

CONSTRUCTION CONTRACTS, BIDDING AND AWARDS

Background

The Public School Code of 1949, as amended, including Section 751, designates the Board of School Directors as the contracting authority for the construction, reconstruction, repair, maintenance or work of any nature, including the introduction of plumbing, heating and ventilating or lighting systems ("construction and repairs") on or upon any building or property of the District and presents statutory procedures to be used in the implementation of this policy. Section 751 also provides that the Board may authorize the secretary or other- authorized designees to award contracts in amounts less than- [Eighteen Thousand Five Hundred Dollars \(\\$18,500\), subject to adjustment under Section 120 of the School Code, \\$18,500](#) for construction or repairs, without soliciting competitive bids.

Objective

It is the objective of this policy to delegate construction contracting authority to the Superintendent and/or his or her authorized designees to the extent allowable by law, to facilitate construction and repair of District property, and to provide for competitive bids and Board approval for contracts ~~of \$18,500 or more~~ [of Eighteen Thousand Five Hundred Dollars \(\\$18,500\) or more, subject to adjustment under the School Code.](#)

Policy

It shall be the policy of the Board that the contracts for construction and repairs shall be approved and awarded as follows:

1. Contracts by the District for construction and repair of any buildings and property of the District where the entire cost, value or amount of such construction and repair, including labor and materials, is Eighteen Thousand Five Hundred (\$18,500) Dollars or more, [subject to adjustment under the School Code,](#) shall be entered only after approval and award by the Board to the lowest responsible bidder upon proper terms, after due public notice has been given asking for competitive bids.
2. The Superintendent and/or his or her authorized designees is authorized to enter into contracts (including but not limited to change orders) by the District for construction and repairs which exceed Ten Thousand (\$10,000) Dollars, but are less than Eighteen Thousand Five Hundred (\$18,500), [subject to adjustment under the School Code,](#) provided that written or telephone price quotations are requested from at least three (3) qualified and responsible contractors, or in lieu of obtaining price quotations, preparation and filing of a memorandum showing that fewer than three (3) qualified contractors exist in the School District's market

area. Records of all price quotations and memoranda shall be maintained for a period of not less than three years.

3. The Superintendent and/or his or her authorized designees is authorized to enter into contracts (including but not limited to change orders) by the District for construction and repairs which do not exceed Ten Thousand (\$10,000) Dollars, subject to adjustment under the School Code, without the need for a requisite number of price quotations (or documentation in lieu thereof) as is required under paragraph 2 above.
4. All contracts for construction and repairs shall be consistent with the provisions of the Public School Code and applicable laws relating to contracts let on bids and exceptions thereto, the grounds for acceptance and rejection, the exceptions, prohibitions against entering into piecemeal and series contracts to obtain contracts under \$18,500, subject to adjustment under the School Code, without bidding, procedures, notice requirements, and other relevant matters as contained in applicable laws and regulations and as directed by the Superintendent.
5. Policies and procedures will be developed separately for major renovation or construction projects prior to the commencement of each project.
- ~~5.6.~~ The threshold amounts set forth in this policy, including the \$18,500 and \$10,000 thresholds, are base year amounts established in 2012 and are subject to annual adjustment pursuant to Section 120 of the School Code as mandated by Section 751(a.2) of the School Code. For 2021, these threshold amounts have increased to \$21,300 and \$11,500, respectively, and will continue to be adjusted as specified in the School Code without the necessity of amending this policy.

Administrative Responsibility

It shall be the responsibility of the Administration to implement and enforce this policy, and to develop Administrative Procedures for implementation and enforcement where necessary.

The Administration shall report to the Board on a monthly basis all contracts not previously approved by the Board ~~-(pursuant to the terms of this policy)~~ that are ~~-~~ not routinely recurring and approaching an aggregate threshold of \$30,000.

Communication

This policy shall be communicated to:

1. All District Staff
2. The Mt. Lebanon Community

Adopted July 16, 1979
Revised April 17, 1995
Revised April 16, 2007
Reviewed April 4, 2011
Revised September 17, 2012
Revised February __, 2021