

# DJE - Bidding Requirements

## **DJE - Bidding Requirements**

- A. All purchases of and contracts for supplies, materials and equipment shall be subject to competitive bid wherever possible whenever such action is in the best interests of the district in the opinion of the Superintendent. M.S.A.D. #35 reserves the right to reject any and all bids or to negotiate with any bidder in the best interests of the district.
- B. Bid specifications shall state time and place of opening and such opening shall be public.
- C. All awards of bids shall take place at a public meeting of the Board of Directors.
- D. Bid lists for all products shall be maintained in the Superintendent's Office and such lists shall be reviewed annually. Upon request and upon submission of evidence of responsibility, any firm may have their name added to a bid list.
- E. State bid may be substituted for local bid in the best interest of the district.
- F. The insurance program will be bid according to state law.

## **Procurement Methods for Federally Funded Projects**

The Superintendent or his or her designee shall be responsible for developing, updating as necessary, and implementing a written administrative procedures manual (hereafter, the "Federal Procurement Manual") to govern the procurement and purchase of property, goods, and services using any federal award that is subject to the Uniform Grant Guidance, codified at 2 CFR Part 200 ("UGG Federal Award"). The Federal Procurement Manual shall be consistent with all applicable federal laws and rules.

Notwithstanding any policy provision to the contrary, the procurement and purchase of property, goods, and services using a UGG Federal Award, in whole or in part, must comply with the Federal Procurement Manual. Wherever this policy or any of the school unit's administrative procedures are inconsistent with federal laws or rules, the provisions of the federal laws or rules shall control.

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1A "federal award" is any federal financial assistance (including cost-reimbursement contracts) that a school unit receives either directly from a federal agency or indirectly from a pass-through entity such as the State education department. See 2 CFR § 200.38. Most, but not all, federal awards received by a school unit are subject to the Uniform Grant Guidance. To confirm whether a federal award is subject to the Uniform Grant Guidance, review the terms and conditions of the applicable grant agreement or cooperative agreement and the applicability provisions of the Uniform Grant

Guidance, codified at 2 CFR § 200.101.

Legal Reference: 34 CFR 74 and 80 (Education Department General Administrative Regulations (“EDGAR”)) (for federal awards made prior to 12/26/2014)

2 CFR Part 200 (Uniform Administrative Requirements) (for federal awards made on or after 12/26/2014)

Cross Reference: DJH – Purchasing and Contracting: Procurement Staff Code of Conduct

DJE-R – Federal Procurement Manual

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