Millington Board of Education

Monitoring:	Descriptor Term:	Descriptor Code:	Issued Date:
~~Review: Annually, in September~~Review: Annually	**Bids and Quotations**	**2.806**	~~-~~09/08/15
		Rescinds:	~~Issued~~Reviewed/Revised: 07/05/22

All purchases of supplies, materials, equipment, and contractual services in excess of $50,000 ~~[include $10,000, $25,000, or $50,000 depending on the district's purchasing procedures]~~, including those of individual schools, shall be based on competitive bids.[1] These bids shall be solicited by advertisement in a newspaper of general circulation within the school district. The purchasing agent shall advertise for bids and receive quotations. The advertisement may be waived by the purchasing agent in an emergency.[2]

All purchases of $50,000 ~~[include $10,000, $25,000, or $50,000 depending on the district's purchasing procedures]~~ or less, including those of individual schools, may be made in the open market without newspaper notice but shall, whenever possible, be based on at least three (3) competitive bids.[2]

The lowest and/or best bid shall be accepted, provided the purchaser reserves the right to reject any or all bids or any part of any bid, and if applicable, to accept the bid which is best as evidenced by reasons relative to the purpose of the purchase.[3] Any bid may be withdrawn prior to the scheduled time for the opening of bids. Any bid received after the time and date specified shall not be considered.

The bidder to whom the award is made may be required to enter into a written contract.

The practice of splitting an order or dividing items to be purchased in order to avoid the use of bidding or other purchasing procedures is strictly prohibited.

EXEMPTIONS FROM COMPETITIVE BIDDING

Contracts for legal services, educational consultants, services from an insurance provider, and similar services by professional persons or groups of high ethical standards shall not be based upon competitive bids but shall be awarded on the basis of recognized competence and integrity.[4]

Legal References

1. TCA 49-2-203(a)(3); Public Acts of 2022, Chapter No. 1016
2. TCA 49-2-203(a)(3)(A)-(B); TCA 49-2-206(b)(2); Public Acts of 2022, Chapter No. 1016
3. TCA 49-2-203(a)((D)(c)
4. TCA 12-3-1209; TCA 12-4-107; Public Acts of 2022, Chapter No. 719; TCA 29-20-407

Cross References

Executive Committee 1.301
Consultants 1.303
Conflict of Interest 5.601

One Reading - TSBA Recommendation