

**Cottonwood School District No. 242**

**FINANCIAL MANAGEMENT**

**7405**

Public Works Contracting and Procurement

The Board will employ professional advisors as required by law and good management practices when planning and implementing major remodeling or building programs. No contract involving a public works project shall be let to any contractor who is not licensed as required by the laws of this State. Further, the District shall at all times adhere to the bidding requirements for public works contracting and procurement as set out in State law.

**Public Works Contractor Licensure Requirements**

\$0 to \$50,000	No licensure requirement	IC 54-1903(9)
\$50,000 and above	Licensure required	IC 54-1903(9)

**Exemptions from Public Works Contractor Licensure**

Less than \$50,000 for construction, alteration, improvement, or repair.	Single project with any number of trades	IC 54-1903(9)
Any construction, alteration, or repair due to an emergency.	Pursuant to the provision of, Chapter 10, Title 46 Idaho Code	IC 54-1903(11)

**Public Works Construction Bidding**

\$0 to \$50,000	No bidding requirements	IC 67-2803 (2)
\$50,000 to \$200,000	Semi-formal bidding: Issue written requests for bids describing the work to at least 3 licensed contractors. Allow 3 days for written response; objections 1 day prior to bid. Keep records for 6 months. <u>Accept low bid, or reject all bids.</u>	IC 67-2805 (1)
\$200,000 and above	Formal bidding 2 <b>Options A &amp; B:</b>  <b>Category A</b> – Open to all licensed contractors. Publication requirements. Written objections allowed. May request bid security/bond. <u>Accept low bid, or reject all bids.</u> See code for details. (IC 67-2805 (2)(a).)  <b>Category B</b> – Open to pre-qualified contractors. After pre-qualification is determined, the bidding process is in the same manner as Category A. (IC 67-2805(2)(b).)	IC 67-2805 (2)

Legal Reference: I.C. § 33-402 Notice Requirements  
I.C. § 33-601 Real and Personal Property—Acquisition, Use, or Disposal of Same  
I.C. § 54-1903 Unlawful to Engage in Public Works Contracting Without License-Exemptions  
I.C. § 67-2801 et seq. Purchasing by Political Subdivisions  
I.C. § 74-401 et seq. Ethics in Government

Other Reference: Policies and Procedures Used Template, Idaho State Department of Education, <http://www.sde.idaho.gov/sped/funding>

Policy History:

Adopted on: April 17, 2017  
Revised on: November 20, 2017  
Revised on: August 19, 2019