

BOARD OF EDUCATION

Cherry Hill, New Jersey

POLICY 3542.44

PURCHASES SUBJECT TO BID

The Board of Education directs the Superintendent to establish and conduct 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 the 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.

Bid specifications will be prepared by the Assistant Superintendent, Business/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 Assistant Superintendent, Business/Board Secretary is authorized to advertise for bids in accordance with law without the prior approval of the Board, but shall inform the Board of any such advertisement at the Board meeting next following. Records of advertisements will be kept on file in the Purchasing Department. The Purchasing Department shall also maintain a record to show that a reasonable number of qualified vendors were invited to bid.

Bids shall be opened publicly by the Assistant Superintendent, Business/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 responsible bids submitted by responsible bidders, the Board shall determine to which bidder the contract will be awarded.

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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 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 may forfeit any bid security deposited with the bid.

Legal References

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

N.J.A.C. 6:20-7.1 et seq.; 6:20-8.1 et seq.

Formerly Policy DJEF

Adopted: 11/21/94

Renumbered: 2/24/04