File: FEF - Construction Contracts Bidding and Awards

Any construction project may be advertised and competitive bids solicited. All construction projects in excess of $30,000 shall be advertised and competitive bids solicited after plans and specifications have been approved by the Board of Education and all other required approvals received, projects of an emergency nature necessary to continue the education process during a school year shall not be subject to this policy.

All projects to be bid shall be advertised in a paper of general circulation (or industry standard method) within the district at least 10 days prior to the date set for the opening of bids, The advertisement shall state that drawings and specifications may be procured by any qualified builder interested in participating in open competitive bidding for the construction of school buildings.

Each bidder shall be required to submit with his bid a bidder's bond in a sufficient amount to be determined by the estimated cost of the project in order to insure that the lowest responsible bidder accepts the contract.

No bid for the construction, alteration or repair of any building shall be accepted if it does not conform to the specifications furnished.

~~The contract shall be awarded to the lowest responsible bidder whose bid is in accordance with the plans and specifications and who has provided the required security.~~

In determining contractor responsibility, the following factors shall be considered: possession of or access to appropriate financial, material, equipment and personnel resources to meet contractual specifications and requirements; satisfactory record of performance and integrity; bonding ability and capacity; ability to meet insurance requirements, and ability to legally contract with the district Contractors may be required to provide specific information necessary to establish responsibility.

The Board shall take the bids under advisement rather than arriving at an immediate selections, allowing ample time for careful study by the architect, school administrative officials and the attorney for the school district.

The Board reserves the right to reject any and all bids in whole or in part, to waive irregularities or technicalities and to accept the bid which appears to be in the best interest of the district. Considerations for accepting bids may include but not be limited to cost, letters of reference, prior experience, interview, contractor preparedness, ability to achieve timelines, contractor team doing the work, and other considerations as determined by district personnel.

Whenever two or more bids of equal amount are the lowest submitted by responsible bidders pursuant to the advertisement, the Board may award the contract to anyone of the bidders as it may determine by the exercise of its discretion.

The Board shall not enter into a construction contract unless an appropriation has been made for the project as required by law.

The contractor shall receive monthly payments for the work completed less a percentage be determined to insure completion. The final payment shall be due only after the acceptance of the project by the Board, completion of the items to be corrected and following publication as provided by state law.

Adopted: September 21, 1992
Reviewed: June 18, 2018

LEGAL REFS.: C.R.S. 24-18-201
C.R.S. 24-91-101 et seq (Construction Contracts with Public Entities)
C.R.S. 38-26-101
C.R.S. 38-26-105
C.R.S. 38-26-106

CROSS REFS.: BCB, Board Member Conflict of Interest

~~FEGB, Contractor's Affidavits and Guarantees~~