Bids

The District has adopted the Uniform Public Construction Cost Accounting Act (Public Contract Code 22000) and therefore shall utilize informal bidding procedures for contracts involving an expenditure between $60,000 to $200,000 for a public project, and will utilize formal bidding procedures for a public project involving an expenditure of $200,000 or more. "Public project" includes construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, and repair work involving a District owned, leased, or operated facility.

For other contracts that are not public projects, the threshold amount that requires competitive bids shall escalate automatically based upon the annual adjustment made by the California Superintendent of Public Instruction pursuant to Public Contract Code 20111. PCC 20111 requires the Superintendent of Public Instruction to annually establish the bid threshold, and the new annual bid threshold for each calendar year is announced through a public letter sent to school district superintendents and published on the California Department of Education's website, generally in December of each year. For 2026, for example, the bid threshold is $119,100.

Competitive bids shall be sought through advertisement for contracts exceeding the bid threshold set by the Superintendent of Public Instruction for the following contracts:
(1) Purchase of equipment, materials, or supplies to be furnished, sold, or leased to the school district.
(2) Services that are not construction services.
(3) Repairs, including maintenance as defined in PCC Section 20115, that are not public projects as defined in PCC Section 22002(c).

"Maintenance work" means routine, recurring, and usual work for preserving, protecting, and keeping a District facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. "Maintenance" includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. This definition does not include, among other types of work, janitorial or custodial services and protection provided by security forces, nor does it include painting, repainting, or decorating other than touchup. (PCC 20115)

Unless otherwise authorized by law, contracts shall be let to the lowest responsible bidder who shall give such security as the Governing Board requires, or else all bids shall be rejected. (PCC 20111, 20112)

When letting a contract for the procurement and/or maintenance of electronic data processing systems and supporting software, the Board may contract with any one of the three lowest responsible bidders. (PCC 20118.1)

The Board shall secure bids for any transportation service expenditure of more than $10,000 when contemplating that such a contract may be made with a person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of students who are to be transported. The Board may let this contract to other than the lowest bidder. (Ed Code 39802)

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements of Public Contract Code 20110-20116 for contracting after competitive bidding. (PCC 20116)

Instructions and Procedures for Bids:

In order to facilitate the informal bidding process, the District shall maintain a list of qualified contractors. The list of contractors is established each November, by mailing a notice to the North

Coast and Humboldt Builder's Exchange trade journals as well as to the North Bay Building and Construction Trades Council inviting all licensed contractors to submit certain information to the District for inclusion on the list. This information includes the following:

1) The name and address to which a notice or proposal should be mailed or emailed;
2) A telephone number at which they can be reached;
3) The type of work in which the contractor is interested and for which they are currently licensed; and
4) The class of license(s) they currently possess.

In addition, the District may include any contractor it desires and must include any contractor who requests to be added to the list during the year, so long as the contractor provides the required information.

In order to request bids utilizing the **informal** process, the Superintendent or designee shall call for bids by contacting qualified contractors engaged in the appropriate trades two weeks prior to the bid date. The bid request may also be advertised at the option of the Superintendent or designee.

In order to request bids utilizing the **formal** process, The Superintendent or designee shall call for bids by advertising in a local newspaper at least once a week for two weeks. The notice shall state the work to be done or materials or supplies to be furnished and the time and place where bids will be opened. The Superintendent shall also provide the North Coast and Humboldt Builder's Exchange trade journals with the Notice Inviting Formal Bids for the Large Contract at least fifteen (15) calendar days before the date of opening the bids. (PCC 22037) The informal or formal notice shall contain the time, date and location of any mandatory pre-bid conference, site visit or meeting. The notice shall also detail when and where project documents, including final plan and specifications, are available. Any such mandatory visit or meeting shall not occur within a minimum of five calendar days of the publication of the initial notice. (PCC 6610)

Bid instructions and specifications shall include the following requirements and information:

1) All bidders, including bidders for printing contracts, shall specify the minimum, if not exact, percentage of recycled product in the products offered, and both the postconsumer and secondary waste content. (PCC 12169, 12213)
2) All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (PCC 20107, 20111)
   a) Cash
   b) A cashier's check made payable to the district
   c) A certified check made payable to the District
   d) A bidder's bond executed by an admitted surety insurer and made payable to the District

The security of unsuccessful bidders shall be returned in a reasonable period of time, in no event any later than 60 days after the bid is awarded. (PCC 20111)

3) Under no condition shall bids be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (PCC 20112)
4) When two or more identical bids are received, the Board may determine by lot which bid shall be accepted (PCC 20117)

5). If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, depending on the availability of funds, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #a, below, will be used: (PCC 20103.8)

a. The lowest bid shall be the lowest bid price on the base contract without consideration of the prices on the additive or deductive items.

b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
c. The lowest bid shall the lowest total of the bid prices on the base contract and those additive or deductive items taken in order from a specifically identified list of those items, depending on available funds as identified in the solicitation.
d. The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders from being revealed to the public entity before the ranking of all bidders from lowest to highest has been determined.

6) Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.
7) After being opened, all advertised bids shall be made available for review by all interested parties. (Gov Code 6252)

Bids Not Required: Upon a case-by-case determination that it is in the best interests of the District and to the extent permitted by law, the Board may authorize the purchase, lease, or contract for equipment and supplies through a public corporation or agency without advertised bids. (PCC 20118) For projects between $1000 and $59,999, the District will attempt to secure 3 quotes for the project and choose the quote that best fits the needs of the District. For projects under $1000, the District may contact a trusted and proven contractor to complete the job.

Supplementary textbooks, library books, periodicals, educational films, audiovisual materials, test materials, workbooks, and instructional computer software packages may be purchased without taking estimates or advertising for bids. (PCC 20118.3)

Perishable commodities such as foodstuffs may be purchased through bid or on the open market, depending on District preference (EC 39873)

In an emergency when repairs, alterations, work, or improvement is necessary for the continuance of existing school classes or to avoid danger to life or property, the Board, by unanimous vote and with the approval of the County Superintendent of Schools, may contract for labor and materials or supplies without advertising for or inviting bids. (PCC 20113)

Bids shall also not be required for day labor under circumstances specified in law. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (PCC 20114)

Whenever the total number of hours on the job does not exceed 350 hours, day labor may be used to erect new buildings and for the following purposes: (PCC 20114)

1) School building repairs, alterations, additions
2) Painting, repainting, or decorating of school buildings
3) Repair or building of apparatus or equipment
4) Improvements on school grounds
5) Maintenance work as defined above

Sole Sourcing: Specifications for contracts for construction, alteration, or repair of school facilities may not limit bidding to any one product or supplier. Specifications designating a particular brand name shall list at least two brands of comparable quality and follow the description with the words "or equal." (PCC 3400)

Specifications for contracts may designate a product by brand or trade name (sole sourcing) when one or more of the following conditions apply: (PCC 3400)

1) The product is designated to match others in use on a particular public improvement that has been completed or is in the course of completion.
2) One product has a unique application required to be used in the public interest.
3) Only one brand name is known, or

4) Upon resolution of the Board, the Board makes a finding that the item sought is the subject of a field test to determine its suitability for future use.

Prequalification Procedure: For any contract for which bids are legally required, the Board may require that each prospective bidder complete and submit a standardized questionnaire and financial statement. For this purpose, the Superintendent or designee shall supply a form which requires a complete statement of the bidder's financial ability and experience in performing public works. Prospective bidders shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids. The information shall be verified as prescribed by law, and bidders must be deemed prequalified by the District at least one day before the fixed bid-opening date. The questionnaires and financial statement shall not be public records and shall not be open to public inspection. (PCC 20111.5)

The Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. Bidders must be deemed prequalified by the district at least one day before the fixed bid-opening date. (PCC 20111.5) The Superintendent or designee shall furnish each qualified bidder with a standardized proposal form. Bids not presented on the standard form shall be disregarded. (PCC 20111.5)

The district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. (PCC 20111.5)

Protests by Bidders

A bidder may protest a bid award if he/she believes that the award was inconsistent with Board policy or the bid's specifications or was not in compliance with law.

A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award. The bidder shall submit all documents supporting or justifying the protest. A bidder's failure to timely file a protest shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 days. The Superintendent or designee also may convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide reasonable notice to the bidder of the time for Board consideration of the contract award. The Board's decision shall be final.

(10/22) (3/23)