

## CHAPTER 8.00 - AUXILIARY SERVICES

### SCHOOL CONSTRUCTION BIDS PROCEDURES

8.50

- I. All applicable laws, State Board of Education rules, and School Board rules shall be observed in school construction bid procedures.
- II. Invitation to bid shall contain the information required by State Board rules and needed by the prospective bidders, including:
  - A. Project name and name of Board;
  - B. Location of the project;
  - C. Brief statement describing the work;
  - D. Date, time and place of bid opening;
  - E. From whom and when contract documents are available; and
  - F. Other information for bidders; bid security, insurance, plan deposit and Board's intention to waive technicalities.
- III. Construction Bids
  - A. The bid time and date shall be determined by the Executive Director of Construction Services.
  - B. Bids shall be opened at the time designated in the invitation to bid. At the designated time, the Superintendent or his designee shall ask if all bids are in. No other bids shall be accepted and no bid may be withdrawn after the deadline. Negligence on the part of the bidder in preparing the bid shall confer no right for withdrawal after the time for opening of bids. Bids by telegram shall not be accepted nor shall any other type of bid be accepted which cannot be classified as a sealed bid. Bids received by mail shall be stamped with the time and date received by the Superintendent or his designee.
  - C. Bids shall be opened, read aloud, and tabulated in the presence of all persons present.
  - D. Each bid in excess of one hundred thousand dollars (\$100,000.00) shall be accompanied by a bid bond, a certified check, or a cashier's check in an amount equal to five percent (5%) of the total amount of the bid. Failure to include such bond shall automatically disqualify the bid from further consideration.

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- E. Unless all bids are rejected by the Board for valid reasons, the contract shall be awarded to the lowest responsible bidder meeting all requirements and specifications. However, if after taking all deductive alternatives, the lowest responsible bidder exceeds the construction budget established at the time of Phase III submittal, the Board may declare an emergency. Upon setting forth the reasons why an emergency exists, the Board may negotiate the construction contract or modify the contract, including the specifications, with the lowest responsible bidder. Any declaration of an emergency shall be in accordance with the criteria prescribed by rules of the State Board of Education.
  - F. The School Board shall approve all subcontractors. When a construction contract has been awarded to a contractor on the basis of proper bids, payments on that contract shall be made on a monthly basis in an amount approved by the architect. This amount shall always incorporate prior to substantial completion a ten percent (10%) retainage. Upon final completion of the construction, the final payment will be made only on the approval of the Executive Director of construction services after proper inspection of the facilities.
- IV. The specifications for construction bids may not be written so as to limit any purchase of systems or materials to a specific brand or a single source of supply, unless:
- A. The Board, after consideration of all available alternative materials and systems, determines that the specifications of a sole material or system is justifiable, based upon its cost or interchangeability;
  - B. The sole source specifications have been recommended by the architect or engineer of record; and
  - C. The Board's justifications are documented in writing, in the project file.

### STATUTORY AUTHORITY:

1001.42, F.S.

### LAWS IMPLEMENTED:

255.04, 287.055, 287.057,  
1001.43, 1013.46 - .48, F.S.

### HISTORY

ADOPTED: 8/21/01  
REVISION DATE(S): 2/1/10  
FORMERLY: 6.103

### NOTES:

**No Procedure Necessary**