

PURCHASING PROCEDURES / BUILDINGS AND PROPERTY

When any school building is to be built costing fifty-thousand dollars (\$50,000.00) or more, or when any repairs, additions or improvements costing fifty-thousand dollars (\$50,000.00) or more, are to be made to any school building, facility or other District property, the Board shall obtain competitive bids and publish a call for bids in a newspaper of general circulation in the state at least once each week for two (2) consecutive weeks.

The District shall reserve the right to reject any and all bids and to waive irregularities and informalities in the bidding. Contracts shall be awarded to the lowest responsible bidder, after consideration is given to the conformity with specifications, the quality of the materials to be supplied, the suitability to the requirements of the project, the delivery terms and the past performance of the vendor. No contract or purchase order shall be divided for the purpose of avoiding this policy.

The District complies with the Wyoming Preference Act, which provides for a resident contractor to receive a five percent (5%) bid preference and by requiring employment in public works projects to be offered to Wyoming residents.

Items for which bids must be obtained may be described in the published call for bids by stating general requirements and making detailed specifications available to prospective bidders at the District's Central Administration Building.

Sealed bids and related documents shall be kept confidential until bids are opened. District staff shall not disclose offers, bids, or price quotations to competitors, except as necessary to conduct negotiations for District purposes, except as required by law. All contract negotiations and related documents are considered confidential until a contract is executed, or all proposals are rejected.

If only one responsive bid is received, the District shall consider whether the potential bidders had adequate time to prepare and submit bids, whether bid amounts are reasonable and within the budget, whether delivery requirements may be made in time, and any other applicable conditions. If the bid process was satisfied, the purchase may be made in the best interests of the District by accepting the sole bid or rejecting it and initiating a new bid process.

If the bid process is completed and no responsive bids are received, the District will either rebid or process the contract as a sole source award pursuant to Policy File DJE.

Contracts for construction, major maintenance, repairs, additions, and improvements shall identify an allowable tolerance for the total payment amount not to exceed twenty-percent 20% of the contract price, or purchase order amount, to account for authorized change orders. Change orders for the scope of work to be performed, the materials to be furnished, recommended field design modifications or other such changes may be approved by the Facilities Director. Change orders requiring significant additional time for completion, revision of the contract or adjustment to the original contract price due to unforeseen circumstances shall require approval of the Board.

Before any contract exceeding fifty-thousand dollars (\$50,000.00) in an amount for the construction, major maintenance or renovation of any school building, facility or other District property is awarded to any person or entity, the person or entity shall furnish a performance and payment bond executed by a surety company authorized to do business in the State of Wyoming, or if the contract price is one hundred fifty thousand dollars (\$150,000.00), or less, any other form of guarantee satisfactory to the Board, in an amount equal to one hundred percent (100%) of the contract price.

The requirements of this policy shall not apply to the procurement of professional services of architects, engineers or surveyors when the Board seeks to procure professional services pursuant to Wyo. Stat. §§ 9-2-1027 through 9-2-1033.

No employee, officer, or agent may participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest. A conflict of interest would arise when the employee, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for contract.

Unless prohibited by law, the Superintendent or Chief Financial Officer may waive the requirements for bidding when it is determined that there exists a threat to the life, property, public health or public safety, or when immediate expenditure is necessary, in order to protect against further loss or damage to property or to prevent or minimize a serious disruption in services. Emergency services shall be made with as much competition as is practical under the circumstances and will only be utilized for purchases necessary to alleviate the emergency.

Adopted: 12/09/19

Legal Refs: Wyo. Stat. § 9-2-1027
 Wyo. Stat. § 9-2-1031
 Wyo. Stat. § 9-2-1032
 Wyo. Stat. § 9-2-1033
 Wyo. Stat. § 16-6-102
 Wyo. Stat. § 16-6-112
 Wyo. Stat. § 16-6-203
 Wyo. Stat. § 21-3-110