

School District Bid Law Guidance

This document ***is not*** intended to be a comprehensive summary of all bid laws and does not apply to federally funded programs. It is intended for informational guidance only. Reference to this document should not be substituted for reference to RCW 28A.335.190, or Title 39 RCW. This document includes bid law changes passed through the 2013 legislative session.

<u>Type of work</u>	<u>Description of work</u>	<u>Threshold</u>	<u>Formal Public Bid?</u>	<u>Instructions</u>
Public Work	Improvements or repairs to the property of the district.	<\$75,000	No	Labor may be performed by the district's own shop and/or maintenance department.
Public Work	Building, improvement, repair or other public works project	<\$100,000	No	While RCW 28A.335.190 is silent on bidding projects under \$100,000, RCW 39.04.155 is applicable. Best Practices would be to use Small Works Roster process for projects under \$100,000 (See below).
Public Work	Building, improvement, repair or other public works project	≥ \$100,000	Yes	Need to follow formal public bidding laws unless the small works roster process has been adopted. Small works roster threshold is ≤ \$300,000 (See below).
Purchases	Furniture, equipment or supplies, except books	> \$40,000 and < \$75,000	No	Use Competitive Basis (See below).
Purchases	Furniture, equipment or supplies, except books	≥ \$75,000	Yes	Use Formal Public Bid procedures.

Formal public bid procedures. Complete plans and specifications shall be prepared and notice by publication given in at least one newspaper of general circulation within the district, once each week for two consecutive weeks, of the intention to receive bids and that specifications and other information may be examined at the office of the board or any other officially designated location. The bids shall be in writing and shall be opened and read in public on the date and in the place named in the notice and after being opened shall be filed for public inspection.

Competitive Basis. The board shall establish procedures for securing telephone and/or written quotations for such purchases. Procedure shall require quotations from at least three different sources to be obtained in writing or by telephone, and recorded for public perusal.

Small Works Roster contract procedures. Contracts awarded from a small works roster need not be advertised. Contracts awarded are recorded and available for public perusal. **Limited Public Works under \$35,000:** Solicitation from at least 3 contractors on the appropriate small works roster and award to the lowest responsible bidder. **From \$35,000 to \$150,000:** Quotations may be invited from all or at least 5 contractors on appropriate roster, in a manner that will "equitably distribute" the opportunity among the contractors on the list. Invitations must include scope and nature of work to be performed. However, detailed plans & specs are not required. **Over \$150,000 to \$300,000:** In addition to procedures above, if less than all contractors on an appropriate roster are chosen to solicit bids, district must notify entire roster that quotes are being sought.

Other Notable references:

- Bid award considerations are found in RCW 39.26.160. Districts award contracts to the lowest responsive and responsible bidder. A responding bidder must meet responsibility criteria found in RCW 39.04.350.
- Districts must post a list of contracts awarded. RCW 39.04.200 outlines procedures districts must follow.