



Responsible Office: Office of Business & Financial Services

**BOARD POLICY 3321
BIDS/QUOTATIONS AND CONTRACTS**

PURPOSE

Through this policy, the Board of Trustees establishes the authority through which the Washoe County School District ("District") shall seek bids and/or quotations and enter into contracts, leases and other legal agreements. The effective administration and oversight of contracts, bids and quotations is an essential operation of the Board of Trustees.

POLICY

1. The processes outlined in this policy and any associated documents shall comply with state laws and regulations, to specifically include Chapter 332, Purchasing: Local Governments, and Chapter 338, Public Works.
2. Competition from properly informed and responsible firms and individuals insures value received for tax dollars. Therefore, competitive bidding by advertised invitation, requests for written quotations and negotiation shall be instituted in a manner that will provide for financially sound practices in the expenditure of school district funds. (See Board Policy 3320, Purchasing Procedures)
3. All contracts entered into by the District, unless specifically excluded by this or another policy adopted by the Board of Trustees, are subject to this policy and its accompanying administrative regulation, including all original contracts and optional contract renewals, amendments, alterations, modifications, corrections, changes and optional extensions.
4. Required Review by the Office of the General Counsel
 - a. All contracts must be submitted to the Office of the General Counsel for review as to form and legal sufficiency, as outlined in Administrative Regulation 3321, Bids/Quotations and Contracts.
5. Required Approval of the Board of Trustees
 - a. The following contracts and optional contract renewals must be submitted to the Board of Trustees for approval:

- i. Contracts that the total District obligation is \$100,000 or more; and/or
 - ii. Any type of contract not addressed in approved contract administrative regulations.
 - b. For previously approved contracts that require expenditures beyond the approved amount, approval by the Board of Trustees shall be required when such additional expenditures are equal to or exceed 10% of the original contract value or \$100,000, whichever amount is less.
 - c. Purchase requisitions for services in excess of \$100,000 that are sought outside the bidding or contract process, and which are not specific line items previously approved by the Board of Trustees during the budget approval process shall require approval of the Board of Trustees.
6. Contract Approval and Signatory Authority
- a. Authority to enter into contracts on behalf of the District shall be granted pursuant to:
 - i. Formal action of the Board of Trustees;
 - ii. A valid delegation of authority from the Superintendent, his/her designee, or the Board of Trustees; or
 - 1. Delegation of authority by the Superintendent is defined under Administrative Regulation 3321, Bids/Quotations and Contracts.
 - 2. With respect to contracts in the amount over \$100,000, in the absence of the Superintendent, the signatory designee shall be the Deputy Superintendent or Chief of Staff.
 - iii. A purchase made in accordance with Board policies and/or administrative regulations.

DEFINITIONS

- 1. Contract: A voluntary, deliberate, and legally binding agreement between two or more competent parties. Contracts are usually written but may be spoken or implied, and generally have to do with employment, sale or lease, or tenancy.
- 2. Lease: Written or implied contract by which an owner (the lessor) of a specific asset (such as a parcel of land, building, equipment, or machinery) grants a second party (the lessee) the right to its exclusive possession and use for a specific period

and under specified conditions, in return for specified periodic rental or lease payments.

3. Bid: Complete sealed solicitation (submitted in competition with other bidders) to execute specified job(s) within prescribed time (that usually includes labor, equipment, and materials). The bid-receiving party may reject the bid or turn it into a binding contract by accepting it.
4. Quotation: A formal statement of promise (submitted usually in response to a request for quotation) by potential supplier to supply the goods or services required by a buyer, at specified prices, and within a specified period. A quotation may also contain terms of sale and payment, and warranties.
5. "Optional" contract renewals and "optional" extensions refer to the ability by either party, the District or the vendor, to reinstate or cancel an agreement. An "automatic" contract renewal means the District is contractually obligated to renew the contract.

DESIRED OUTCOMES

1. This policy is developed to increase the efficiency and time management of the Board of Trustees and staff, while still meeting the requirements of Nevada Revised Statutes (NRS).
2. Competitive bidding by advertised invitation, requests for written quotations, and negotiation shall be instituted in a manner that will provide for financially sound practices in the expenditure of school district funds.

IMPLEMENTATION GUIDELINES & ASSOCIATED DOCUMENTS

1. This policy reflects the goals of the District's Strategic Plan and aligns with the governing documents of the District, to include:
 - a. Administrative Regulation 3321, Bids/Quotations and Contracts
 - b. Administrative Regulation 3310, Purchasing Guides
 - c. Board Policy 3320, Purchasing Procedures
 - d. Administrative Procedure PUR-P214, Request for Quotation
 - e. Administrative Procedure AP-F006, Independent Contract Agreement
 - f. Administrative Procedure CPFM-P112, Construction Contracts
 - g. Administrative Procedure CPP-P103, Quotation Procedure
 - h. Administrative Manual PUR-M001, Procurement Procedures

- i. Administrative Form LEG-F301, Contract Review Form – No Exchange of Money
 - j. Administrative Form LEG-F302, Contract Review Form – Exchange of Money
2. This policy complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) to include:
- a. Chapter 332, Purchasing: Local Governments.
 - b. Chapter 338, Public Works.

REVIEW AND REPORTING

- 1. This document shall be reviewed as part of the bi-annual review and reporting process, following each regular session of the Nevada Legislature. The Board of Trustees shall receive notification of any required changes to the policy as well as an audit of the accompanying governing documents.
- 2. Administrative regulations, and/or other associated documents, will be developed as necessary to implement this policy.

REVISION HISTORY

Date	Revision	Modification
2/1/1983	1.0	Adopted
5/12/1992	2.0	Revised
11/11/1997	3.0	Revised
8/27/2013	4.0	Revised: adds language requiring legal review, defining signature authority
12/21/2015	4.1	Revised: updated implementation guidelines
1/10/2017	5.0	Revised: updated to clarify BOT approval amounts for contracts and additional expenditures