

BIDS AND QUOTATIONS

No expenditure shall be made except in accordance with the provisions of an approved purchase order, and no contract involving an expenditure of more than \$50,000 for the purpose of erecting a building or making any improvements on school buildings shall be made except upon sealed proposals and to the lowest or best responsible bidder. This does not prohibit the district from erecting a building or making improvements on a force account basis. The term "force account" means the purchase of necessary materials, and the employment of necessary workmen, by the school district itself, rather than entering into a contract with a building or other contractor to construct the building or other improvement. No contract involving sums in excess of \$50,000 shall be split into partial contracts involving sums below \$50,000 for the purpose of avoiding the requirements of the Public Competitive Bidding Act.

General Overview

The solicitation for bids, proposals, and quotations shall be conducted in accordance with the provisions of this policy and district purchasing procedures.

Unless otherwise exempted herein, the following formal and informal bidding and quotation limits shall be followed for the purchase of all goods and services.

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| • \$0 to \$7,499.99 | No quotations required, but recommended. |
| • \$7,500 to \$24,999.99 | Three verbal quotations required |
| • \$7,500 to \$49,999.99 | Three written quotations required |
| • \$50,000 and up (non-capital expenditures) | Three formal sealed bids required |
| • \$50,000 and up (capital expenditures) | Formal sealed bids in accordance with the competitive bidding act requirements. |

For all purchases \$25,000 and greater, the [Non-Kick Back Affidavit](#) (located on the Stillwater Public Schools' Finance Page under the Accounts Payable tab) should be obtained from the vendor and attached to the invoice when forwarding to Admin Finance for payment.

To provide operational efficiency, the Stillwater Public Schools Board (the Board) authorizes the Superintendent and/or Chief Financial Officer to review and approve bids and quotations, as well as sign the related contract, for requisitions under \$50,000, applying the same requirements detailed in this policy. All bids and quotes for requisitions \$50,000 and up must be provided to the Board for review, approval and signing of the related contract.

The chief financial officer or designee may periodically audit any or all requests for purchase requiring bids or quotes.

Formal sealed bids shall have a specific bid opening date and time. All vendors shall have the right to attend the public bid opening. At least one administrator or designee shall be present during the bid opening. All bids will be opened at the designated time and read aloud.

Specific requirements on the general guidelines listed above are detailed as follows:

1. Competitive Bidding Act

All public construction contracts in excess of \$50,000 fall under the requirements of the Oklahoma Competitive Bidding Act of 1974. Administration will request permission to bid from the board of education prior to initiating the bid process for this type of project. Bidding procedures for these types of projects will comply in all respects to the requirements of the competitive bidding act.

BIDS AND QUOTATIONS (Cont.)

2. Purchases Not Subject to the Competitive Bidding Act

A. Purchases of \$50,000 or Greater

All contracts for purchases of supplies and equipment of \$50,000 or greater shall be based on bid prices. Bids shall be reviewed by staff and recommendations presented to the board of education for the lowest and best bid. The applicable purchase order shall be presented to the board of education for approval.
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B. Purchases of \$7,500 to \$49,999.99

All purchases of supplies and equipment of ~~\$25,000~~\$7,500 or greater but less than \$50,000.00 shall require written quotes from at least three vendors. Documentation of these quotes will accompany the purchase order. The applicable purchase order will be presented to the board for approval in the same manner as all other purchase orders.

~~C. Purchases of \$7,500 to \$24,999.99~~

~~Purchases of supplies and equipment of \$7,500 or greater but less than \$25,000.00 shall require three verbal quotations to be obtained. Notation of the amounts and sources of these verbal quotations shall be attached to the purchase order. The applicable purchase order shall be presented to the board for approval in the same manner as all other purchase orders.~~

D. Purchases of \$0.00 to \$7,499.99

Purchases of supplies and equipment of amounts less than \$7,500.00 shall not require quotations, however, quotations are still recommended when possible in the interest of good stewardship of public funds.

3. Items Exempt From Bidding

A. Because of the unique nature of some goods and services, the following will be exempt from bidding requirements. However, every effort will be made to obtain the best quality goods and services at the lowest cost from a responsible vendor.

1. Professional Services - those services defined by the Oklahoma Cost Accounting System (OCAS) as purchased professional and technical services. Examples include educational services, accounting services, legal services, medical services, audit services, etc.
2. Textbooks
3. Utilities

BIDS AND QUOTATIONS (Cont.)**B. State and Local Contracts**

Bidding requirements may be waived for goods and services purchased from a vendor awarded an Oklahoma State Contract. Furthermore, when it is in the district's best interest, the district may purchase from other public contracts or special pricing offers awarded and made to other political subdivisions. Bidding requirements shall be waived for procurements made from other public contracts.

C. Single (Sole) Source Selections

Single source selections shall be except from bidding requirements provided that said procurements shall meet all three of the following requirements:

1. Goods or services are unique to one manufacturer/supplier and no other similar (equal in function and performance) or like goods or services are available from another supplier.
2. The manufacturer distributes directly or has limited distribution to a single distributor.
3. Manufacturer (not distributor) submits a written letter on company letterhead stating why the goods or services are unique to his company and that distribution is limited to the manufacturer or sole distributor. This letter must be attached to the requisition.

Sole source procurement may also be allowed where compatibility of equipment, accessories, or replacement pads are of paramount consideration. Documentation of such shall be included with the requisition.

- D. Stillwater Public Schools may provide for a local bid preference of not more than five percent (5%) of the bid price if it is determined that there is an economic benefit to the local area or economy. Provided, however, the local bidder or contractor must agree to perform the contract for the same price and terms as the bid proposed by the nonlocal bidder or contractor. Any bid preference granted hereunder must be in accordance with an established policy adopted by the governing body of the awarding public agency to clearly demonstrate the economic benefit to the local area or economy. Provided, further, no local bid preference shall be granted unless the local bidding entity is the second lowest qualified bid on the contract. The bid specifications shall clearly state that the bid is subject to a local bidder preference law. For purposes of this section, "local bid" means the bidding person is authorized to transact business in this state and maintains a bona fide establishment for transacting such business within this state. This provision does not apply to any construction contract for which federal funds are available for expenditure when its provisions may be in conflict with federal law or regulation.

- E. If an award is made to other than the lowest bidder, the District shall accompany its action with a publicized statement setting forth the reason for its action. Such statement shall be placed on file, open to public inspection and be a matter of public record.

BIDS AND QUOTATIONS (Cont.)

- F. It is the intent of the Board to purchase locally whenever equal goods and services are offered. In cases, where two or more responsible suppliers at the local, state, or out-of-state level offer equal materials, supplies, services, equipment, and terms preference may be granted in the following order:

1. Local Supplier*
2. State Supplier
3. Out-of-State Supplier

*A local supplier is defined as one who “maintains a distribution, manufacturing, or processing facility within the confines of the District” with real property or taxable personal property appearing on the ad valorem tax rolls

**REFERENCE: 61 O.S. §102, §107, §131, §117
62 O.S. §430.1
70 O.S. §5-123**