

Louisiana Believes

Charter School Performance Compact: Public Bid Law

Charter school boards are required to follow public bid laws for contracts for the construction of public works.

School boards may purchase off a state contract since the public bid process was completed by the Office of State Purchasing. Schools must submit questionnaires through the OSP website. Also, an emergency may alter bid requirements. Schools should check La. R.S. 38.2211 for these alterations.

Public Works

Erection, construction, alteration, improvement, or repair of any public facility or immovable property owned, used, or leased, by a public entity. Includes labor and materials.

Public Works

Required	<ul style="list-style-type: none">• If contract exceeds \$150,000 – must bid and let for contract with lowest responsible bidder and include labor, materials, and equipment.• While not required, legislative auditor recommends for public works greater than \$25,000 that school boards use RFP process and/or solicit at least 3 bids.
Advertising RFP	<ul style="list-style-type: none">• Once a week, for 3 weeks in a newspaper in the area, starting at least 25 days before opening of bids (not starting on a weekend or legal holiday).• Plans should be available to bidders on the first day of advertising and until 24 hours before the bidding date.• Schools should use the uniform bid form established by the Dept. Of Administration
Bid Requirements	<ul style="list-style-type: none">• Includes a bid or security bond, acknowledgement of addenda, base bid, alternates, bid total, signature, name of firm, and unit prices• Submitted via certified mail or by hand
Required Documentation	<ul style="list-style-type: none">• Written confirmation of the accepted offer shall be part of the contract file• Record of all elements of the public bid process shall be retained for at least 6 years following the purchase or completion of the public work
Disqualification of Bidder	<ul style="list-style-type: none">• To disqualify any bidder as not a “responsible bidder,” school boards must give written notice to the bidder and reasons for disqualification• Must give the bidder an opportunity to be heard at an informal hearing
Bond Requirements	<ul style="list-style-type: none">• Bid: 5% Bid Bonds or other forms of bid security• Performance: Not less than 50% of contract for public works contracts greater than or equal to \$50,000
Time Limit	<ul style="list-style-type: none">• 30 days upon conclusion or receiving bids to accept lowest responsible bidder or reject all bids
Written Contract	<ul style="list-style-type: none">• When any public work is accepted, the school board and bidder shall enter into a written contract

This informational document is a general guide to inform schools of basic requirements. It is NOT a substitute for federal, state guidelines and/or the appropriate state and local policies. Please visit the websites above for more information or contact the Office of Portfolio with questions.