

NOTE: Colorado school districts are required by law to adopt a policy on this subject and the law contains some specific direction as to the content or language. This sample contains the content/language that CASB believes best meets the intent of the law. However, the district should consult with its own legal counsel to determine appropriate language that meets local circumstances and needs.

Bidding Procedures

All contractual services and purchases of supplies, materials and equipment in the amount of \$2,000 or more shall be put to bid. This shall not apply, however, to professional services or instructional services or materials. Other purchases may be made in the open market but shall, when possible, be based on competitive quotations or prices.

All contracts and all open market orders shall be awarded to the lowest responsible qualified supplier, taking into consideration the quality of materials (services) desired and their contribution to program goals.

All bids shall be submitted in sealed envelopes, addressed to the Board, and plainly marked with the bid number and the time of the bid opening. Bids shall be opened in public by appropriate district officials or employees at the time specified, and all bidders shall be invited to be present.

The Board reserves the right to reject any or all bids and to accept that bid which appears to be in the best interest of the district.

The bidder to whom an award is made shall be required to submit to the district proof of liability insurance and when appropriate, proof of workers' compensation insurance, and may be required to enter into a written contract with the district. Any written contract shall include a provision requiring a criminal background check for any person providing direct services to students under the contract, including but not limited to transportation, instruction or food services as required by law. The contracting entity is responsible for any costs associated with the background check.

Adopted: February 16, 1993

Revised: November 2003, December 2011, September 2014, April 2016,
October 2016, November 2017

LEGAL REFS.: C.R.S. 22-32-109 (1)(b) (board required to adopt bidding procedures)
C.R.S. 22-32-122 (4) (background check provision required in service contracts)
C.R.S. 24-18-201 (public official's interest in contract)

CROSS REFS.: BCB, School Board Member Conflict of Interest
DJB*, Federal Procurement

NOTE 1: Criminal background checks provided pursuant to this policy shall, at a minimum, meet the requirements of C.R.S. 22-32-109.7 and may include any other requirements of the district. Under section 109.7, CDE is required to advise districts only as to whether a prospective employee has been convicted of a felony or misdemeanor crime involving unlawful sexual behavior or unlawful behavior involving children. Districts may wish to require service contractors to report all convictions for any person working directly with students.

NOTE 2: If the district receives federal funds, the district is required by the federal Uniform Grant Guidance (UGG) to adopt procurement procedures specific to purchases made with federal funds, in whole or in part. See, CASB sample policy DJB, Federal Procurement and accompanying sample regulation, DJB*-R.*