

Title 126
Procedural Rule
West Virginia Board of Education
Chapter 18-2
Series 4334A

Title: Rules and Regulations for the Purchase of School Buses

Section 1. General

1.1 Scope - These rules and regulations govern the purchase of school buses by county boards of education and supersede all previous rules and regulations relating to the purchase of school buses. Prior to state approval of the purchase of buses, the county board of education shall follow the rules and regulations.

1.2 Authority & Related Code Citation(s) - W. Va. Code 18-2-5; 18-5; 17C-12

1.3 Filing Date - December 23, 1982

1.4 Effective Date - December 23, 1982

Section 2. Seating

Determine the minimum number and seating capacity of new buses which are needed to provide safe, efficient and economical transportation for all of the pupils of the county for whom it is practicable and feasible for the county board of education to provide transportation in publicly owned buses.

Section 3. Budget

Allocate sufficient funds in the budget to purchase the buses the board desires.

Section 4. Specifications

Prepare definite and accurate specifications for each bus to be purchased. Make separate specifications for the chassis and body on forms prescribed by the State Superintendent of Schools. All specifications must be written so that they will not exclude any standard make of chassis or body, except on the basis of size. No reference shall be made in the specifications to any make of chassis or body. Each chassis and body purchased must meet the Minimum Standards for Design and Equipment of School Buses, approved by the State Board of Education, October 26, 1973.

Section 5. Bidding

5.1 Request bids from at least three (3) agencies on the size of chassis and bodies that the board plans to purchase.

5.2 Advertise at least 10 days prior to bid openings, in one or more newspapers of general circulation throughout the county that the board of education will accept sealed bids for school bus chassis and school bus bodies prior to a definite day and hour. State in the advertisement the seating capacity required and advise prospective bidders that bid sheets and other necessary data required for bidding may be obtained at the office of the board of education.

5.3 Furnish on request to all prospective bidders on school bus chassis and bodies, at least one week prior to date for closing bids:

- a. One copy of bid invitation required for use in purchasing school bus chassis and bodies.
- b. Three copies of bid offer required for use in purchasing school bus chassis or bodies.
- c. One copy of Minimum Standards for Design and Equipment of School Buses adopted by the State Board of Education, October 26, 1973, effective January 1, 1974.

5.4 Require all bids to be submitted on a competitive basis, and delivered in sealed envelopes to the county board of education prior to the day and hour specified on bid invitation forms provided. Bids are to be dated upon receipt by county board of education.

5.5 Consider no bid unless it is submitted on the approved forms prescribed by the State Superintendent of Schools and in accordance with these regulations. An original copy of each bid accepted or rejected is required.

5.6 Open all bids at a public opening and consider all bids at an official session of the board of education. The board may reject any and all bids made and request new bids. If bids are accepted, original copies of all bids, approved and accepted, received on chassis and bodies shall be mailed to the Division of School Transportation.

5.7 Secure the recommendation of the Division of School Transportation and the Division of School Finance for the accepted bids. The Division of School Transportation and the Division of School Finance will determine that: 1) the body, chassis and accessories meet the Minimum Standards for Design and Equipment of School Buses, adopted by the State Board of Education, October 26, 1973, effective January 1, 1974; 2) the buses, including body, chassis and accessories are bought through competitive bidding at the lowest price, except that bids other than low bids may be recommended when accompanied by written justification; and 3) there are sufficient funds allocated to pay for the buses to be purchased.

5.8 No bids will be recommended for approval by the Division of School Finance until the following data are submitted:

- a. A letter from the county superintendent listing the chassis and body or bodies selected, the total price to be paid for each, a statement that there is sufficient money allocated in the county budget to pay for the buses the board plans to purchase, and a request for approval of the purchase of the chassis and bodies the board has selected.
- b. A copy of the advertisement published in the newspaper(s).
- c. Copies of the bid invitations sent to all prospective bidders on chassis and bodies. A list will not suffice.

- d. The original of each bid received for chassis and the original of each bid received for bodies clearly marked at the top of the first page "ACCEPTED" or "REJECTED."
- e. A copy of the Bid Tabulation.
- f. Written justification for purchase at other than low bid.

Section 6. Responsibility For Approval

Responsibility for determining that specifications have been met is the responsibility of the Division of School Transportation. The Division of School Finance will be responsible for determining whether the proper bid procedure has been followed and that the county board of education has sufficient funds to cover the cost of proposed purchases.