

## Construction Contracts Bidding and Awards

Competitive bidding procedures, approved by the Superintendent or Superintendent's designee and consistent with Board policy DJB-R, shall be used for all Design-Bid-Build delivered construction projects for new District buildings, additions or renovations to District facilities.

For each project using the competitive bidding process, a timeline outlining the key dates shall be established. This timeline shall be published in appropriate publications.

The Superintendent or designee shall establish a set of written qualifications based upon the requirements and expertise needed to meet the requirements of the project. This set of written qualifications shall be used to establish a list of qualified bidders for a particular project.

The Superintendent or designee shall advertise the availability of project drawings and specifications and contractual terms and conditions to qualified contractors interested in competitive bidding.

Sealed bids shall be unconditionally accepted. All bidders shall submit with their bids a suitable security bond as required in specifications.

Sealed bids shall be opened in public on the timeline advertised.

The Superintendent or designee shall take all bids under advisement, allowing ample time for careful consideration by the architect, the administration and the school district's attorney. The Superintendent or designee shall reserve the right to accept or reject any or all bids or to waive technicalities.

Professional services are exempt from the competitive bidding process. Contracts and the associated fees for professional services such as engineering surveys, soil investigation and analysis, concrete testing, material testing, third party inspections, design and Construction Manager/General Contractor (CMGC) shall be negotiated. Fees for these services must be competitive, with the specific fee structure to be negotiated based on pertinent, project-related factors.

The contract will be awarded in a timely manner consistent with the established timeline. The Superintendent or designee shall sign all contracts under \$100,000. For contracts over \$100,000 the Board shall pass a resolution that the bid has been accepted and shall authorize the execution of a formal agreement with the contractor.

The District shall not enter into a construction contract unless an appropriation has been made for the project as required by law.

Portions adopted February 28, 1978; November 19, 1968, and October 19, 1977

Revised November 11, 1978

Revised April 25, 1984

Revised May 23, 1984  
Revised to conform with practice June 8, 1994  
Revised June 11, 2003  
Revised January 14, 2009  
Revised June 10, 2009  
Revised May 11, 2011

LEGAL REFS.: C.R.S. 24-18-201 (Interests in contracts)  
C.R.S. 24-91-101 *et seq.* ( Construction Contracts with Public Entities)  
C.R.S. 24-92-103 (Competitive sealed bidding)  
C.R.S. 24-92-107 (Prequalification of contractors)  
C.R.S. 22-32-109 (Board of Education – specific duties)  
C.R.S. 32-11-209 (1)(a) and (c) (Additional administrative powers)  
C.R.S. 38-26-101 (Contractor defined)  
C.R.S. 38-26-105 (Contractor’s bond – conditions)  
C.R.S. 38-26-106 (Contractor executes bond)

CROSS REFS.: BCB, Board Member Conflict of Interest  
DJE, Bidding Procedures  
FEGB, Contractor's Affidavits and Guarantees

St. Vrain Valley School District RE-1J, Longmont, Colorado