

Hermon School Department

**BIDDING/PURCHASING REQUIREMENTS**

The Hermon School Committee expects all purchases made by the Hermon School Department 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 department. The Superintendent may reject any and all bids or modify the bid specifications in the best interest of the school department. No vendor shall have any enforceable rights against the school department until such time as a written contract between the vendor and the school department is executed by the vendor and an authorized representative of the Hermon School Department.

A. Bidding Required by Law

Maine law requires the School Committee to competitively bid property and casualty Insurance; school bus and transportation contracts in excess of \$4,000; school building construction, alterations and repairs over \$100,000; 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 Hermon School Department to competitively bid purchases of equipment, supplies, materials or services over \$10,000 provided that it is practical and cost-effective to specify the materials or services with sufficient particularity to allow meaningful comparison of bids.

If competitive bidding is not utilized, the Superintendent may seek Requests for Proposals (RFP). An RFP identifies the need the school department intends to meet, but permits the vendor to propose the manner in which the work is to be performed and the materials to be used.

The Superintendent may forego competitive bidding or the RFP process when required above, only when he/she determines that quality, expertise, time factors, or other important considerations outweigh the possible benefits of bidding. In each case, the School Committee shall be informed of the Superintendent's decision and the reasons for it in advance of entering into a contract.

C. Local Vendor

Local purchases must be considered whenever the following factors are comparable between local and non-local vendors: quality of product, suitability of project, price, conformance to specifications, convenience of delivery, and general reputation of provider.

D. Sole Source Vendor

There may be times when only one supplier will be or can be used. For example, there are standardized computers and/or software where it would not be advantageous to seek bids from other manufacturers for an additional unit. There may also be times when the Superintendent knows that a certain product or line is clearly superior to others and is the only brand acceptable. When a sole supplier is to be utilized and prior to the contract being finalized, the School Committee will be informed, including the rationale for that decision. Upon receipt of the information the School Committee may still require competitive bidding but may waive the minimum three bidder requirement.

E. Procedures for Bidding and Requesting Proposals

The method of notification that the district uses to solicit bids and proposals shall be reasonably designed to attract qualified vendors. Depending upon circumstances, such notification may include public advertising and/or mailing of notices to potential vendors.

In requesting bids, at least three (3) will be routinely sought. In the event that no satisfactory bids are received, the Superintendent and the School Committee will be notified. Alternate bid processes will be allowed when the Superintendent deems there are factors such as time, familiarity of vendors, or purchasing consortiums which would decrease the value of a formal bid process.

Contracts for services or items will be awarded to the vendor whom the Superintendent deems best able to meet the requirements of the district for items less than \$49,999. The School Committee will be informed of the award by the Superintendent or Finance Officer.

All bids of \$50,000 or more shall be approved by the School Committee. If timing constraints exist the Superintendent may approve bids, but will notify the School Committee of the approval and the circumstances requiring an abbreviated process.

All bids in excess of \$150,000 shall be approved in advance by the School Committee.

F. Disposing of School Equipment

The District, with the approval of the Superintendent will dispose of used school equipment through the bid process on any single item exceeding \$500. Under \$500, the Superintendent is authorized to dispose of the equipment in accordance with good business practices.

Legal Reference: 5 MRSA Section 1743-A  
20-A MRSA Section 1001.14, 5401.13 D, 5402  
20-A MRSA Section 1314  
Section 13 C (Maine State Board of Education Rules for School Construction Projects)