

## BIDDING REQUIREMENTS

State law requires the Board of Trustees to obtain competitive bids whenever a school building or addition is to be built, repairs or improvements to an existing facility or property are to be made, or insurance, supplies, or materials other than textbooks are to be purchased when such expenditure will be in excess of ~~ten thousand dollars (\$10,000.00)~~ **twenty-five thousand dollars (\$25,000.00)** and less than ~~twenty-five thousand dollars (\$25,000.00)~~ **fifty thousand dollars (\$50,000)**, unless precluded by other regulation or statute. When the amount exceeds ~~twenty-five thousand dollars (\$25,000.00)~~ **fifty thousand dollars (\$50,000)**, the District is required to publish a call for bids, at least once, in a newspaper of general circulation in the District. The District shall reserve the right to reject any and all bids and to waive irregularities and informalities in the bidding. No contract shall be divided for the purpose of avoiding this provision. 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 administrative headquarters. [W.S. 21-3-110 (a)(viii)]

Items for which bids must be obtained may be described in the public call for bids by stating general requirements and making detailed specifications available to prospective bidders at the administrative offices.

All requests for bids and proposals for materials, supplies, etc., shall contain language indicating that preference will be given to materials, supplies, equipment, machinery, and provisions produced, manufactured, supplied, or grown in Wyoming, quality being equal to articles offered by the competitors outside of the state. [W.S. 16-6-106]

Where applicable, preference will be given to Wyoming contractors as provided in Wyoming Statute 16-6-102(a).

The law provides for penalties for noncompliance with these provisions.

### Deposits of Good Faith (Bid Bond)

On certain bids, the Coordinator of Business Services and/or the Coordinator of Support Services may deem it necessary to require deposits of good faith. Such deposits should be in a reasonable amount and usually not in excess of ten percent (10%) of the anticipated contract. The invitation to bid shall specify the deposit amount. A certified check, cashier's check, or properly executed bond should accompany the bid proposal. The check should be made payable to the Treasurer, Board of Trustees, Park County School District #1.

Deposits of the bidders are held until award of the order or contract is made, and the deposit of the successful bidder is held until he/she has completed delivery or services or, if required, provided a performance bond.

### Performance and Contractor Bonds

Park County School District #1, Powell, Wyoming

The Coordinator of Business Services and/or the Coordinator of Support Services, at his/her discretion, may require that a performance or contractor bond be furnished prior to the awarding of an order or contract. Such bonds are used to ensure performance of the contract in the time and manner prescribed and to save, indemnify, and keep harmless the Board of Trustees against loss.

If a performance or contractor bond will be required of the successful bidder, this shall be specifically stated on the "Invitation to Bid" form. The bond shall be in the amount of one hundred percent (100%) of the contract unless specifically set at a lesser amount by State law.

If the bidder defaults or it is necessary to notify the bonding company of irregularities, specific steps of procedures should be stated and followed according to established Board/District guidelines.

#### Late Bids

All formal invitations to bid shall specify a day and hour for the public opening of the bid. Each vendor has the responsibility for seeing that his/her bid arrives in time to be considered. Should a bid be incorrectly filled out as to the time, date, and/or nature of the bid and incorrectly filed or delayed until after the opening time, the bid will not be accepted. Lateness resulting from delays in the United States Post Office system will not be excused and such bids will not be accepted. Quotations for items on formal invitations to bid will not be accepted by telephone before or after the bid opening.

No bids shall be considered which are received after the time mentioned and any bid received after the scheduled time shall be returned to the bidder unopened. The district may further require up to thirty (30) days from receipt of the bid for acceptance of the bid.

#### Mistakes in Bidding

Prior to the opening of any bid, the vendor retains the right to withdraw his/her bid for any reason. The bid will be re-accepted any time prior to the stated opening time and date.

If a mistake is discovered after the opening of the bid, the only relief provided is at the discretion of the Coordinator of Business Services. Each vendor is responsible for seeing that bids submitted to the Board of Trustees are correct, and the District discourages any attempt to change the bid.

Generally, in the event of an obvious error or under other circumstances considered excusable, the Coordinator of Business Services may allow the vendor to withdraw his/her bid with or without prejudice.

#### Tie Bids

No one except the Board of Trustees is authorized to break tie bids.

In the event of a tie bid, the Board of Trustees may accept whichever bid or bids it determines to be in the best interests of the School District.

#### Vendors' Discounts

Park County School District #1, Powell, Wyoming

Vendor's discounts are encouraged. The offered discount is used in determining the net bids. All bid prices submitted must reflect any and all discounts.

Rejection of Bids

The District shall reserve the right to reject any or all bids or to accept any bid which in its sole and absolute judgment, under the circumstances, best serves the district's interest. No bids shall be considered which are received after the time mentioned and any bid received after the scheduled time shall be returned to the bidder unopened. The district may further require up to thirty (30) days from receipt of the bid for acceptance of the bid.

Revised: 3/10/2015