



Guide to the Bidding and Request for Proposal (RFP) Process

[Review KRS 45A.345 through 45A.460 for details of the Model Procurement Code.](#)

Permission, Timeline, and Advertisement:

1. Request permission from the Board to solicit sealed bids or request proposals for a product or service using a staff note at least one month (preferably 2 months) prior to requesting approval for bids. Examples of requesting permission to bid can be found in March and April consent agenda staff notes each year. Advertise for bids and send out specifications the day after the Board grants permission to solicit bids.
2. Plan the bid opening date by working backwards from the day staff notes are due for the month in which the Board should award the bid. Allow time to analyze bids and prepare a staff note to accept bids prior to the staff note due date. For example, if staff notes are due on Monday, the 10th, bids could be opened on Thursday, the 6th. Allow an extra month before the service or supplies are needed if possible in case bids that come in are not suitable and must be re-bid the next month. Reserve the library for the public opening of bids. **See KRS 45A.365 (4).**
3. An advertisement for bids must appear in the Paducah Sun at least 7 days prior to the bid opening date. **See KRS 45A.365 (3).** The ad can run on any day of the week and only has to run one time, although it may be advertised on multiple dates. If advertising on more than one date, the final ad still must be at least 7 days prior to the bid opening date. Consider the preparation and work a vendor must do to submit a bid and give ample time from the advertising date to the bid opening date, even though legally only 7 days are required. The more time a vendor has to devote to gathering information and preparing a low bid, the better the result for the district. Advertisements should be submitted to the Paducah Sun by noon the day before the ad is to run if on a weekday or Saturday, or by noon Friday for a Sunday ad. These ads are placed in the legal notice section.
 - a. Sample ad: The McCracken County Board of Education will accept (BIDS/PROPOSALS) for (SERVICE/PRODUCT) at (TIME & TIME ZONE) on (DATE) at the Board office located at 435 Berger Road, Paducah, KY 42003. All (BIDS/PROPOSALS) must be received by the time designated and none will be considered thereafter. Specifications may be obtained at (WEBSITE OR BOARD OFFICE.)

- b. Remember to do a requisition to the Paducah Sun and obtain a PO# to give to the Sun for billing purposes.
 - c. Save a copy of the ad when it appears in the Sun for bidding records.
4. Prepare bid specifications so they are ready to release them the day the advertisement appears in the Paducah Sun. Bid specifications may be sent to potential bidders by mail or email, or vendors may pick up a bid packet at the Board office. A copy of the bid specifications may also be uploaded to the appropriate department page of the district website.
5. To ensure competition and a good variety of bids, send bid specifications to bidders rather than waiting for them to request the paperwork from the district. If this is a routine bid that has been done before, be sure to send bid specifications to all prior bidders, whether they were awarded the bid or not. Do not allow any vendor to see bid specifications before they are officially released.
6. Let the receptionist know that bids may be submitted by mail or courier and should be forwarded to the appropriate contact person immediately upon receipt.

The Specifications:

1. Bid specifications are very specific and outline the exact items required (often used for technology purchases, food items, routine services such as mowing services, etc.) Requests for proposals are less specific and allow the vendor to tailor a proposal to the district's needs based on what the company offers and thinks is most suitable (often used for insurance, banking, and other customizable services.)
2. Bids can be evaluated by either lowest price (if all products are identical) or by the lowest evaluated bid. Most bids are based on the lowest evaluated bid so that the Board considers points other than price in the evaluation of bids. However, those points that will be considered must be stated as being evaluated in the bid specifications. The items evaluated may be customer references, timeline for delivery or installation, technical support offered, warranty included, or other items that are critical to the purchase of the product or service.
3. All specifications/RFPs should include the following:
 - a. Due date for submitting **sealed** bids (time, date, location, and to whose attention they should be sent.) Also include a statement that MCPS accepts no responsibility for proposals arriving late and that proposals received after the bid opening time and date will not be opened or read for consideration.
 - b. Time period for which bids are valid (usually 60 days from the bid opening date, to allow adequate time to evaluate and select a bid.)
 - c. Terms for withdrawing a bid. Sample: A bidder may withdraw his bid after it has been submitted only if a written request is submitted and received prior to acceptance by the Board.
 - d. Requirements of those submitting a bid. Sample: Any agent of the company placing the bid/proposal must be an acknowledged officer or agent of the company legally authorized to do so.

- e. Term of contract award period (usually 1 to 3 years, depending on the type of bid.)
- f. Options for renewal of contract if applicable.
- g. Specific information about services or supplies being requested (brand, size, features, required components, etc.)
- h. Payment terms (credit card must be accepted.)
- i. Evaluation terms (if the bid is being awarded based on any aspect in addition to the price.) **See KRS 45A.365 (2).**
- j. Required Model Procurement Code Guidelines for Bidders (includes brief overview of Kentucky Model Procurement Code, required sworn statement regarding violation of campaign finance law, required non-collusion affidavit, and required affidavit for bidders claiming resident bidder status. **See KRS 45A.365 (2), KRS 45A.395 (2), KRS 45A.494 (2), and KRS 45A.494 (8).** This documentation is available here:
<http://mcweb.mccracken.kyschools.us/Finance/Dept/Resources.html>
- k. Bid form that has a place to submit the proposed price and terms, a place for the company's authorized agent to sign, list contact information and the date the form is submitted.

Questions from Bidders:

1. If a vendor asks a question during the time period that the bids are being developed, ensure that each vendor who is working on a bid or proposal receives a copy of the question and the answer. It may be helpful to upload any questions and answers to the district website where the bid specs are located or to place a copy of the questions and answers with the bid packets for any vendors who request a packet after the questions have been asked and answered.

Opening Bids:

1. Two district representatives should be present for the bid opening. Scissors or a letter opener will be useful for opening envelopes. Ensure the bid opening begins on time by having a watch or clock in the room.
2. Open bids one by one, briefly reviewing to ensure the form is completed. If bidders have come to watch the bid opening, they may view the bids if the opened bids are passed around the table. This is optional and may not be wise in a situation where further negotiations may be necessary (typically when requesting bids for sponsorship.)
See KRS 45A.375.
3. Let the bidders know at the bid opening that a decision will not be made that day, but tell them the Board will make a decision at the next meeting. Tell them the date and time in case they want to be present for the award.

Analysis of Bids:

1. Review each bid or proposal and record the analysis in a table or chart to help identify the parts of each bid. This is especially critical for an evaluated bid, where there should be a section for each component of the evaluated portions. Various aspects of each bid that set it apart from others may be highlighted to help the Board see the strengths or weaknesses of each bid. Include the date of the bid opening and the bid advertisement in this chart, as it will become the attachment for the staff note to award a contract.
2. A non-responsive bid does not meet the bid specifications in some way. This should be noted in the analysis chart. Examples of non-responsive bids may include not submitting the 3 required affidavits (campaign finance law, non-collusion, or resident bidder), not meeting the minimum specifications required for a bid, not conforming to bid specifications in some other way. These bids must be excluded from consideration if found to be non-responsive pursuant to **KRS 45A.345 (20)**.
3. Determine the best value for the Board. Prepare a staff note to award a contract to a bidder. It is a good idea to request that the Board accept the bid and authorize the execution of any associated contracts related to accepting the bid. Look at April or May discussion agendas for sample staff notes awarding contracts to bidders. When bidding for a discounted price on catalog items (such as office supplies, apparel, etc.) the Board may approve bids from multiple vendors to allow broad selection of merchandise.

After the Contract is Awarded:

1. Contact the successful bidder both in writing and by phone and begin developing a plan for purchasing the selected items and signing paperwork. The Board Chair or Superintendent/Designee should sign all paperwork. **See KRS 45A.365 (5)**.
2. Contact all unsuccessful bidders in writing (mail or email) and thank them for the time spent developing their proposals and let them know their bid was not selected. Keep a list of all bidders so that they can be contacted the next time bids for this product or service are solicited.
3. Maintain a copy of all unsuccessful bids for a period of 1 year **and** a financial audit.
4. Maintain a copy of all successful bids, including the specifications, notice of award, a list of bidders, and copy of the advertisement for a period of 3 years after specifications are met or 3 years after completion of contract **and** a financial audit.