

Book: Luzerne Intermediate Unit # 18
Section: 600 Finances
Title: Purchases Subject to Bid/Quotation
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Authority

It is the policy of the Board to obtain competitive bids and price quotations for products and services where such bids or quotations are required by law or may result in monetary savings to the Intermediate Unit.[\[1\]\[2\]](#)

Guidelines

The amounts contained in this policy regarding competitive bid and price quotation requirements are subject to adjustments based on the Consumer Price Index.[\[1\]\[2\]\[3\]](#)

Competitive Bids

When seeking competitive bids, the Board shall advertise once a week for three (3) weeks in not less than two (2) newspapers of general circulation.[\[1\]\[2\]](#)

After due public notice advertising for competitive bids, the Board shall be authorized to:

1. Purchase furniture, equipment, school supplies and appliances costing a base amount of \$23,800 or more, unless exempt by law.[\[2\]](#)
2. Contract for construction, reconstruction, repairs, maintenance or work on any school building or property having a total cost or value of more than \$23,800, unless exempt by law.[\[1\]](#)

The Board prohibits the practice of splitting purchases to avoid advertising and bidding requirements.[\[1\]\[2\]](#)

With kind, quality and material being equal, the bid of the lowest responsible bidder meeting bid specifications shall be accepted upon resolution of the Board, unless the Board chooses to reject all bids.[\[1\]\[2\]](#)

The Board recognizes that emergencies may occur when imminent danger exists to persons or property or continuance of existing school classes is threatened, and time for bidding cannot be provided because of the need for immediate action. Bidding decisions in the event of such emergencies shall be made in accordance with existing legal requirements.[\[1\]](#)

Electronic Bidding

The Board shall receive bids electronically for competitive contracts, except for construction and design services, in compliance with applicable laws and Board policy.[\[4\]](#)[\[5\]](#)

The Intermediate Unit shall electronically maintain the confidentiality of the bid until the bid opening.[\[5\]](#)

Competitive Electronic Auction Bidding

The Board shall adopt a resolution approving the use of competitive electronic auction bidding for contracts for supplies or services, but not for construction or design services.[\[4\]](#)[\[6\]](#)

An invitation for bids shall be issued and shall include:[\[6\]](#)

1. Procurement description.
2. All contractual terms, when practical.
3. Conditions applicable to procurement, including a notice that bids will be received in an electronic auction manner.

Public notice and advertisement of the invitation for bids shall be given in the manner required for non-electronic bidding.

Bids shall be accepted electronically at the time and in the manner designated in the invitation for bids.

During the auction, bidders shall be able to review their bid rank or the low bid price, and may reduce their bid prices during the auction.

At the conclusion of the auction, the record of the bid prices received and the name of each bidder shall be open to public inspection.

After the auction period has expired, the Intermediate Unit shall grant in writing withdrawal of a bid when the bidder requests relief and presents credible evidence of a clerical mistake due to reasons permitted by law, within the time period established by the Intermediate Unit.

The contract shall be awarded within sixty (60) days of the auction by written notice to the lowest responsible bidder, or all bids may be rejected. Extensions of the award date may be made by written, mutual consent of both parties.

Price Quotations

Unless exempt by law, at least three (3) written or telephonic price quotations shall be requested by the Board for:[\[1\]](#)[\[2\]](#)

1. Furniture, equipment, school supplies and appliances costing a base amount of more than \$12,900 but less than \$23,800. [\[2\]](#)
2. All contracts for construction, reconstruction, repairs, maintenance or work on any school building or property, having a total cost or value of more than \$12,900 but less than \$23,800. [\[1\]](#)

If it is not possible to obtain three (3) quotations, a memorandum must be kept on file showing that fewer than three (3) qualified vendors exist in the market area. The written price quotations, written records of telephonic price quotations and memoranda shall be kept on file for three (3) years.

Work Performed by Intermediate Unit Maintenance Personnel

The Board may authorize Intermediate Unit maintenance personnel to perform construction, reconstruction, repairs or work having a total cost or value of less than \$12,900. [\[1\]](#)

Delegation of Responsibility

The Board may grant the Board Secretary or Purchasing Agent the authority to purchase supplies and award contracts in the amount and manner designated by applicable law. [\[1\]](#)[\[2\]](#)

NOTES:

The Department of Labor and Industry shall publish notice, in the Pennsylvania Bulletin prior to January 1 of each calendar year, of the annual percentage change and the unadjusted or final adjusted base amounts at which competitive bidding is required and written or telephonic price quotations are required, respectively, for the calendar year beginning the first day of January after publication of the notice. This policy will be adjusted annually based on the notice published in the Pennsylvania Bulletin.

Act 4 of 1974 – Withdrawal of Bids – 73 P.S. Sec. 1602

Legal

1. 24 P.S. 751

2. 24 P.S. 807.1

3. 24 P.S. 120

4. 62 Pa. C.S.A. 4602

5. 62 Pa. C.S.A. 4603

6. 62 Pa. C.S.A. 4604

62 Pa. C.S.A. 4601 et seq