville on May 2, 2006.

These guidelines are provided as a supplement to bidding procedures used by Barton Malow, Wold Architects, and established district bidding policies, along with compliance of applicable state and local laws governing the distribution of school bond funds. If there is a discrepancy or conflict with the usual Roseville Community Schools policies and procedures, these guidelines shall not supersede the RCS policies and procedures. The guidelines shall be part of the "Bid Proposal Form".

The Roseville Community Schools Board of Education reserves the right to reject any or all bids deemed in the best interest of the school district.

1. **Voluntary Alternates:** Voluntary Alternates will not be considered as part of the bid. Voluntary Deduct Alternates may be considered only with the low qualified base bidder after the bid opening.
2. **Bid Qualifications:** Any bid received with a bid qualification must list the cost associated with that qualification for the bid to be considered complete. Bid qualifications are permitted only where there is a discrepancy or omissions in the specifications.
3. **Apprenticeship:** In major trades such as carpentry, electrical, mechanical, and plumbing, the qualified bidders shall have in place an apprenticeship program approved by the U.S. Department of Labor. Verification of the apprenticeship program shall be submitted to the district at the post bid review with Barton Malow.
4. **Prevailing Wage Violations:**
 - a. Prevailing wage violations on record with the Michigan Department of Labor that have not been paid shall disqualify that bidder.

- b. Prevailing wage violations on record with the Michigan Department of Labor during the three years prior to the date of the bid opening that have been paid shall be investigated by the Michigan Fair Trades Contracting Agency. This investigation shall provide detailed information of the type and severity of the violation in order for the administration to provide a recommendation and the Board of Education to cast an informed vote in the bid award process.
- c. Prevailing wage violations on record with the Michigan Department of Labor that are under investigation with no conclusion or decision by the state shall not be a factor in the bid award process.

5. **Contractor Questions:** The questions listed below are required to be answered and are part of the qualified bid process. All questions are required to be answered: Yes No If yes, please provide explanation.

- a. Has the contractor or any of its sub contractors been found in violation of any prevailing wage requirements by the Michigan Department of Labor or have they made restitution to any of its employees for any reason within the past three years?
- b. If the answer to question (a) is yes, has the violation/fine been paid?
- c. Has the contractor or any of its sub contractors been declared in default in any manner in the past five years?
- d. Has the contractor or any of its sub contractors been terminated or removed from any project in the past five years?
- e. Has the contractor or any of its sub contractors declared bankruptcy or been in receivership in the past five years?
- f. Has the contractor or any of its sub contractors been denied bonding in the past five years?

I declare that the information in this document is correct to the best of my knowledge and acknowledge any false information provided shall be deemed grounds for disqualification of this bid.

Name of firm: _____

Date: _____

Signature: _____

Title: _____

6. Federal Grant Awards

Anything contained in this policy to the contrary notwithstanding, the following shall apply to Federal grant program funds.

A. Purchases

1. Purchases of less than \$3,500.00 (micro-purchase), no quotations or bids shall be required. Equitable distributions shall be used.
2. Purchases of \$3,500.00 to \$150,000.00 (small purchase), shall require rate quotations and no cost or price analysis.
3. Purchases of \$150,000.00 or more shall require sealed bids and formal advertising. Price is considered a major factor. Requirements for sealed bids:
 - a. The invitation for bids will be publically advertised and bids must be selected from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids.
 - b. The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond.
 - c. All bids will be publically opened at the time and place prescribed in the invitation for bid.
 - d. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder.
 - e. Any or all bids may be rejected if there is a sound documented reason.
4. **Competitive Requests for Proposals of \$150,000.00 or More.** Competitive proposals, fixed price or cost reimbursement request for proposals shall contain evaluation methods. The procedure requirements for competitive requests for proposals are as follows:
 - a. Requests for proposals must be publicized requests and identify all evaluation factors and their relative importance.
 - b. Proposals must be solicited from an adequate number of qualified sources.

- c. The District shall establish a written method for conducting technical evaluations of the proposals received and for selecting recipients.
 - d. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program.
 - e. The District may only use qualification-based methods, whereby competitors' qualifications are evaluated and the most qualified competitor is selected, in the procurement of the architectural/engineering professional services.
5. **Noncompetitive Proposals.** Solicitation of a proposal from only one source of a unique product or service can be utilized only in one or more of the following situations:
- a. The item is available only from a single source.
 - b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitations.
 - c. The Federal awarding agency or pass-through entity expressly authorizes non-competitive proposals in response to a written request from the non-Federal entity.
 - d. After the solicitation of a number of sources, competition is determined inadequate.

B. **Time and Material Contracts**

Time and material-type contracts may be used only after a determination that no other contract is suitable. It shall contain a price ceiling that the contractor exceeds at its own risk.

C. **Prequalified**

All prequalified lists of persons, vendors, or products shall be kept current and include enough qualified sources to ensure maximum free and open competition. This shall be done each fiscal year.

D. **Record Keeping**

Detailed records shall be kept of all procurements and shall include, but not be limited to:

1. Rationale for the method of procurement.
2. Selection of contract type.
3. Contractor selection or rejection.
4. Basis for the contract.

These records shall be retained for at least 3 years from the date of submission of the final expenditure report or for ongoing grants, the date of submission of the quarterly or annual financial report.

E. **Construction or Facility Improvement Contracts**

Construction or facility improvement contracts, or subcontracts exceeding \$150,000.00, shall include a bid guarantee equivalent to 5 percent of the bid price from each bidder (such as bid bond or certified check), a performance bond on the part of the contractor for 100 percent of the contract price, and a payment bond on the part of the contractor for 100 percent of the contractor price.

F. **Ethical Conduct**

When necessary and appropriate, bid specifications shall require compliance with Board Policies for professional ethical conduct.

Revised:

July 6, 2015
February 1, 2017