

BIDDING REQUIREMENTS

I. Purpose

The purpose of the policy is to ensure that Western Dakota Technical College (WDTC) complies with state bidding statutes and encourages fair and open competition.

II. General Statement of Policy

- A. The policy of the College is to advertise and solicit bids from responsible vendors for purchasing non-exempt products and services that meet the bidding threshold as defined by state law.
- B. Purchases typically exempt from bidding requirements include: utility services, professional services, products obtained from other government entities, products from vendors on the State bid list, and emergency services. (A complete list of current exempt services can be referenced in the State Bid Booklet.)
- C. Sealed bids will be publicly opened and read at the time and place stated in the advertisement. A record of the names of bidders, bid amounts, and any additional relevant conditions will be documented in the minutes of the local governing Board meeting. Any bid may be withdrawn or modified before the time of opening as specified in the advertisement. Unless all bids are rejected, the lowest responsible bid must be accepted.
- D. If after advertising, no bids are received, the local governing Board or its designee may negotiate a contract for the purchase of items at the most advantageous price. However, such a purchase must meet the specifications of the original advertisement for bids.

III. Definitions

- A. "Responsible vendor" is defined as a vendor that WDTC has worked with previously, that delivered the purchased product or service on time, without defects, and at the cost expected. New vendors to WDTC should be researched to determine past performance on quality, timeliness, and confirmed price. All bidders may be required to provide an insurance bond with their bid.

IV. Reporting Procedures

- A. Contracts and agreements will be presented to the Board of Trustees for review and approval during their scheduled meetings.

V. Dissemination of Policy and Training

A. This policy shall appear on the WDTA website on the policy webpage.

Legal References:

S.D. Codified Laws §4-11-6 – Accounting manual for counties, municipalities, school districts, and their agencies

S.D.C.L. §5-18A-1:53 – Public Agency procurement – general provisions

S.D.C.L. §13-16-6.1 – Bidders agreement to state rate and schedule

S.D.C.L. §13-20-1:9 – School district purchases and contracts

Other References:

South Dakota Bid Law Booklet – Department of Legislative Audit

South Dakota School District Accounting Manual (SAM) – Department of Legislative Audit

Finance Accounting & Reporting Manual (FARM) – National Association of College & University Business Offices (NACUBO)

Board Approved 1/13/2021; Committee Reviewed 11/23/22; Committee Reviewed 11/21/24