

BIDDING REQUIREMENTS

The Purchasing Agent has the authority to prepare, advertise and open bids for all purchase contracts and contracts for public work, if formal competitive bidding is required by Section 103 of the General Municipal Law.

The Purchasing Agent, subject to approval of the Superintendent of Schools, will be responsible for the development and administration of regulations for the competitive purchasing of goods and services by the school district in compliance with the requirements of the General Municipal Law.

The Purchasing Agent shall establish a list of potential bidders at time of bid for the various types of materials, equipment and supplies used by the district. Such lists shall be used in the development of a mailing list for distribution of specifications and invitations to bid. Any supplier may be included in the list upon request. The supplier must act in a responsible manner to remain on the list. The district may use the services of a bidding service company and also may enter into joint bidding procedures with other districts.

A statement of “general conditions” (NYSED: Ed management services “Purchasing Handbook” Appendix 6 General Conditions) shall be included with all specifications submitted to suppliers for their bids. These general conditions shall be incorporated in all contracts awarded for the purchase of materials, equipment and supplies.

Cross-ref 5410 Purchasing
 5630 Construction Contracts, Bidding and Awards

Ref: Education Law §§1619; 1725; 1725-a
 General Municipal Law §§100; 103, 103-d; 103-e; 104; 104-b; 105; 109-b
 Correction Law §184
 State Finance Law §§163
 Local Finance Law §§20.00; 135.00
 Abco Bux v. Macchiarola, 75 AD2d 831, dissenting opinion, reversed on dissent, 52NY2d 938 (1981)
 Exley v. Village of Endicott, 51 NY2d 430 (1981)
 Gerzof v. Sweeney, 22 NY2d 297 (1968)
 Jered v. NYC Transit Authority, 22 NY2d 187 (1968)
 Randolph McNutt v. Eckert, 257 NY 100 (1931)
 Hauger v. Earl, 275 AD 437 (3rd Dept., 1949)
 Hurd v. Erie County, 34 AD2d 289 (1970)
 Orange Front Paint v. Scaramuccia, 59 AD2d 894 (1977)
 Progressive Dietary v. Wyoming County, 90 AD2d 214 (4th Dept 1977)
 Tufaro v. Bd. of Education, 79 AD2d 376 (2d Dept 1981)
 Varsity Transit v. NYC Bd. of Ed., 130 AD2d 581 (2d Dept 1987)
 Matter of Jester, 1 Ed. Dept Rep 259 (1959)
 Executive Order No. 170, Establishing Uniform Guidelines for Determining the Responsibility of Bidders, as amended and continued-Executive Chamber, 1993
 9 Op. St. Compt. 1953, p. 421
 Op. St. Compt. 81-224; 83-22; 86-19; 86-25; 87-46

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