

Regional School Unit #34  
BIDDING/PURCHASING REQUIREMENTS

The School Board expects all purchases made by the school unit 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 unit. It does not afford any vendor any property or contractual rights against the school unit. No vendor shall have any enforceable rights against the school unit based upon this policy or alleged violations of this policy. No vendor shall have any rights against the school unit until such time as a written contract between the vendor and the school unit is executed by the vendor and an authorized representative of the school unit.

A. Bidding Required by Law

Maine law requires the Board to competitively bid property and casualty insurance; school bus and transportation contracts in excess of \$4,000; school building construction, alterations and repairs over \$250,000 (except contracts for professional architectural and engineering services); and bond anticipation notes 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 unit to competitively bid purchases of equipment, supplies, materials or services provided that it is practical and cost-effective and/or it is possible to specify the materials or services with sufficient particularity to allow meaningful comparison of bids.

**Procurement Methods for Federally Funded Projects**

The Superintendent or his or her designee shall be responsible for developing, updating as necessary, and implementing a written administrative procedures manual (hereafter, the “Federal Procurement Manual”) to govern the procurement and purchase of property, goods, and services using any federal award<sup>1</sup> that is subject to the Uniform Grant Guidance, codified at 2 CFR Part 200 (“UGG Federal Award”). The Federal Procurement Manual shall be consistent with all applicable federal laws and rules.

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<sup>1</sup> A “federal award” is any federal financial assistance (including cost-reimbursement contracts) that a school unit receives either directly from a federal agency or indirectly from a pass-through entity such as the State education department. *See* 2 CFR § 200.38. Most, but not all, federal awards received by a school unit are subject to the Uniform Grant Guidance. To confirm whether a federal award is subject to the Uniform Grant Guidance, review the terms and conditions of the applicable grant agreement or cooperative agreement and the applicability provisions of the Uniform Grant Guidance, codified at 2 CFR § 200.101.

Notwithstanding any policy provision to the contrary, the procurement and purchase of property, goods, and services using a UGG Federal Award, in whole or in part, must comply with the Federal Procurement Manual. Wherever this policy or any of the school unit's administrative procedures are inconsistent with federal laws or rules, the provisions of the federal laws or rules shall control.

Legal Reference: 5 MRSA § 1743-A (ALL)  
20-A MRSA §§ 1001(14), 5401(13)(D); 5402 (ALL)  
20-A MRSA § 1314 (MSAD)  
20-A MRSA § 1492 (RSU)  
Me. DOE Rules, Ch. 61 (Rules for School Construction Projects)  
(ALL)  
34 CFR Parts 74 and 80 (Education Department General Administrative  
Regulations ("EDGAR")) (for federal awards made prior to 12/26/2014)  
  
2 CFR Part 200 (Uniform Administrative Requirements) (for federal  
awards made on or after 12/26/2014)

Cross Reference: DJ-R – Federal Procurement Manual (Copies available from the  
Superintendent's Office)

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