

Olympia School District Contract Face Sheet for Check-off of Requirements for the 2023-24 SY

Contractor Name:

Contractor DUNS (Duns and Bradstreet Number) (if available):

Contractor UBI/Tax ID:

Contractor's Washington Contractor License Number (if applicable):

Contractor CAGE (Entity Commercial and Government Entity) (if available):

Note: in the 2022-23 SY, the Olympia School District DOES NOT qualify as a low-risk auditee, as determined by the auditor. Thresholds below reflect this lack of qualification.

Table 1 Answer all questions in Table 1: Yes, No, or Not Applicable. Then proceed to Instructions below Table 1.

			Answer	Initials / Date
1.	What is the total anticipated contract price, before any change orders or amendments?	Enter a dollar amount.		
1.A	What is the expenditure for?	Classify the expenditure as a public works (construction), Textbooks/Curriculum, purchase of goods (including furniture, supplies, and/or equipment), or services agreement. If classification is unclear, discuss with Director of Finance. Answer remaining questions in Table 1, and then the appropriate table depending on type of expenditure.		
2A.	Is the expenditure for the contract for public works or a purchase, does an exemption to competitive bidding apply (see, for example, RCW 39.04.280). Is the public works or purchase necessary due to an emergency?	Is the expenditure for this contract exempt from competitive bidding? Is the expenditure for this contract associated with an emergency as declared by the Olympia School District Board of Directors? If yes, see instructions below. If the answer is unclear, discuss with Director of Finance.		
2B.	Will this contract be procured through an authorized alternative competitive procurement process?	See alternative procurement process eligibility criteria at the end of this document and proceed to discuss with Director of Finance.		
3.	Is the contractor debarred or suspended?	Look up contractor name at sam.gov , Search, Entity Information, Exclusions – then enter contractor name (in order to limit possible incomplete search results, search on		

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	(Note, debarment and suspension requirements are not waived in an emergency.)	the main name only, e.g. "SMITH" not "SMITH LLC"). Review all pages of exclusions for the name of this contractor. Is this contractor suspended or debarred? Yes or No? If Yes, proceed to discuss with Director of Finance. No further work should be undertaken until this consult has taken place. If No, then proceed to instructions below.		
4.	For CONSTRUCTION ONLY: Is the contractor disqualified from bidding?	Look up contractor at https://secure.lni.wa.gov/debarandstrike/ContractorDebarList.aspx . Is the contractor disqualified from bidding? Yes or No? If Yes, proceed to discuss with Director of Finance. No further work should be undertaken until this consult has taken place. If No, then proceed to instructions below.		
5.	For CONSTRUCTION ONLY: Is the contractor responsible, including licensed per state law?	For contractors performing construction work (as opposed to providing services), confirm contractor license per RCW 18.27 and responsibility per RCW 39.04.350. Certain service providers (electricians, architects, engineers, etc.) also have discipline-specific licensing requirements.		

Instructions

- A. If the Answer to #2A is 'Yes', and the answer to #3 is 'No', Proceed to discussion with Director of Finance. (Note that the specific statutory standard for an emergency is defined under both RCW 28A.335.190(6) and RCW 39.04.280.)
- B. If the Answer to #2B is 'Yes' and the answer to #3 is 'No', proceed to discussion with Director of Finance. (Authorized Alternative Competitive Procurement)
- C. If answer to #3 is Yes (entity is suspended or debarred), proceed to discussion with Director of Finance regarding fund source and allowable contract with this entity.
- D. If answer to #4 is Yes (entity is State-disqualified), proceed to discussion with Director of Finance.
- E. If answer to #5 is No (entity is not responsible, including not licensed with the State), proceed to discussion with Director of Finance.
- F. Based on answers above, proceed to tables 2-6 depending on the type of procurement you are undertaking: Textbooks, Table 2; Services, Table 3; Goods, Table 4; or Public Works, Table 5. Fill out the applicable Table and submit this entire document and the contract to Kate Davis, Executive Director of Finance & Capital Planning for signature.

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Table 2 Use for purchases of Textbooks or Curriculum.

		Answer	Initials / Date
Federal Funds or a mix of federal, state, and/or local and purchase totals \$10,000 or Less?	If yes, the federal government allows micro-purchasing procedures for expenditures of \$10,000 or less. Is this purchase for less than \$10,000, and if so, do you certify that the expenditure is a reasonable price based on research, experience, and/or recent history? Further, do you certify that purchases generally are distributed equitably among suppliers? Yes, No, NA (not applicable) If Yes, proceed with purchase.		
Federal Funds (or a mix of funding including federal funds), and purchase totals between \$10,000 and \$75,000?	If yes, this level of purchase requires a purchase be procured using price or rate quotations from 3 or more qualified sources, to be obtained in writing or by telephone. Have you obtained these written quotations and preserved them for a later audit? Yes, No, NA		
Federal Funds (or a mix of funding including federal funds), and purchase totals \$75,000 or more?	If yes, the federal government requires a contractor be publicly solicited using sealed bids or requests for proposals. Have you obtained these written quotations and preserved them for later audit? Yes, No, NA		
Non-Federal Funds (state or local funds)?	RCW 28A.335.190(2) exempts books from normal competitive procurement rules. Most electronic educational aids (e-programs, etc.) are likely subject to the same rules as either e-books or SAAS (software as a service products). If purchase will be made with non-federal funds (state or local funds), and exceeds \$40,000, proceed to discussion with Director of Finance to identify competitive process requirements and applicable exemptions.		

Table 3 Use for contracts for Services.

		Answer	Initials / Date
Federal Funds (even \$1) and services contract totals \$10,000 or less?	If yes, the federal government allows a procurement exemption for micro-purchases - expenditures of \$10,000 or less. Is this purchase for less than \$10,000, and if so, do you certify that the expenditure is a reasonable price based on research, experience, and/or recent history? Further, do you certify that purchases generally are distributed equitably among suppliers? Yes, No, NA		
Federal Funds and services contract purchase totals between \$10,000 and \$250,000?	If yes, the federal government requires a contract be procured using price or rate quotations from 3 or more qualified sources. Have you obtained these written quotations and preserved them for a later audit? Yes, No, NA (In limited cases, the Director of Finance will consider fewer than 3 quotes, proceed to a conversation with the Director.)		

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Federal Funds and services contract totals more than \$250,000?	If yes, the federal government requires a contractor be publicly solicited using sealed bids or requests for proposals. Have you obtained these written quotations and preserved them for later audit? Yes, No, NA		
Non-Federal Funds and services contract of any amount?	If yes, state law allows self-certification for most services contracts. RCW 39.80 establishes a specific process for architect and engineering contracts. In other contexts, however, RCW 28A.335.190(2) omits “services” from competitive bidding requirements. However, district resources should always be expended on the least-cost and/or best value contract. Have you researched options, and concluded that this contract is the least-cost option or is the best value for the district based on research, experience, purchase history, or other information? Yes, No, NA		

Table 4 Use for Contracts for purchase of Goods, including Furniture, Supplies, and/or Equipment.

		Answer	Initials / Date
Purchase combines state and local funds, but does NOT include any federal funds , and totals less than \$40,000 (all fund sources)?	If yes, this purchase can be procured with no competitive procedures. However, purchasers must consider the price to be reasonable based on research, experience, and/or purchase history. Yes, No, NA		
Purchase combines state and local funds, but does NOT include any federal funds , and totals between \$40,000 and \$75,000 (all fund sources)?	If yes, this level of purchase requires a purchase be procured using price or rate quotations from 3 or more qualified sources, to be obtained in writing or by telephone. Have you obtained these written quotations and preserved them for a later audit? Yes, No, NA		
Purchase combines federal funds, state, and/or local funds , and totals less than \$10,000 (all fund sources)?	If yes, federal requirements permit purchases of less than \$10,000 without quotes. However, purchasers must consider the price to be reasonable based on research, experience, and/or purchase history. Do you in good faith believe that the purchase will be less than \$10,000 and do you believe that the cost and value are reasonable? Yes, No, NA		
Purchase totals between \$10,000 and \$75,000 (all fund sources)?	If yes, state and most federal funds sources requires a contract be procured using price or rate quotations from 3 or more qualified sources, to be obtained in writing or by telephone. Have you obtained these written quotations and preserved them for a later audit? Yes, No, NA		
Purchase totals more than \$75,000 (all fund sources)?	If yes, state law and most federal funds sources requires a contractor be publicly solicited using sealed bids or under the competitive bid process. Have you followed the competitive bid process (see steps below) and preserved documents for later audit? Yes, No, NA		

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Table 5 Use for Public Works Projects to improve facilities or make repairs.

		Answer	Initials / Date
Federal Funds?	Proceed to a conversation with the Director of Finance. There is significant risk of a miss-use of federal funds.		
Non-Federal Funds and project totals less than \$100,000?	If yes, state law allows such contracts without following the formal competitive bidding process. The district should comply with any applicable requirements in RCW 28A.335.190 or the small works roster procedure. However, before expending district funds, ensure that the expenditure is reasonably priced based on research, experience, and/or recent history of other similar contracts. Yes, No, NA		
Non-Federal Funds and project totals between \$100,000 and \$350,000?	For public works projects estimated to cost \$350,000 or less, the district may follow RCW 28A.335.190 or the small works roster procedure. See Cost/Price Analysis section also.		
Non-Federal Funds and project is greater than \$350,000?	If yes, state law requires the district/Board to follow the formal competitive bid process. Have you used the competitive bid process, and have you preserved this information for a later audit? Yes, No, NA <i>(See also requirements for choosing the Lowest Responsible Bidder and Cost/Price Analysis sections.)</i>		
Prevailing Wage language	Is the contract greater than \$2,000; and does the contract contain federal prevailing wage language?		

Description of the Steps of the Competitive Bid Process

1. Publish clear and definite plans and specifications for purchases or public works project;
2. Provide notice of the call for formal bids by publication in at least one newspaper of general circulation in the district at least once each week for two consecutive weeks;
3. Ensure that the district takes steps to assure that when possible, the district will use small and minority businesses, women’s business enterprises and labor surplus firms;
4. Provide the clear and definite plans and specifications to those interested in submitting a bid;
5. Require that bids are submitted in writing;
6. Open and read bids in a public meeting on the date and in the place named in the notice; and
7. File all bids for public inspection after opening.

Contract with Lowest Responsible Bidder

The contract for the work or purchase shall be awarded to the lowest responsible bidder as described in RCW 39.26.160(2), but the board may by resolution reject any and all bids and make further calls for bids in the same manner as the original call. In determining whether the bidder is a responsible bidder under RCW 39.26.160(2), the district must consider the following elements (see also RCW 39.04.350):

1. The ability, capacity, and skill of the bidder to perform the contract or provide the service required;
2. The character, integrity, reputation, judgment, experience, and efficiency of the bidder;
3. Whether the bidder can perform the contract within the time specified;
4. The quality of performance of previous contracts or services;
5. The previous and existing compliance by the bidder with laws relating to the contract or services;

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6. Whether, within the three-year period immediately preceding the date of the bid solicitation, the bidder has been determined by a final and binding citation and notice of assessment issued by the Department of Labor and Industries or through a civil judgment entered by a court of limited or general jurisdiction to have willfully violated any provision of chapter 49.46, 49.48, or 49.52 RCW, as defined in RCW 49.48.082. Before awarded a contract, a bidder shall submit to the district a signed statement in accordance with RCW 9A.72.085, verifying under penalty of perjury that the bidder follows the responsible bidder criteria requirement of this subsection of RCW; and
7. The district may secure such other information as may have bearing on the decision to award the contract.
8. The contractor has met all other requirements contained in Chapter 18.27 RCW, Title 51 RCW, Title 50 RCW, Title 82 RCW, RCW 39.04.320, and has not been disqualified from any public works contract under RCW 39.06.010 and 39.12.065(3).

Alternative Procurement Eligibility

Non-competitive procurement may be used when:

1. Acquiring property or services that do not exceed \$10,000 [or in the case of a school district who qualifies as a low-risk auditee in accordance with criteria in 2 C.F.R. § 200.520 or has documentation of an annual internal institutional risk assessment to identify, mitigate, and manage financial risks, \$40,000] (federal procurement only using this provision);
2. The item is only available from a single source;
3. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
4. The awarding agency (e.g., OSPI) authorizes noncompetitive procurement in response to a written request from the district; or
5. After solicitation of a number of sources, competition is determined inadequate.
6. Other options may be available under Washington law, including RCW Chapter 39. However, any alternate options must be explored in tandem with the Director of Finance. For example, in some instances, “piggybacking” is an allowable approach to procurement, however strict requirements in RCW 39.34.030 must be satisfied.

The district must maintain documentation supporting the applicable circumstance for alternative procurement.

Cost/Price Analysis

The district will perform a cost or price analysis in connection with every procurement action in excess of the federal simplified acquisition threshold, as of 2/2023 set at \$250,000 or other limits identified in 48 CFR 2.101, including contract modifications. The method and degree of analysis is dependent on facts surrounding the procurement situation, but should include, as a starting point, independent estimates before receiving bids or proposals. In cases where no price competition exists and, in all cases, where the district performs the cost analysis, profit must be negotiated as a separate element in the process. To ensure profit is fair and reasonable, consideration must be given to the complexity of the work performed, the risk borne by the contractor, the contractor’s investment, the amount of subcontracting, the quality of the contractor’s past performances, and industry standard profit rates in the surrounding geographical area. Costs or prices based on estimated costs for contracts are allowed only to the extent that the costs incurred or cost estimates would be allowable under 2 CFR 200.400 - .476.

Final Step

For contract execution, provide this completed Face Sheet and the Contract (unsigned by OSD), to Kate Davis, Executive Director of Finance and Capital Planning.