

BIDDING/PURCHASING REQUIREMENTS

The School Committee expects all purchase made by the school department to be consistent with applicable laws and sound business practices. The Superintendent shall be responsible for developing and implementing administrative procedures for bidding and purchasing consistent with this policy.

This policy is intended solely as an internal guide to purchasing by the school department. It does not afford any vendor any property or contractual rights against the school department. No vendor shall have any enforceable rights against the school department based upon this policy or alleged violation of this policy. No vendor shall have any rights against the school department until such time as a written contract between the vendor and the school department is executed by the vendor and the authorized representative of the school department.

A. Bidding Required by Law

Maine law requires the Committee to competitively bid property and casualty insurance; school bus and transportation contracts in excess of \$4,000; school building construction, alterations and repairs over \$25,000 (except contracts for professional architectural and engineering services); and bond anticipation note for state-subsidized school construction projects.

B. Competitive Bidding of Other Purchases

Where bidding is not required by law, it shall be the policy of the school department to competitively bid purchases of equipment, supplies, materials or services over \$15,000 provided that it is practical and cost-effective to specify the materials or services with sufficient particularity to allow meaningful comparison of bids.

C. Requests for Proposals

If competitive bidding is not utilized, the Superintendent may seek Requests for Proposals (RFP) for purchases over \$15,000. An RFP identifies the need the school department intends to meet, but permits the vendor to propose the manner in which the work is to be performed and the materials to be used.

D. Cooperative Purchasing

The Business Administrator shall have the authority to join with other units of government in cooperative purchasing plans when it's in the best interest of the school department.

E. Exceptions

The Superintendent may forego the competitive bid or RFP process only when he/she determines that quality, expertise, time factors, sole source, or other important considerations outweigh the possible benefits of bidding or requesting proposals. In each such case, the Committee shall be informed of the Superintendent's decision and the reasons for it in advance of entering into a contract.

F. Procedures for Bidding and Requesting Proposals

The method of notification that the school department uses to solicit bids and proposals shall be reasonably designed to attract qualified vendors. Depending upon the circumstances such notification may include public advertising and/or mailing of notices to potential vendors.

G. Extension of Contract

When the school Committee determines that it would be in the best interest of the school department, the School Committee may vote to extend the terms of a contract which has been awarded without resubmitting the contract to further purchasing/bidding requirements, provided that the contract is extended at the same terms and condition.

H. Waiver of Requirements

When the School Committee determines that it would be in the best interest of the school department, the School Committee may vote to waive the requirements of this policy.

Legal References: 5 MRSA ss 1743-S
20-A MRSA ss 1001(14), 5401(13)(D); 5402 (all)
20-A MRSA ss 1314 (MSAD)
SS 13C (Maine State Board of Education Rules for School
Construction Projects) (all)

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