

PURCHASING/PROCUREMENT**Standard of Conduct**

Proper procurement practices are essential to ensure fairness and that the best products and services are obtained at the best price.

PROCUREMENT POLICIES AND PROCEDURES USING SCHOOL DISTRICT FUNDS - not applicable for federal and school food service funds.

The District's purchasing program shall serve the interests of the School District and its educational program by providing the necessary supplies, equipment, and services. The purchasing procedures employed by the District shall comply with all applicable laws and regulations of the state as well as Board policies. Materials, supplies, equipment, and services will be purchased by bid whenever it is required by law and advantageous to the District. In cases where direct negotiation is in the best interest of the District, it will not be necessary to secure bids unless required by law.

The District shall obtain competitive bids when any purchase of insurance, supplies or materials other than textbooks costing more than twenty-five thousand dollars (\$25,000.00) and less than fifty thousand dollars (\$50,000.00) is contemplated unless precluded by other regulation or statute. If the amount of the purchase of insurance, supplies or materials other than textbooks is equal to or exceeds fifty thousand dollars (\$50,000.00), a call for bids shall be published at least once in a newspaper of general circulation in the district and on the state procurement website as defined in W.S. 9-2-3001(b)(vii).

When any school building is to be built costing Fifty Thousand Dollars (\$50,000.00) or more, or when any repairs, additions or improvements costing Fifty Thousand Dollars (\$50,000.00) or more are to be made to any school building, facility or other District property, the Board shall obtain competitive bids and publish a call for bids in a newspaper of general circulation in the State at least once each week for two consecutive weeks.

Unless otherwise prohibited by federal law, when funds are appropriated or authorized for expenditure for capital construction projects, the projects shall be bid and contracts entered into subject to the conditions and restrictions set forth in W.S. 16-6-1001, inclusive of those procurements requirements applicable to capital construction projects involving the procurement of furniture and movable equipment. In accordance with state law, the District will show preference to

PURCHASING/PROCUREMENT

in-state bidders as required by W.S. 16-6-101 et seq. In addition, when the contract price exceeds \$50,000.00, contractors for the construction, major maintenance or renovation of school district buildings shall be required to furnish a bond or other form of guarantee as required by W.S. 16-6-112 (a).

PROCUREMENT OF PROFESSIONAL SERVICES FROM ARCHITECTS, ENGINEERS, AND SURVEYORS.

If professional services in an amount exceeding \$25,000.00 are required, the District shall notify all qualified architects, engineers and land surveyors of record who have submitted an annual statement of qualifications and performance data. In addition, if professional services in an amount exceeding \$50,000.00 are required, the District shall give notice in a newspaper of general circulation in the state at least once each week for two consecutive weeks prior to initiation of selection procedures in accordance with W.S. 9-2-1031. All notifications shall contain a general description of the proposed project and shall indicate the procedures by which interested firms may apply for consideration for a contract to provide professional services for the proposed project.

For each proposed project, the District's representative shall evaluate current statements of qualifications and performance data of firms on file with the District, together with any application submitted by other qualified firms and shall select not less than three (3) firms considered qualified to perform the required professional services in accordance with the selection procedures below. The District shall provide a complete description of the work to the firm selected. For projects \$50,000.00 or more, the firm shall submit an unpriced proposal to do the work.

In addition to the requirements set forth above, if the professional service fee is estimated to be in excess of \$50,000.00, the District's representative shall interview not less than three (3) firms selected from those which have submitted proposals to do the work. The interview shall be recorded and include discussions of each firm's projections of project costs, qualifications, approaches to the project, ability to furnish required professional services, use of alternative methods for furnishing required professional services and an estimated fee based on the agency's description of the work. The estimated fee may be used as a basis, along

PURCHASING/PROCUREMENT

with the other information discussed at the interview or as provided in the statements of qualifications and performance data on file with the District in selecting the most qualified firm for contract negotiations. If unsatisfied with the results of interviews, the District may select not less than three (3) additional firms for interviews.

For projects where the estimated professional fee is \$50,000.00 or less, interviews are not required. In those cases, firms interested in providing professional services for the project shall provide to the District an estimated fee and preliminary scope of services based on the District's description of the work. The estimated fee may be used as a basis along with the qualifications provided by the firm in the statement of qualifications and performance data or other information required in accordance with the bid documents or requests for proposals.

Nothing in this policy shall be deemed to prohibit the District's representative from determining that fewer than three (3) firms with current statements on file or which have been submitted for selection are qualified to perform the required professional services.

The final decision of the District in selection of a firm to provide professional services shall be based on the following: The District shall select firms that are resident firms as defined by W.S. 9-2-1028. Consideration between those firms shall be based upon:

- (A) the ability of professional personnel;
- (B) past performance;
- (C) ability to meet time requirements;
- (D) location;
- (E) current projected work loads;
- (F) the volume of work previously awarded to the firm by the District;
- (G) the equitable distribution of contracts among firms considered qualified.

If less than three firms on file together with applications submitted for the project are resident firms or if the resident firms are determined not qualified by the District, consideration shall be based upon considerations listed in subparagraphs A through G above.

PURCHASING/PROCUREMENT**All contracts for procurement must be provided to the District Business Manager and/or Facilities Director as applicable.**

Contracts for less than \$25,000.00 must be approved by the Superintendent or his/her designee. All contracts which require public advertising and competitive bidding shall be awarded by the Board. Recommendations for the award of these contracts shall be submitted to the Board by the Superintendent or his/her designee.

DISCLAIMER: The District reserves the right to reject any and all bids and to waive irregularities and informalities in any bid.

The District Business Manager, under the direction of the Superintendent, shall serve as purchasing agent for the District and shall be responsible for developing and administering a purchasing program for the District. Purchasing procedures shall comply with all applicable laws and regulations of the State as well as the following District guidelines:

1. The approval of all purchases shall be directed by the availability of funds appropriated in the District's annual operating budget.
2. Purchase orders may be issued without prior approval of the Board when formal bidding procedures are not required by law and when budget appropriations are adequate to cover the obligations.
3. The purchasing agent shall secure approval of the Board of Trustees for major purchases of equipment which are not included in the budget.
4. Residence or place of business of suppliers shall be a consideration in cases where identical or very close bids have been submitted with the exception of items purchased using federal funds.

The Board believes in patronizing local businesses; therefore, in purchasing procedure, when proposals are equal. The specifications of the District, the contract or purchase order shall be awarded to the firm whose location is within District boundaries.

In accordance with state law, the District will show Preference to in-state bidders whenever required and may show preference when desirable. [W.S. 16-6-101 through 16-6-107].

PURCHASING/PROCUREMENT

- 5. The quantity of items purchased shall depend on the necessity of the items, storage space, availability, and economy of volume purchased.
- 6. The Superintendent shall make every effort to ensure that the District receives full value for dollars spent. The purchasing function shall be to buy required products which, during the products' period of usefulness, will be the most efficient and economical.
- 7. Whenever feasible, supplies shall be ordered in the spring for summer delivery in order to keep purchasing during the year at a minimum.

* * * * *

PROCUREMENT POLICIES AND PROCEDURES USING FEDERAL FUND MONIES - including all purchases from the school food service account.

The primary purpose of the federal procurement regulation is to ensure open and free competition regardless of the procurement method.

All procurements using federal funds must meet all standards set forth in OMB Super Circular 2 CFR 200. The Child Nutrition Programs must also meet all standards set forth in the Code of Federal Regulations (CFR) under 7 CFR Parts 210, 215, 220, 225, 226, 245, 250 (as applicable), and

In order to ensure that District meets all federal procurement guidelines, the District will adhere to the following procedures:

The District will purchase from small, minority and women's business enterprises and labor surplus firms whenever possible, pursuant to 2 CFR 200.321.

Purchase Types:

Small purchases shall be made on a competitive basis, unless considered and qualifies as a micro purchase.

Micro Purchase:

Purchases equal to or less than ten thousand dollars (\$10,000) based on the Federal Threshold established in the Federal Acquisition Regulations (FAR) or the

PURCHASING/PROCUREMENT

current self-certified threshold pursuant to 2 CFR 200.320.

Self-Certification is allowable for public institutions if made annually, with a clear indication of the threshold. The threshold may not exceed twenty-five thousand dollars (\$25,000) which is consistent with state law.

Purchases may be awarded without soliciting competitive quotes if the price is considered reasonable based on research, experience, purchase history, or other information and documentation.

Micro purchases shall be distributed equitably among qualified suppliers to the extent practicable.

If the school district does not self-certify a threshold up to \$25,000 for micro purchases, any purchases made with Federal funds between \$10,000 and \$25,000 must be made on a competitive basis.

- Formal Procurement Purchase - Purchase or contract value greater than \$25,000;
 - Total purchase or contract value that exceeds twenty-five thousand dollars (\$25,000.00) is considered a **formal purchase**, and a contract must be awarded through a formal procurement process and a call for bids or a request for proposals shall be published at least once in a newspaper of general circulation in the district, as well as published in a newspaper generally circulated state-wide and posted on the district's website. The call for bids or proposals may also be published in a regional newspaper. No contract shall be divided for the purpose of avoiding this paragraph.

Purchases and contract awards must be made only to responsive and responsible bidders.

Responsive means that the bidder and their offer meet the requirements of the procurement. **Responsible** means that the bidder has the means to execute the procurement - and has the ability to provide the goods and/or services required in accordance with the applicable specifications and contract terms.

PURCHASING/PROCUREMENT

The District must have a clear and accurate description of the material, product, or service to be procured. All requirements, which must be fulfilled, have to be identified and cannot contain features which unduly restrict competition.

The District contracts will not be awarded to any potential vendors who write any of the bid specifications, the solicitation documents, or any of the contract language.

Identical bid specifications and/or request for proposals will be provided to all potential vendors.

The District will avoid acquisitions of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase.

When it is impractical or uneconomical to make clear and accurate descriptions of the technical requirements, a "**brand name or equal**" description may be used as a means to define the performance or other requirements. The specific features of the named brand which must be met by suppliers, shall be clearly stated per 2 CFR 200.319(c) (1).

Restricting procurement to a brand name or a specific product is not permitted, however, situations do arise when the District has a compelling need or reason to purchase a brand specific item. The District would then need to document all the reasons for this requirement but must still maximize competition even in the brand specific procurements.

Sole Source for the Purposes of Procurement. A sole source procurement must have prior approval by the Wyoming Department of Education (WDE). Federal rules allow for a sole source when only one supplier is available nationally. The **State Agency (WDE) can authorize** the District to conduct a noncompetitive negotiation with that one supplier, if noncompetitive negotiation is allowed under applicable State and local rules. This is a rare occurrence.

PRE-PROCUREMENT PROCESS

- Step 1 - Identify what will be purchased
- Step 2 - Estimate the cost and determine the **procurement method** to be used

PURCHASING/PROCUREMENT

- Step 3 - Follow the proper **purchase procedures**

Request for Information (RFI) - An RFI is used when the District is unsure what to include in the procurement and needs to identify the range of possibilities available. The RFI must be open to all potential respondents and can be used to prequalify vendors moving forward. An award cannot be made from the RFI, but must issue a subsequent IFB or RFP that is more exact.

PROCUREMENT METHODS - There are several ways to meet the fundamental principles of procurement - fair, open, and competitive purchasing.

Micro-Purchase Procedure - A small purchase (non-formal) method.

1. Micro purchases (at or under the current federal threshold) can be purchased without requesting competitive quotes if the price is considered reasonable and, to the extent feasible, District staff must distribute the micro-purchases equitably among qualified suppliers.
2. Make purchase- After a pre-approved requisition (under \$500) or pre-approved PO (\$500 or over) is received.

Request for Quotation (RFQ) - A small purchase (non-formal) method.

In some cases it is simply calling several vendors and asking for a price quote on goods or services. The District must keep adequate documentation (vendor name, contact name, phone number, time, date, and quote amount for each vendor). A RFQ is commonly used when the District knows what it wants but needs information on how vendors would meet the District requirements and/or how much it will cost.

- RFQ may be used for **small purchases** or **competitive bid purchases** (each type must solicit quotes from at least two vendors).
- Small purchases may use phone quotes and/or on line quotes.
- Competitive bids - must use a written Request for Quotation.

Small Purchase Procedure - not a micro purchase

1. Call or check prices of at least two vendors.
2. Make purchase with lowest cost vendor- After a pre-approved requisition (under \$500) or pre-approved PO (\$500 or over) is received.

PURCHASING/PROCUREMENT

3. Keep procurement documentation (attach a copy of the documentation to the Requisition or PO).

Competitive Purchase Procedure - Quotes (must be written).

1. Solicitation documents:
 - a. Describe what goods or services are needed
 - b. Due dates
 - c. Other relevant factors
2. Contact an adequate number of available, qualified sources to achieve competition. Solicit **at least two vendors** for Competitive Bid Purchases.
 - a. A non-response from a vendor counts as a solicitation (be sure to document).
 - b. Can issue an IFB or RFP, but not required, this can be a less formal process.
3. Receive price/rate quotes - evaluate quotes.
4. Make purchase - after a pre-approved PO has been received.
5. Contract may be issued as a result of a Competitive Bid Purchases, but it is not required.
6. Keep Procurement documentation - attach a copy of the documentation to the PO.

Formal Purchase Procedures

If the purchase amount or contract value will cost \$25,000.00 or more, the District will contract through a formal solicitation process via an IFB or an RFP. No contract shall be divided for the purpose of avoiding this procedure. A call for bid/proposals shall be published at least once in a newspaper of general circulation in the District, as well as in a newspaper generally circulated state-wide. The solicitation shall also be posted on the District's website. District may also advertise in any other for that is deemed applicable. Solicitations can be sent directly to all interested/qualified vendors.

- More rigorous and prescriptive
 - o Invitation for Bids (IFB) i.e., Competitive Sealed Bidding
 - o Request for Proposals (RFP) i.e., Competitive Negotiation
 - Allows the identification of evaluation factors and their relative importance.
- **Contract is to be** issued as a result of Procurement.

1. **Identify allowable** methods for Formal Purchases - ONLY an IFB or RFP can be used.

PURCHASING/PROCUREMENT

A. **Invitation for Bid (IFB) - A Formal** method used when the only significant point of differentiation between vendors is the price. An IFB must have clear, concise specifications and should describe the minimum standards expected of a respondent in measurable terms. Bids will be solicited from an adequate number of known vendors; providing them with sufficient time to respond prior to the date set for the public bid opening. Bids shall be sealed and require a fixed price contract with or without adjustment factors.

- o The **sealed bids** will be publicly opened at the time and place specified in the IFB. The contract will be awarded to the bidder whose bid conformed to all the terms and conditions of the IFB and has the lowest price.
- o Can award only a Fixed Price Contract and the successful bidder can be determined only on the basis of price.
- o Must have adequate and realistic specifications or purchase descriptions.
- o Must provide sufficient time for response.
- o Must have at least two or more responsible bidders who are willing and able to compete effectively.

B. **Request for Proposal (RFP) - A Formal** method to be used when factors other than price will be considered in making an award. However, price must still remain the primary consideration when awarding the contract under this method. The RFP identifies the goods, products, and/or services needed by the District, and all significant evaluation factors

- o RFP must include all evaluation factors and their relative importance (number of points). The contract will be awarded to the proposer that is most advantageous with price and all other factors being considered. Price must be given the highest evaluation weight (score).
- o Awarded contract may be either Fixed Price, Cost Reimbursable, or a combination of the two types.
- o Generally used when conditions are not appropriate for the use of an IFB.

2. Prepare Solicitation and Contract documents

Potential contractors may provide information for the specifications but cannot prepare documents.

PURCHASING/PROCUREMENT

Identical bid specifications must be provided to all potential vendors. This must include all important information such as delivery schedules, quantities, product specifications, and purchase conditions.

- a. **IFB** - Must have complete, adequate, and realistic specifications or purchase descriptions.
 - b. **RFP** - Scoring (evaluation) criteria must be included in the RFP.
 - c. Some of the situations considered to be restrictive of competition include, but are not limited to:
 - i. Placing unreasonable requirements on vendors in order for them to qualify to do business.
 - ii. Requiring unnecessary experience and/or excessive bonding.
 - iii. Noncompetitive pricing practices between vendors or between affiliated companies.
 - iv. Organizational conflicts of interest.
 - v. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement.
 - vi. Any arbitrary action in the procurement process.
 - vii. The use of state or local geographical preferences in the evaluation of bids or proposals, except for an allowable Child Nutrition Farm to School transaction.
3. **Advertise Solicitations** - Bids/Proposals must be solicited to as many potential contractors as possible. Publish at least once in a newspaper of general circulation and once in a newspaper generally circulated state-wide, the District website, and any other form of advertisement deemed applicable. Solicitations will be sent directly to vendors. All solicitations need to be made available at the central office.
- a. **IFB** - Must have two or more responsive, responsible bidders.
 - b. **RFP** - Must be solicited to an adequate number of qualified bidders to ensure competition.
4. **Clarification to Solicitations** - Clarifications, addendums, and questions must be provided to all prospective vendors during the solicitation phase.

PURCHASING/PROCUREMENT

5. **Receive Solicitations** - Must be received by a specified date and time. May be accepted electronically when specified.
6. **Evaluate Submissions** - The way to measure and document why one company's response to a particular criterion is better than another using the correct evaluation system.
 - a. **IFB** - IFBs will be publicly opened at a predetermined time and place, as stated in the IFB, and awarded to the lowest priced responsive, responsible bidder only.
 - b. **Scoring for RFP** (see How to Score Proposals) - **not to be done publicly.**
 - i. The RFP must clearly list the factors that will be used to evaluate and determine the winner of the proposal.
 - ii. Evaluation scores should reflect their importance; therefore, all factors must be weighted.
 - iii. Price must always have the highest weight.
 - iv. The Contract will be awarded to the responsive and responsible party whose proposal is the most advantageous based on the evaluation factors.
 - v. Notification is to be sent to all vendors. A notice shall be sent to awarded vendor(s) and all unsuccessful vendors.
7. **Award contract** - A recommendation shall be made to the Board of Trustees at its next regular meeting to accept/deny contract.
 - a. Any or all solicitations may be rejected but can only be rejected for sound, documented reasons.
 - b. **IFB** - A firm, fixed price contract award will be made in writing to the lowest priced, responsive, and responsible bidder.
 - c. **RFP** - A Fixed Price or Cost Reimbursable (**or combination**) award will be made to the responsive and responsible party whose proposal is most advantageous. Price and other factors must be considered with price having the highest weight.
 - d. Notification is to be sent to all vendors.
 - e. If the contract is a Cost Reimbursable contract, the following provisions will be included in the contract:
 - i. Only allowable costs will be paid from the nonprofit school food service account to the

PURCHASING/PROCUREMENT

Contractor net of all discounts, rebates, and other applicable credits accruing to or received by the Contractor or any assignee under the contract, to the extent those credits are allocable to the allowable portion of the costs billed to the District.

- ii. The District shall ensure that the Contractor fully discloses all discounts, rebates, allowances, and incentives received by the Company from its suppliers. If the Company receives a discount, rebate, allowance, or incentive from any supplier, the Company must disclose and return to the District the full amount of the discount, rebate, or applicable credit that is received based on the purchases made on behalf of the District. All discounts, rebates, allowances, and incentives must be returned to the District during a mutually agreed upon time frame that is beneficial to the District.
- iii. Sufficient detail and information must be supplied to the District to identify allowable and unallowable costs, as well as the amount of all discounts, rebates and other applicable credits on invoices.

8. Execute the contract - all contracts must go through the Business Manager.

- a. No contract shall be for more than five (5) years and may have an annual renewal when in place for longer than one (1) year.

9. Make the purchase - after a pre-approved PO is received.

10. Administer contract - see contract administration.

11. Maintain documentation - see Documentation.

HOW TO SCORE PROPOSALS (RFP):

The District shall ensure that cost is the primary factor for award.

- A point system, percentage-based system, or a different weighted system may be used.
- The solicitation must clearly define and describe the evaluation criteria to be used.
- The method chosen cannot unreasonably limit free and open competition.

PURCHASING/PROCUREMENT**CONTRACT ADMINISTRATION:**

The District will maintain a contract administration system which will ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. The Business Manager will review all aspects of any contractor bid documents, expenditures, processes, and procedural aspects to ensure compliance with all federal, state, and school district regulations.

The District's contract administration system will address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms. Appropriate sanctions and/or penalties will be included.

All contracts in excess of \$10,000.00 must address termination for cause and for convenience and include the manner by which it will be effected and the basis for settlement.

Contracts made under a federal award (such as with funding from the USDA Child Nutrition Programs) will also contain all applicable federal provisions as referenced under *Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards*.

NON-PERFORMANCE:

The District retains the right to terminate any contract for cause or convenience.

BID SPECIFICATIONS:

District contracts will not be awarded to any potential vendor who writes any of the bid specifications, the solicitation documents, or any of the contract language. Identical bid specifications and/or request for proposals will be provided to all potential vendors.

GEOGRAPHIC PREFERENCE (applies ONLY to National School Lunch/Breakfast Program purchases):

No geographic preference (advantage based on location) is allowed with Federal funds except for documented Farm to School (Farm to Plate) efforts. Therefore, as part of Farm to School, the District may choose to apply a geographic preference when procuring unprocessed locally grown or locally raised products only.

PURCHASING/PROCUREMENT**BUY AMERICAN (applies ONLY to National School Lunch/Breakfast Program purchases) :**

The District is required to purchase, to the maximum extent possible, domestic products for use in meals served in its National School Lunch and School Breakfast programs. The "Buy American" requirement [7 CFR Part 210.21(d)] specifies that the District should purchase domestically produced food and food products.

A "domestic commodity or product" is defined as one that is either produced in the U.S. or is processed in the U.S. substantially using agricultural commodities that are produced in the U.S.

The Buy American provision also applies to entities that purchase on behalf of the District.

If the District is unable to purchase a domestic item, documentation must be kept justifying the exemption(s) and maintained for review by the SA.

The District will include a "Buy American" clause in all product specifications, bid solicitations, requests for proposals, purchase orders, and any other type of procurement documents issues.

DEBARMENT AND SUSPENSION:

For all contracts to be paid with Federal assistance, the District will obtain verification regarding debarment, suspension, ineligibility, and voluntary exclusion.

- To meet this requirement, the District will include a suspension and debarment statement within the text of all contracts.

STANDARD OF CONDUCT:

The District maintains the following code of conduct for any employees engaged in the award and administration of contracts supported by Federal funds:

- No District employees will engage in any procurement when there is a conflict of interest, real or perceived, and District employees cannot solicit or accept any gratuities, favors or anything of monetary value from prospective vendors.
- No District employee shall participate in the selection,

PURCHASING/PROCUREMENT

award, or administration of a contract when any of the following persons have a financial interest in the firm selected for award:

- o The employee
- o Any member of his/her immediate family
- o People with whom there is an affectionate personal relationship
- o An organization which employs or is about to employ any of the above.
- District employees will behave with the utmost integrity and never be self-serving, be fair in all aspects of the procurement process, be alert to conflicts of interest, and avoid any compromising situations.
- Employees found to be in violation of this policy are subject to disciplinary action. Based on the severity of the infraction, the penalties could include a written reprimand to their personnel file, a suspension with or without pay, or termination.

DISCOUNTS, REBATES, CREDITS: The District will verify that all Federal contracts and procurements are net of all applicable discounts, rebates, and credits. All contractors will maintain records and source documents in support of all costs, discounts, rebates, and credits.

RECORD RETENTION AND PROCUREMENT DOCUMENTATION:

The District will allow access to all records per 2 CFR 200.336 and will adhere to all 2 CFR 200.333 record retention requirements. The District will retain all Federal procurement records for three (3) years after final payments and/or three (3) years after any pending matters have been closed and completed.

The District will also maintain documentation sufficient to detail the history of any procurements. Documentation to be retained will include all solicitation documents, responses, evaluation records, and contracts. These records should detail the history of any procurements and should also include, but are not limited to, the following:

- Rationale for the method of procurement used
- Selection of contract type
- Contractor selection or rejection
- And the basis for the contract price.

PURCHASING/PROCUREMENT

BID PROTEST PROCEDURES:

Any bidder/proposer, person, or entity may file a protest with the District relating to a solicitation, contractual or administrative issue. The protest shall specify the reasons and facts upon which the protest is based and shall be filed, in writing, to the Business Manager no later than three (3) business days after the date of the IFB/RFP award or notice of unsuccessful bid or for contract or administration protests, within three (3) days of the incident giving rise to the protest.

The District will investigate the basis for the protest and analyze all facts. The District will notify the bidder/contractor of the evidence found as a result of the investigation, and afford the bidder/contractor an opportunity to rebut such evidence, and permit the bidder/contractor to present any evidence that the bid and/or contract award, or the administration of the contract, was done in an unfair or biased manner. If necessary, the District will then hold an informal hearing before the School Board, which will include the Superintendent and Business Manager, who will present information in response to the protest. The District will issue a written decision within fifteen (15) business days following receipt of the protest, unless factors beyond the District's reasonable control prevent such a resolution, in which event such decision will be issued as expeditiously as circumstances reasonably permit.

The decision will state the reasons for the action taken by the District. A copy of this decision will be furnished to the protestor and any other parties affected.

W.S. 21-3-110(a)(viii)

7 CFR Parts 210, 215, 220, 3016 and 3019 (as applicable)

2 CFR Part 200.317 - 200.326, Part 180, Part 1532 (as applicable)

2 CFR 200.67 Records Retention Schedule for Wyoming School Districts, Wyoming State Archives

First Reading: 11-14-22

Second Reading: 12-5-22