

We Have to Bid, Now What?

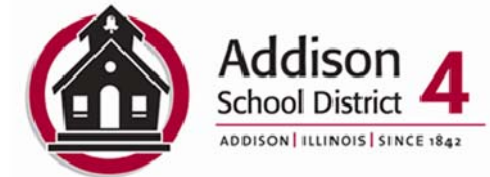
This presentation is to be informative and not to promote specific products, services companies, etc. Illinois ASBO Sponsored Programs are permitted to promote products and services in accordance with the Service Associate Ethics Policy and Code of Conduct.

Introductions

Howard A. Metz, Speaker
- *Attorney, Robbins Schwartz*

Robbins Schwartz

Tim Keeley, Speaker
- *Assistant Superintendent/CSBO, Addison SD 4*



Thomas Parrillo, Moderator
- *Assistant Superintendent for Finance & Operations,
Richwood Community High School District 234*



ILLINOIS ASBO ETHICS STATEMENT

This information is for the presenters only, please remove this slide before your presentation.

- The Moderator will help ensure the Illinois ASBO Code of Ethics is adhered to throughout the presentation and ensuing audience discussion.
- Moderators are given the authority to ask any attendee to leave if they become combative with presenters.
- This presentation is to be informative and not to promote specific products, services, companies, etc.
- If a vendor is a presenter and uses the presentation as a platform to “sell” their product or services, the Moderator has the authority to stop the presentation if the presenter refuses to modify their content.
- Any vendor presenter who violates these regulations may be excluded from presenting at future presentations.

Bid VS. RFP

- Bids
 - Contracts required to be publicly bid, pursuant to Illinois School Code
 - Publication required
 - Specification detail is critical
 - Contracts need to be awarded to the lowest, responsible, responsive bid
- RFP (Request for Proposal)
 - Contracts not required to be publicly bid (Technology, Professional Services, etc.)
 - Publication Optional - could be by invitation only
 - Award criteria - discretionary, but encouraged
 - Contract negotiation during the process is allowed

Bid Timelines

MASTER BID LIST

Individual Projects		Ongoing Contracts				
Project Name	Contract	B/R?	Project Name	Contract	Contract Expiration	Extension*
Elevator Upgrade	7/1/2018	RFP	Class Rings	10/1/2017	9/30/2018	n/a
Linden Street Fence	7/2/2018	Bid	Athletic Unis-Fall	7/1/2017	6/30/2018	n/a
Tennis Court Repaving	7/3/2018	Bid	Athletic Unis-Spring	7/1/2017	6/30/2018	n/a
Vans (2)	7/4/2018	Bid	Xerographic Paper	7/1/2017	6/30/2018	n/a
Mini Buses (2)	7/5/2018	RFP	Foodservice Beverage	8/1/2017	7/30/2018	n/a
		RFP	Photographic Services	7/1/2015	6/30/2018	6/30/2020
		Bid	Security Services	7/1/2015	6/30/2018	6/30/2020
		Bid	Athletic Trainers	7/1/2015	6/30/2018	6/30/2020
		Bid	Landscaping	7/1/2016	6/30/2019	6/30/2021
		Bid	Field Trip Transportation	7/1/2016	6/30/2019	6/30/2021
		RFP	SpEd Transportation	7/1/2016	6/30/2019	6/30/2021
		Bid	Office Supplies	7/1/2017	6/30/2020	6/30/2022
		Bid	Yearbook Printing	7/1/2017	6/30/2020	6/30/2022
		Bid	Audit Services	7/1/2017	6/30/2020	6/30/2022

Bid Timelines

MASTER BID LIST FISCAL YEAR 2018-2019 BID LISTING

Type	Project Name	Department	Contact	Proof Date	Publish Date	Opening	Finance	BOE	Contract/PO Date
RFP	Class Rings	Student Activities	Metz	8/1/2018	8/10/2018	8/20/2018	9/3/2018	9/17/2018	10/1/2018
Bid	Athletic Unis-Fall/Winter	Athletics	Brady	10/1/2018	10/11/2018	10/24/2018	11/13/2018	11/22/2018	7/1/2019
Bid	Athletic Unis-Spring	Athletics	Brady	1/14/2019	1/24/2019	2/5/2019	2/19/2019	2/28/2019	7/1/2019
RFP	Foodservice Beverage	Food Service	Flay	3/1/2019	3/7/2019	3/21/2019	4/9/2019	4/18/2019	7/1/2019
Bid	Xerographic Paper	General Supplies	Keeley	3/1/2019	3/7/2019	3/21/2019	4/9/2019	4/18/2019	7/1/2019
Quote	Computers	Educational Technology	Jobs	4/1/2019	4/15/2019	4/24/2019	n/a	n/a	5/1/2019
Quote	Projectors	Educational Technology	Jobs	4/1/2019	4/15/2019	4/24/2019	n/a	n/a	5/1/2019
Quote	Laptops	Educational Technology	Jobs	4/1/2019	4/15/2019	4/24/2019	n/a	n/a	5/1/2019

Bid Timelines

- Construction
 - Architect/Owner project design
 - Board of Education Feedback/Community Engagement
 - Zoning Approval (if necessary)
 - Bid Publication
 - Board Approval
 - Other – Materials lead time, shift differentials, substantial completion
- Services, Supplies and Material
 - Work back from delivery date

Preparing Bid Specifications

- Certainty Required
 - Part numbers
 - Manufacturer input
- Sole Sourcing
- Qualification Criteria & Pre-Qualification of Bidders

Contract Terms

- Contract length/renewals
- Insurance requirements
- Indemnification
- Termination options
- Warranty/quality assurance
- Choice of law/venue
- Liquidated damages (when appropriate)
- Contractor Personnel
- Other local, state and federal laws as appropriate for service/products being purchased

Pre-Bid Meeting

- Scheduling considerations
- Mandatory vs. Non-Mandatory?
- Sign-in sheet
- Clarifications in writing only
- Addendum

The Bidding Process

- Bid Submittals
 - Sealed Bids
 - Electronic Bids
 - Timeliness of Bids
 - Modification, Withdrawal or Re-submittal of Bids Before Bid Opening
- Public Opening and Reading of the Bids
 - Withdrawal or Modification after the Bids Are Received

The Bidding Process

- Scope Review
 - Dependent on the type of bid
 - Architect or Consultant lead?
 - Meeting minutes

The Bidding Process

- Awarding the Bid – Criteria
 - Lowest
 - Alternate Bids
- Responsive
 - Material Defects – Nonwaivable
 - Minor Variances – Waivable
- Responsible
 - Pre-qualification of Bidders
- Post-Bid Pre-Award Negotiations

The Bidding Process

- Rejecting the Bid
 - Discretion “to reject any and all bids.”
 - Documenting the Basis for Awarding/Rejecting Bid

The Bidding Process

- Bid Mistakes - Circumstances Warranting Judicial Relief from a Bid Mistake
 - Material Feature of the Contract
 - Neglect in the Preparation of the Bid
 - Maintaining the Status Quo
 - The Owner's Knowledge of the Mistake
 - Unconscionability

The Bidding Process

- Board Recommendation
 - Recommended components
 - Recommended bid submission
 - Bid Tabulation
 - Contract
- Concise and factual
- Include signature docs
- Prepare for questions

Questions and Answers

We thank you for your time!

Presenters:

MODERATOR INFO:

Thomas Parrillo, Assistant Superintendent for Finance & Operations;
Ridgewood Community High School District 234
(708) 456-4242; tparrillo@ridgenet.org

PANELISTS INFO:

Howard A. Metz, Attorney, Robbins Schwartz
(312) 332-7760; hmetz@robbins-Schwartz.com

Tim Keeley, Assistant Superintendent/CSBO, Addison SD 4
(630) 458-2434; tkeeley@asd4.org