

Lakeland Board of Education

Monitoring: Review: Annually, in January	Descriptor Term: Bids and Quotations	Descriptor Code: 2.806	Issued Date: 05/12/14
		Rescinds:	Issued:

1 All purchases of supplies, materials, equipment, and contractual services in excess of ten thousand
2 dollars (\$10,000), including those of individual schools, shall be based on competitive bids. These bids
3 shall be solicited by advertisement in a newspaper of general circulation within the district. However,
4 said newspaper advertisement may be waived by the purchasing agent in an emergency. Where
5 appropriate, the purchasing agent may satisfy advertising and bid requirements by use of a
6 comprehensive list of vendors; provided, that the vendors on the list are given notice to bid; and
7 provided further, that the purchasing agent shall advertise at least annually for prospective vendors in a
8 newspaper of general circulation and shall update the list of vendors following the advertisement.

9 All purchases of ten thousand dollars (\$10,000) or less, including those of individual schools, may be
10 made in the open market without newspaper notice, but shall, whenever possible, be based on at least
11 three (3) competitive bids in accordance with applicable state law.¹

12 The lowest and best bid shall be accepted, provided the purchaser reserves the right to reject any or all
13 bids or any part of any bid and, if applicable, to accept the bid which is best as evidenced by reasons
14 relative to the purpose of the purchase. Any bid may be withdrawn prior to the scheduled time for the
15 opening of bids. Any bid received after the time and date specified shall not be considered. The bidder
16 to whom the award is made may be required to enter into a written contract. The practice of splitting
17 an order or dividing items to be purchased in order to avoid the use of bidding or other purchasing
18 procedures is strictly prohibited.

19 **Exceptions to Competitive Bidding**

20 The following are exceptions to the competitive bidding requirement:

- 21 1. Contracts for legal services, educational consultants, and similar services by professional
22 persons or groups of high ethical standards;
- 23 2. Liability Insurance purchased through a plan authorized and approved by any organization of
24 governmental entities representing cities and counties;
- 25 3. Purchases of goods or contracts for services from sole source and single source providers. A
26 sole source provider shall be a supplier of goods and services exempt from the bid process
27 based on the unavailability of any supplier capable of performing the function of the sole
28 source product or service. A single source provider shall be a single supplier of goods and
29 services among others in a competitive marketplace, which for a justifiable reason has
30 predominant qualifications and unique attributes only possessed by that source. Factors
31 considered shall include availability of the product or service, compatibility of the product or
32 service with existing District products, programs, or resources, standardization of the product
33 or service with existing District products, programs, or resources, and grant or contract
34 requirements; or

- 1 4. Purchases of supplies, equipment, and services under the same terms of a competitive bid
- 2 issued by any Tennessee local education agency (LEA) or other local governmental unit.

Legal References

1. TCA 49-2-203(a)(3)(A)(B); TCA 49-2-206(b)(2)
2. TCA 12-4-106
3. TCA 29-20-407