

## Attachment F-11 Competitive Bidding

Competitive bidding is the process of allowing vendors to compete with each other to provide goods and/or services to the Library. Competitive bidding allows for two additional purposes:

- Competitive bidding ensures that public monies are spent properly, legally and for public projects only, and that the best possible value is received for the money, and;
- To give those qualified and responsible vendors who want to do business with the Library a fair and equitable opportunity to do so.

Competitive bidding can be accomplished on two levels. The first level of informal bidding consists of contacting vendors either by telephone, on-line or in writing to allow them to give a price quotation on a desired goods or services. The second level uses formal sealed bids.

### **A. Competitive Bidding Procedures (for items at or above \$100,000.00)**

Formal sealed bids are used for those bids at or above \$100,000.00. The bid consists of the items offered by the vendor in response to the specifications, along with details governing the offer. For all competitive bid items, the following procedures will apply:

- The bid will be advertised, based on the specifications and conditions of the purchase provided by this document. At least three qualified bidders are to be sent Invitations for Bid (IFB), unless a sole source justification is prepared or it is an emergency purchase, see Attachment F-3 Invitation for Bids (IFB). Once the specifications and other bid documents are prepared and approved by the Board of Trustees, they shall be prepared for the IFB and placement of required publication in the official Library news source. The Library Director shall also establish the bid opening date. Requests for bids or proposals must be published at least once a week for two consecutive weeks in the official Library news source. The date of the first publication must be at least 14 days prior to bid opening. Shorter bidding times should only be used in emergency bidding situations. Bids or proposals will be received until a certain future date and hour set out in the specifications. Formal Invitations to Bid require that a specific date, time and place be established by the issuer for the public opening and recording of each bid submitted. A bid opening date and time must be shown on the IFB form. After the date and time, no further bids are accepted.
- The bids will be opened and read aloud at the specified date, hour, and location. The bid opening should be scheduled to be held during normal working hours and be accessible to the public. The bid opening information is to be shown on the IFB form in the appropriate spaces indicated.

- All bids will be evaluated by the Library Director and two (2) previously assigned Board of Trustee members. A recommendation will be made to the full Board of Trustees for denial of all bids submitted or acceptance of a bid in accordance with this policy.
- All bids/proposals will remain the property of the Library in accordance with State records retention guidelines.

Any bonds required for a specific bid or project will be executed with a surety company authorized to do business in the State of Texas. Failure to meet bond requirements will result in a determination of a bid as “non-responsive.”

### **B. Receiving the Bid/Proposal**

Receiving competitive bids or proposals must be done properly and consistently to ensure that no opportunity for favoritism exists. The Library will take the following steps for all competitively bid procurements:

Each bid or proposal must be returned to the specified location designated in the invitation in a separate envelope, sealed, and with the bid proposal identification number marked on the outside of the envelope. The bid or proposal shall have the date and time of receipt marked on it upon receipt. The bid or proposal shall be filed unopened with other bids or proposals for the same request. Bids and proposals are opened at the hour specified in the invitation/request and at the place named. Opening and tabulation, including initialing, dating and timing bids, of the bids will be by one or more Trustees and the Library Director.

The following are grounds for disqualification:

- Unsigned bids or proposals, or bids/proposals with unauthorized signatures.
- Bids or proposals received after the date and time for opening. Late bids and proposals cannot be considered for award of the purchase.
- Bids or proposals where the bid amount is conditional on award of another bid.

Disqualified bids or proposals are returned to the bidder. The Library retains the right to waive minor technicalities or minor deficiencies with bids or proposals.

### **C. Awards to Other than Low Bid**

If the low bid does not meet or conform to the written bid specifications, the reasons for non-conformance need to be explained in detail. Specific reference to the portion of the bid not in conformance with the written bid specifications should be included in the explanation.

A bid may be awarded to other than the apparent low bid meeting specification if it can be justified that the award is the “best value” to the Library. While price and whether the bid meets the specifications are the two most important considerations, other factors may be considered if clearly identified in the bid invitation’s specifications. Factors that may be considered in doing a best value justification include:

- Installation costs;
- Life cycle costs;
- Quality and reliability of the goods and services;
- Delivery terms;
- Indicators of probable vendor performance under the contract such as the vendor's past performance, financial resources and ability to perform, experience or demonstrated capability and responsibility, and ability to provide reliable maintenance agreements and support;
- Cost of any employee training associated with a purchase,
- Effect of a purchase on agency productivity, and
- Other factors that have been identified in the bid specification as being relevant to the “best value” determination for this specific proposed purchase.

Consideration of factors or award criteria other than those listed in the written bid specifications cannot be used. However, the Board of Trustees reserves the right to reject all bids submitted.

If the award is due to “best delivery,” both the lowest bids and the recommended bidder’s quoted delivery should be shown on the bid tabulation. If written bids are required, the “best delivery” needs to be included in bid specifications in the list of “best value” factors to be considered for award.