

SOLICITATION REQUIREMENTS

PURPOSE: To define requirements for solicitations and a competitive environment.

Administration

The Director of Materials Management for the District develops necessary procedures and forms for the requisition and purchase of materials, supplies and equipment. Federal law, state law and Board policy will be followed at all times. Full and open competition will be invited and encouraged. Competitive solicitation will be practiced by the Purchasing Office; however, competitive solicitation for School Activity Fund purchases under \$10,000 may be handled at the site level (see policy 5703 School Activity Fund Management). Lease/purchase agreements are specifically covered by this policy and regulation 5202-R, "Solicitation Requirements, Lease/Purchase Contracts."

Quotes/Requests for Proposals:

- Less than \$3,000 Shall be secured verbally.
- \$3,000 to \$50,000 Shall be obtained in written form from the supplier. (Three competitive written, faxed, telephone responses or e-mails are recommended to adequately review markets.)

- \$50,000 and over Shall be secured by formal requests for proposals (RFPs) or sealed bids handled in accordance with specific procedures established by the Director of Materials Management. Must be submitted to the Board for approval before the award is made; however, during emergency situations, the Superintendent may approve items costing above \$50,000.

Bids

The Public Competitive Bidding Act of 1974 and its supplements require "bids" as the method of solicitation for construction. Also, 70 O.S. 9-109 requires sealed "bids" for school bus purchases.

Exemptions

Tulsa Public Schools' competitive solicitation requirements are waived for the following:

- Expenditures for school activity fund-raisers.
- Expenditures for legal settlements.
- Books, films, manuscripts, research references, publication subscriptions and library materials that are available only from the sources holding exclusive distribution rights to the materials.
- Items available from only one source because of patents, copyrights, or natural monopolies, including proprietary replacement parts or components for equipment.
- Software upgrades and specialized source software.
- Institutional memberships in professional, trade and other similar associations.
- Utility services and postage.
- Items available for purchase on an existing state contract, or through the cooperative solicitation of another municipality/school district/government agency, when this is determined to be the best method of purchase.
- A procurement made necessary because of unforeseen disaster or acts of God that requires immediate acquisition to preserve District property or to protect public health (see additional Board requirements as defined by state statute). In an emergency, the Chief Financial Officer is authorized to approve procurement card use by key district personnel to expedite support response.
- Items for which a "Sole Source Affidavit" is authorized by the Director of Materials Management.
- Expenditures for professional services provided by uniquely qualified or talented persons (i.e. speakers, performing artists, specialized attorneys) are waived. Competition shall be solicited for other professional services (i.e. physical therapists, maintenance services, insurance/risk management brokers, and auditors) unless specifically waived by the Superintendent.

Distribution

Opportunity will be provided for all responsible suppliers to do business with the District. The Director of Materials Management will develop and maintain information from potential vendors for the various types of materials, equipment, and supplies. Any supplier may be included on the list upon request. Solicitation requests will be publicized in a manner to encourage and foster fair and open competition.

Receiving and Opening of Responses

Designated staff will receive documents until the specified deadline, date stamp them, and keep them properly secured until the publicized opening time. All documents will then be delivered to the Director of Materials Management or designee to be opened. Results of bids and quotes will be read aloud. Details of responses to Requests for Proposals will remain confidential pending further evaluation and negotiation.

Awards

No award will be made at a bid or proposal opening. An announcement will be made that the staff will analyze all responses and respond to all inquiries from vendors after the award is made.

- Quotes/Proposals
The award to the best and most responsible vendor(s) will be made within a reasonable time period, based, in the sole opinion of the District, upon the “best value” taking into consideration the total cost of ownership including purchase price, quality, ability to deliver, maintenance and service, and durability and longevity.
- Bids
The award will be made pursuant to the terms of the Public Competitive Bidding Act of 1974 and its supplements and/or other applicable state law.
- Awards – Local Preference
It is the Board intent to purchase locally whenever equal goods and services are offered. In cases where two or more responsible suppliers at the local, state or out-of-state level offer equal materials, supplies, services, and equipment, preference will be granted in the following order:
 - Local Supplier*
 - State Supplier
 - Out-of-State Supplier

*A local supplier is defined as one who “maintains a distributing, manufacturing, or processing facility within the confines of the District” with real property or taxable personal property appearing on the ad valorem tax rolls.

Adopted: November 1982

Revised: February 2016

Cross Reference: 5202-R, Solicitation Requirements-Lease/Purchase Contracts
5203, Payment Procedures

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