

6320 PURCHASES SUBJECT TO BID

The Board of Education directs the establishment and conduct of bidding procedures that serve the public interest and provide each qualified vendor an equal opportunity to furnish supplies and equipment to the district.

Every contract for the performance of work or the purchase or lease of materials or supplies, not exempted by law, will be subject to public bidding whenever the aggregate value of such a contract within one fiscal year exceeds the bid threshold established by law. Whenever possible, purchases will be aggregated; purchases may not intentionally be divided to avoid the requirements for competitive bidding.

Bidders may be required to submit a guarantee payable to the Board of Education which assures the Board that if the bidder is awarded the contract, he/she shall enter into a contract for the specified purpose and that the bidder will furnish any performance bond or any other security required as guarantee or indemnification.

Bid specifications will be prepared by the School Business Administrator/Board Secretary or designee. Each bid specification will offer a common standard of competition and will assert the Board's right to accept reasonable equivalents and to reject all bids and readvertise. The School Business Administrator/Board Secretary or designee is authorized to advertise for bids in accordance with law without the prior approval of the Board, but shall inform the Board when bids are received. Records of advertisements will be kept in detail sufficient to show that a reasonable number of qualified vendors were invited to bid.

Before opening bids for construction, the Board of Education shall determine that each person submitting a bid is qualified by the State Department of Education as required by state law.

Bids must be opened publicly by the School Business Administrator/Board Secretary or designee before one or more witnesses at a previously designated time and place. Contracts will be awarded, on a resolution duly adopted by the Board, to the responsible bidder who submits the lowest conforming bid, except that the Board may choose to reject all bids, to readvertise, or to purchase under a state contract. Whenever two or more bids are the lowest bids submitted by responsible bidders, the Board shall determine to which bidder the contract will be awarded.

The bid of a vendor who claims, before bids are opened, a mistake or omission in its preparation will be returned unopened, and the vendor shall lose the right to bid. A



POLICY

MONTGOMERY TOWNSHIP BOARD OF EDUCATION

FINANCES
6320/Page 2 of 2
PURCHASES SUBJECT TO BID

bidder who discovers a mistake or omission after bids have been opened may withdraw the erroneous bid provided he or she gives immediate written notice of the mistake or omission and certification, supported by clear evidence, that he or she exercised reasonable care in the examination of the specifications and preparation of the bid. Any bidder who withdraws an opened bid shall forfeit any bid security deposited with the bid.

N.J.S.A. 18A:18A-1 et seq.

N.J.A.C. 6A:27-9.1 et seq.

Adopted: 26 July 1999

Revised:

