

Board Policy

Code No. 801.5R1

CONSTRUCTION CONTRACT BIDDING

1. The Board of Directors shall adopt proposed plans and specifications, proposed terms of contract and set a date for a hearing on the plans, specifications, form of contract and cost of the project.
2. The Board of Directors shall publish a notice of the hearing on the plans, specifications, form of contract and cost of the project in a newspaper designated for official publication in the school district at least four days and no more than 20 days prior to the hearing.
3. After the hearing, the Board of Directors may make amendments to the plan and specifications and terms of contract or reaffirm its original plan and adopt a motion indicating that it is proceeding with the project. A time and date must be set as a deadline for receiving and opening bids. (If the Board determines that changes in the project are necessary, a motion should be made to adopt the revised plans and specifications and terms and set a hearing date for the new project. If the scope of the project is changed, the new proposed plans and specifications should be adopted and a new hearing held as provided in paragraphs 1, 2 and 3 of this procedure.)
4. The Board of Directors shall advertise for competitive sealed bids by publishing notice, more than 20 but not more than 45 days before the date is set for receiving bids, in a newspaper published at least once weekly and having general circulation in the city.
5. All bids shall be accompanied by a deposit of money or certified check or certified share draft in a separate envelope as security that the bidder will do the work. The amount of the deposit, check or share draft must be stated in the advertisement for bids. The amount, determined by the Board of Directors, must be at least five percent and not more than ten percent of the estimated total cost of the project.
6. The Superintendent of Schools and/or designee shall review the bids and make a recommendation to the Board of Directors, stating the reason for the recommendation.
7. The Board, in its discretion, after considering factors relating to the construction, including, but not limited to, the cost of the construction, availability of service and/or repair, completion date, and any other factors deemed relevant by the Board, may choose a bid other than the lowest bid.
8. All certified checks or deposits of money will be returned to the unsuccessful bidders as soon as possible after the successful bidder is determined.
9. The certified check or bid bond will be retained by the Board of Directors as liquidated damages if a successful bidder is unable to obtain a satisfactory performance bond, labor and material payment bond, and certificate of insurance.
10. Only bonds from companies that meet the state insurance statutes and have been certified acceptable by the state insurance commissioner will be acceptable in connection with the submission of bids and formal contract documents.

11. Formal contract documents consist of the following:
 - a. Form of agreement;
 - b. Instructions to bidders and all bid documents;
 - c. Performance bond - labor and material payment bond;
 - d. General and special conditions of contract for construction;
 - e. Certificates of all required insurance; and
 - f. Plans and specifications.

12. All change orders and/or extra work require a written request and final approval by the Board of Directors.

13. If necessary, liquidated damages for non-performance or lack of completion at a specified time will be enforced in every case unless justification for failure to meet specified completion dates has been substantiated in writing and accepted by the Board of Directors.

Cross Reference: 801.1 Buildings & Sites Long Range Planning

Approved: June 19, 1989

*Reapproved: June 21, 1993
May 6, 1996
April 5, 1999
February 19, 2013*

*Revised: March 18, 2002
January 10, 2005
March 3, 2008*