



**Boulder Valley School District**

**File: FEF**

**Adopted: prior to 1969**

**Revised:**

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**Associated Regulation: FEF-R**

**CONSTRUCTION CONTRACTS BIDDING AND AWARDS**

The Board of Education shall advertise the availability of drawings and specifications to be procured by any qualified building contractor interested in participating in open competitive bidding for the construction of school buildings.

Sealed bids shall be opened in a public meeting at the time and place specified in the invitation to bid. All bidders for contracts with the Board shall submit with their bids certified cashier's checks or bid bond prepared on the forms approved by the attorney for the School District in the amount required in the specifications as approved by the Board.

The Board of Education will take the bids under advisement rather than arrive at an immediate selection, allowing ample time for careful study by the architect, school administrative officials, and the attorney for the School District. The Board of Education shall reserve the right to reject any or all bids or to waive technicalities. However, if the Board accepts the bid of any contractor other than the lowest responsible bidder, it shall do so only for defensible reasons and after careful deliberation and legal advice.

Having determined the successful bidder, the Board shall pass a resolution indicating that the bid has been accepted and shall authorize the execution of a formal agreement with the contractor. The bid security of the successful bidder shall be retained by the Board of Education until the contractor has executed his contract and furnished the payment and performance bonds prepared on forms approved by the attorney for the School District.

The bid security of all the unsuccessful bidders, except the three lowest bidders, shall be returned within three days after the bids are opened. The bid security of the lowest bidders shall be returned promptly after the School District and the successful bidder have executed a contract; or, if no contract has been made within 30 days after date of opening the bids, upon demand of the bidder at any time thereafter so long as he has not been notified of the acceptance of his bid.

The agreement with the contractor shall include, among other things, provisions concerning the scope of the work, the time of completion, the contract sum, and compensation to the contractor. It shall be supplemented by a list of general conditions which shall give detailed definitions and descriptions of the various responsibilities and relationships involved in the construction project.

All surety bonds required for contractors shall be furnished on forms approved by the attorney for the School District. The surety shall be an organization licensed to do business in the State of Colorado. The Board of Education shall determine the amount of such bonds and may also specify the conditions under which the bonds may be written and accepted. The attorney shall advise the Board of necessary steps to be taken for recovery or prosecution in any case of performance failure under a surety bond.

The School District shall not release any surety bond until the date of its expiration or the completion of the contract covered by the bond.

LEGAL REFS.: C.R.S. 38-26-101  
C.R.S. 38-26-105 through -107

**End of File: FEF**