

SECTION: FINANCES

TITLE: PURCHASE SUBJECT
TO BID

ADOPTED: December 19, 1996

REVISED:

Erie County Technical School

610. PURCHASES SUBJECT TO BID

1. Purpose

It is the policy of the Operating Committee to obtain competitive bids for products and services where such bids are required by law or where such bids may be believed to bring about a cost saving to the school.

2. Authority SC 807.1 Act 38 of 1990

Furniture, equipment, textbooks, school supplies and other appliances (herein called "supplies") to be purchased by the school, unless exempt by the statute, costing more than \$4,000 but less than \$10,000, may be let on written or telephonic quotations. However, if it is not possible to obtain three (3) quotations, a memo must be kept on file for three (3) years showing that fewer than three (3) qualified contractors exist in the market area.

SC 751

All contracts for construction, reconstruction, repairs maintenance or work on any school building as property (herein called "work"), unless exempt by statute, having a cost or value of more than \$4,000 but not more than \$10,000 may be let on written or telephonic quotations. However, if it is not possible to obtain three (3) quotations, a memo must be kept on file for three (3) years showing that fewer than three (3) qualified contractors exist in the market area.

Less than \$5,000 worth of work may be done with school employees.

3. Responsibility

Bid specifications shall be prepared by the Director or his/her designee.



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SC 807.1

The Secretary or responsible administrator is authorized to advertise for bids in accordance with statutory procedures without prior approval of the Operating Committee, but shall inform the operating Committee of such action at the meeting next following. Records shall be kept in sufficient detail to show that a reasonable number of qualified vendors were invited to bid.

Bids shall be opened publicly before one or more witnesses at a previously designated time and place. Contracts shall be awarded to the lowest responsible bidder upon resolution of the Operating Committee, unless the Operating Committee chooses to reject all bids.

SC 751

The Operating Committee also recognizes that emergencies may occur when imminent danger exists to persons or property or the continuance of existing school classes is threatened, and time for bidding cannot be provided because of the need for immediate action.

Act 4
of 1974

Whenever a contractor shall submit a bid for the performance of work and the contractor later claims a mistake, error or omission in preparing said bid, the contractor shall, before the bids are open, make known the fact and in such case the bid shall be returned unopened.

The use of electronic bidding and competitive electronic auction bidding is deemed to be in the best interest of the Technical School.

The Operating Committee authorizes the Administration to solicit the electronic submission of bids for all purchases and contracts and to receive bids for all purchases and contracts electronically, provided the Technical School has the electronic capability to maintain the confidentiality of the bid until the bid opening time.

The Operating Committee authorizes the Administration to use competitive electronic auction bidding for the solicitation of contracts for supplies or services (but specifically excluding construction and design professional services). Invitations for bids must give notice that the bids are to be received through a competitive electronic auction. During an electronic auction, bids must be accepted electronically and bidders must be able to view their bid rank or the low bid price. Bidders must also have the opportunity to reduce their bid price during the auction. Upon the conclusion of the auction, the entire record shall be open to the public for inspection. Contracts solicited through this process shall be awarded within sixty (60) days, although extensions of the date for the award may be made by mutual written consent of the Operating Committee and the lowest responsible bidder.

After the auction period has terminated, bidders may request the withdrawal of a bid in the event that bidder made an unintentional mistake in the calculation of the bid price. The bidder must make a written request for relief within ten (10) calendar days from the date the bid was submitted. To obtain relief, the bidder must present credible written evidence that the low bid price was the result of a clerical mistake, as opposed to a judgment mistake, and was actually due to an unintentional arithmetical error or an unintentional omission of a substantial quantity of work, labor, material or services made directly in the compilation of the bid.