

TITLE: Soliciting Prices (Bids)

State Board of Education Ref: 18-2A-2; 18-5-12a; 8353

1. BIDDING PROCEDURES

Bidding is the solicitation (by a purchaser) of prices and other sales conditions from qualified vendors. The offer of prices by more than one bidder for a contract or right to supply specified services or merchandise constitutes competitive bidding.

a. Formal and Informal Bidding

A formal bid is a bid that:

1. Conforms to a prescribed format;
2. Is received in a properly identified and sealed envelope;
3. Is opened at a predetermined time.

An informal bid is a bid that is neither sealed nor opened at a predetermined time.

A formal bid is the most desirable bid form because it enhances competition and confidentiality.

b. Bid Format

The bid format will follow a prescribed style, and will include clear and concise instructions to properly inform prospective bidders of the buyer's requirements. While bid form style can be varied, the form shall contain the essential elements of a contract between the buyer and seller as follows:

1. A format that clearly identifies the document as an invitation to bid;
2. List only those details relative to the requirements, including clear and concise bid conditions and specifications;
3. Listing of quantities and descriptions of items will be meaningful and complete to convey the same message to all prospective bidders;
4. Clearly indicate the time and place of opening;
5. A Bid Bond (or certified check) and Performance Bond will be requested in the bid invitation when the assurance of bid acceptance and conformance to the contract is required of the successful bidder;

6. Shipping requirements will be specified, indicating date needed or required, FOB terms, packaging and receiving point;
7. Where samples are required, the time and place of delivery will be stated in the bid invitation.

c. Bidder List

The bidder list shall consist of eligible bidders selected for their ability and desire to furnish the needs of the county schools. Bidders are added to the list as a regular routine based on a review of the bidders application to bid. The opportunity to bid, quote, and submit estimates shall be given to all eligible bidders who have indicated a desire to bid on the county schools' requirements. However, bidders shall be deleted from the list for unsatisfactory performance, failure to respond, or at the bidders request. A statement of non-collusion shall be obtained from each vendor on the bidder's list.

d. Bid Advertisement

Advertising for qualified bidders shall be required as follows:

1. Purchases with federal funds in excess of \$2,500. (See OMB Circular A-102, Attachment O Uniform Administrative Requirements for Grants-in-Aid to State and Local Governments.)
2. Construction contracts of over \$5,000, except in case of emergency. (See WV Code 18-5-12A).

Also bids shall be advertised when additional bidders are desired for competitive purposes, or where sources of supply are limited or unknown. These bid advertisements serve a secondary function of informing the public of planned expenditures.

e. Bid Opening

The formal bid process requires a public bid opening at a specific time and place with two or more board employees in attendance. Bids must be controlled and safeguarded until opened and no bid is accepted after the bid opening starts. The bids should be available for inspection, however, the inspection should be under the supervision of the purchasing agent or his delegate with adequate safeguards to insure that a bid cannot be substituted or altered.

f. Bid Award

The Bid award is the presentation of a purchase agreement or contract to a bidder. The bid award shall be made promptly based on the most advantageous bid received, price and other factors considered. Factors to be considered when determining the most advantageous bid are as follows:

1. Are all bid conditions met?
2. If alternates are offered, were they considered?
3. Were the unit prices and extensions of totals found to be correct?
4. Does the county school system and bidder agree on what materials or services are to be provided?

g. Other Bidding Considerations

1. The formal bid is used for major transactions, because it affords the county school the greatest protection regarding legal enforcement of all stipulations.
2. Informal bidding may be used to obtain prices and delivery information for items requiring early delivery or when the items are of nominal value. Although telephone and other informal contacts with sales representatives may provide prices on required items, this practice normally is more costly. Informal bidding should contain as many elements of a formal bid as feasible.
3. Competitive bidding is the first consideration for all purchases. However, there are purchase requirements which do not conform to competitive bidding. Examples are low value items, single-source items, compatible parts, emergency supplies and services, etc. The decision not to bid competitively shall be made by the purchasing agent within the policy of the county board of education.
4. Bid invitations should allow 10-14 days, (from the date mailed,) for prospective bidders to reply, additional time may be required depending on the bidders geographic location and the degree of complexity in the bid invitation.
5. When pertinent information has been omitted from the original bid invitation, the additional information is issued in a bid addendum and the bid opening date extended if considered necessary.

6. The right to reject any bid shall be stipulated in all bid invitations and advertisements.
7. Items listed on the invitation to bid shall be standardized and grouped to encourage maximum vendor participation. The invitation to bid shall specify whether or not the award will be based on individual items, groups or category of items, or on the total of all items.
8. Negotiation is a technique for purchasing items, usually of a technical nature, whereby qualified bidders are invited to participate in individual negotiations. The best offer negotiated in terms of performance, quality of items, price packaging and delivery is accepted and awarded.