

Competitive Bids for Construction Projects

Construction projects in which the total cost will exceed \$25,000 shall be submitted to the public for competitive bids except when one of the following conditions apply:

1. Work is performed on construction or repair projects by regular full-time employees of the State or its subdivisions, including the Board;
2. Work is performed on such construction or repair projects by students enrolled in vocational education schools when such use is part of the student's training program;
3. Emergency repairs to building components, systems, and public infrastructure. For the purpose of this subdivision, the term "emergency repairs" means repairs that, if not made immediately, will seriously impair the use of building components systems and public infrastructure or cause danger to those persons using the building components systems and public infrastructure; and (See Local Emergency Purchasing Policy)
4. Where the state or its subdivisions, including the Board, have come to an agreement with volunteers, or a volunteer group, in which the governmental body will provide construction or repair materials, architectural, engineering, technical, or other professional services, and the volunteers will provide the necessary labor without charge to, or liability upon, the governmental body.

Withdrawal of Bid

The bidder may withdraw his/her bid(s) prior to the declaration of the time for opening bids on any and all projects. The conditions of bidding shall require his/her bid(s) to stand after the declaration of the time for the opening.

Project Insurance

Pursuant to state statute, the Board shall require all persons contracting for the building/construction of school property, where the contract exceeds \$25,000, to execute a bond, with approved security, in the amount of the contract price.

Fair Employment Clause

Contractors and subcontractors are required not to discriminate against any employee or applicant for employment with respect to hiring, tenure, terms, conditions, or privileges of employment because of race, color, religion, national origin, or ancestry or also because of age or sex, except where based on a bona fide occupational qualification.

Failure to comply with the provisions of this policy may result in contract cancellations or in other penalties as established by state and/or federal law.

Modifications to School Buildings And Equipment

The Board is charged with the legal responsibility to maintain all school buildings and equipment. While it is recognized that there are, from time to time, legitimate reasons why school employees need to make modifications to school buildings and/or equipment, such modifications must be carefully planned so as to ensure that they:

1. Meet the requirements of state regulatory agencies such as the Fire Marshall and the Health Department;
2. Do not create a hazard to students or employees; or
3. Create problems with the efficient and economical cleaning and maintenance of the building.

Therefore, no one shall modify Hardy County school buildings or equipment without permission of the Principal, Maintenance Director, and Hardy County Board of Education. Before granting such permission, the Principal, Maintenance Director, and Hardy County Board of Education shall study the proposed modifications to determine that it is not prohibited by building codes or other regulations of state or federal agencies; that it does not damage the structural integrity, exiting, maintenance, cleaning, and use of the building; and that it will accomplish its purpose in a practical manner.

SOURCE: Board of Education Minutes

DATE: November 28, 1983 – February 26, 2001 – August 21, 2023

LEGAL REFERENCE: West Virginia State Codes: §5-22-1, §18-5-12; Fair Labor Standards Act of 1938, American With Disabilities Act of 1990, 42 U.S.C. §12112 et seq.