

Procedure 3200-PR(1): Procurement Policy - Guidelines for Procurement of Goods and Services

Original Adopted Date: September 17, 2025

Status: Approved

PURCHASING AUTHORITY AND REFERENCES

1. The District Governing Board empowers the CEO to appoint the appropriate designee to serve as the Chief Fiscal and Procurement Officer (CFO) for the District.
2. For purchases processed from District local bank account funds, the CFO will ensure the procurement procedure(s) is followed.
3. For purchases utilizing federal funds, the District will follow the procurement rules outlined in Uniform Guidance, 2 CFR Part 200 (<https://www.eCFR.gov>) to confirm that all expenditures of federal funds are allowable, reasonable, allocable, consistently treated, and in compliance with limitations and exclusions as stated in the federal cost principles.

THRESHOLDS FOR COMPETITION

1. The determination to use competitive sealed bidding or the sealed competitive proposal process shall be made by the CFO in compliance with policy and procedures set forth.
2. Purchasing transactions up to \$10,000 are not subject to competitive purchasing requirements. However, reasonable judgment should be used to ensure the purchases are advantageous to the District.
3. A minimum of two written quotes should be obtained for all unit and aggregate purchase requests over \$10,000 and up to \$50,000 and may be approved by the CFO providing the expense is in the current and approved budget. Expenditures over \$10,000 will be reported to the District Board monthly.
4. A minimum of three written quotes should be obtained for all unit and aggregate purchase requests over \$50,000 and up to \$100,000. All expenditures over \$50,000 will be approved by the District Board prior to purchase, if not previously approved in the budget.
5. Aggregate purchases up to \$50,000 may be subject to an Invitation for Bid (IFB) or the Request for Proposal/Request for Quotation (RFP/RFQ) process dependent upon the nature of the purchase.
6. All unit or aggregate purchase requests over \$100,000 will be subject to either an IFB, RFP/RFQ, single source, or cooperative procurement process.

7. The Board may approve a purchase even if the appropriate number of quotes is not received providing the District has done its due diligence and has documented its attempt to obtain the required number of quotes.

GUIDELINES FOR INVITATION FOR BID (IFB)

An IFB will be issued for purchases and services when low cost is to be the determining award factor.

1. Adequate public notice of the IFB will be given within a reasonable time before the date specified in the invitation for the opening of bids. A minimum of 14 calendar days shall be provided unless a shorter time is deemed necessary for a particular procurement. Advertisement in a general publication newspaper with a local circulation as well as posting on the District's website is recommended.
2. A bidder may modify or withdraw its bid at any time before bid opening if the modification or withdrawal is received before the time and date set for bid opening in the location designated in the IFB for receipt of bids. All documentation relating to a withdrawal or modification of a bid shall be kept as part of the procurement file.
3. Bids will be opened publicly at the time and place designated in the solicitation. The amount of each bid, other relevant information, and the name of each bidder shall be recorded. This record shall be open to public inspection after the bid opening.
4. It is the vendor or supplier's responsibility to ensure that their bids are received no later than the appointed time and place of the bid opening, as specified in the IFB. Late bids will not be considered or opened.
5. The contract will be awarded to the lowest responsible and responsive bidder whose bid conforms in all material respects to the requirements and criteria set forth in the IFB, unless the District determines the lowest bid is not in the best interest of the District.
6. Only after formal award of the bid, shall the bids be made available for public inspection. All bids received for a solicitation become public information following contract award. Vendors are to clearly mark in their bid documents PRIOR to submission any "confidential" or "proprietary" information and when possible, cite the appropriate rule which makes the information proprietary. When respondents mark the documents as such, the CFO or staff attorney will make the determination as to whether the information is truly confidential. If it is not proprietary information, the information will not be considered confidential and will be released if requested. Information deemed proprietary in nature by the bidder and approved as such by the District, shall not be included in the materials available for public inspection. Only the submitted Bids/Proposals will be retained in the procurement folder.
7. Vendors or suppliers are responsible for the accuracy of their quoted prices. In the event of a discrepancy between unit price and its extension, the price or extension that best favors

the District will govern. Bids may be amended or withdrawn by the bidder up to the bid opening. If an error is discovered after an opening, the CFO may permit a bidder to correct a mistake if the mistake is evident in the uncorrected bid. The CFO shall not permit a correction that is prejudicial to the District or fair competition. After an order has been issued, no bid may be withdrawn or amended unless the District considers the change to be in its best interest. The District reserves the right to reject any and all bids, or parts of bids, or to waive any informalities, and to select the bid that, in its opinion, best serves the needs of the District.

8. Tie bids are defined as instances of identical pricing from responsible bidders that meet all the requirements as set forth in the bid documents. Tie bids may be awarded by drawing lots or any other random choice manner. Care shall be taken by the District to ascertain that the tie bidders meet all requirements as outlined in the IFB document before declaring a tie bid situation. Records and methods of determining the successful bidder shall be maintained in the procurement file.

In instances when only a single response is received, a determination will be made by the District in writing that the response is fair and reasonable, that other prospective vendors had adequate time to respond, and that there is not adequate time for re-solicitation prior to award.

GUIDELINES FOR REQUEST FOR PROPOSAL (RFP) AND REQUEST FOR QUOTATION (RFQ)

An RFP/RFQ will be issued for purchases and services when factors either in addition to or not including low cost are to be evaluated in determining the award.

1. Evaluation criteria will be established by the District to evaluate the responses.
2. Adequate public notice of the RFP/RFQ will be given within a reasonable time before the date specified in the invitation for the opening of bids. A minimum of 14 calendar days shall be provided unless a shorter time is deemed necessary for a particular procurement. Advertisement in a general publication newspaper with a local circulation as well as posting on the District's web site is recommended.
3. Pre-proposal meetings may be conducted to explain the procurement requirements. If the meeting is not documented in the RFP it shall be announced to all prospective proposers known to have received an RFP. The conference shall be held long enough after the announcement has been issued to allow proposers to become familiar with the document, but sufficiently before proposal opening to allow consideration of the conference results in preparing their proposals. Generally, the receipt of proposals will be no sooner than seven calendar days after the pre-proposal conference. Any exceptions must be granted in writing by the CFO. Nothing stated at the conference shall change the RFP unless the change is made by written addendum.
4. An RFP/RFQ will be opened publicly at the time and place designated in the solicitation. The amount of each bid, other relevant information, and the name of each bidder shall be

recorded.

5. Interviews may be conducted with offerors.
6. The CFO may appoint an evaluation or advisory committee to assist in the evaluation of proposals. CFO or Advisory Committee shall evaluate proposals based on the evaluation criteria contained in the RFP. The CFO shall not modify the evaluation criteria or their relative order of importance after proposal due and time. The CFO may conduct negotiations with responsible proposers to improve their proposals in such areas as cost, price, specifications, performance, or terms, to achieve best value for the District based on the requirements and the evaluation factors set forth in the RFP. Based on their negotiation with the District, proposers may revise their proposals and submit a Best and Final Offer (BAFO) in writing to the CFO. BAFO's shall only be requested once by the CFO. The CFO shall recommend to the Governing Board to award the contract to the responsible proposer whose proposal is determined to be most advantageous to the District based on the evaluation factors set forth in the RFP.
7. The contract will be awarded by the District Governing Board or CFO as appropriate to the offeror whose proposal was determined to be most advantageous to the District based on the factors set forth in the solicitation.
8. Only after formal award of the proposal shall the offers be made available for public inspection. All proposals received for a solicitation become public information following contract award. Vendors are to clearly mark in their proposals PRIOR to submission any "confidential" or "proprietary" information and when possible, cite the appropriate rule which makes the information proprietary. When respondents mark the documents as such, the CFO or staff attorney will make a determination as to if the information is truly confidential. If it is not proprietary information the information will not be considered confidential and will be released if requested. Information deemed proprietary in nature by the bidder and approved as such by the District, shall not be included in the materials available for public inspection. Only the submitted Proposals and the Official Score Sheets will be retained in the procurement folder. Informal or personal notes will not be included as public record.
9. Vendors or suppliers are responsible for the accuracy of their proposal prices. In the event of a discrepancy between unit price and its extension, the price or extension that best favors the District will govern. The District reserves the right to reject any and all proposals, or parts of proposals, or to waive any informalities, and to select the proposal that, in its opinion, best serves the needs of the District. If a mistake in the proposal is discovered after the award, the proposer may explain the mistake and request for correction or withdrawal. Based on the considerations of fair competition and the best interest of the District, the Procurement Department may allow the correction of the mistake; cancel all or part of the award or deny correction or withdrawal.

In instances when only a single response is received, a determination will be made by the District in writing that the response is fair and reasonable, that other prospective vendors had adequate time to respond, and that there is not adequate time for re-solicitation prior to award.

Exceptions

Exceptions to the requirements to solicit competitive offers include:

1. Utilities.
2. Fees fixed by a government body, accreditation body, intergovernmental agreement, or professional organization.
3. Membership dues and subscriptions.
4. Purchases at the unit or contract price competitively sourced under State Contract, cooperative purchasing agreement, or buying cooperative are not subject to the requirement for public bidding as the State Purchasing Office or other entity has already publicly bid the commodities or services on the contracts. The particular contract or agreement should be cited in the request and verified before the order is placed. A current cooperative agreement must be maintained on file at the District along with a copy of the cooperative contract information.
 - a. Purchases of supplies, equipment, and services should be made from a State Contract or other entity whenever it is in the best financial interest of the District.
 - b. Cost comparisons are not required when a purchase is made from a State Contract or other entity.
5. Sole Source: The item or service is available only from one source. The District must document in writing there is only one source for the required material or service. (See Proprietary Specifications below.)
6. Business Justification: A business justification for using a specific product or vendor must be documented. (See Proprietary Specifications below.)
7. Emergency need to repair or replace: To protect lives and/or business continuity, procurement processes may be initiated by the CFO prior to Board notification and/or approval. The CFO will notify the Board at the earliest opportunity.

Conflict of Interest

No employee or agent of the District may participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee or agent, any member of their immediate family, their partner, members of their household, or an organization that employs or is about to employ any of the parties indicated herein or has a financial or other interest in tangible personal benefit from a firm considered for a contract. The employees and agents of the District may neither solicit nor accept gratuities, favors,

or anything of monetary value from contractors or parties to subcontracts. Unsolicited gifts of nominal value are excluded.

Commitment to Diversity

The District shall take necessary affirmative steps to assure small and minority-owned businesses, and women-owned business enterprises, as these terms are defined in Uniform Guidance, are used in the District procurement process when possible.

Non-Proprietary Specifications (No preference for brand/type)

1. Appropriate staff shall recommend detailed written specifications to the CFO.
2. Invitations for bids, including written specifications, will be issued to prospective bidders by the CFO.
3. The lowest bidder meeting all specifications will be selected unless justifiable reasons indicate the lowest bid is not in the best interest of the District.

Proprietary Specifications (Preference for a particular brand/type)

1. Appropriate staff shall recommend detailed written specifications to the CFO.
2. Recommended specifications should include all the following:
 - a. A statement of the reasons that no other specification is practicable.
 - b. A description of the essential characteristics of the specified product/service.
3. The CFO may consult with other staff to determine if the justification for requesting a particular brand/type is reasonable and in the best interest of the District and its programs.
4. If it is determined that the request for a particular brand/type is appropriate, invitations for bids, including written specifications, will be issued to prospective bidders by the CFO.
5. The lowest bid meeting all specifications will be selected unless justifiable reasons indicate the lowest bid product is not in the best interest of the District.