

1 Procurement of Supplies or Services

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3 The Board adopts the following provisions of the Montana Procurement Act (i.e., § 18-4-101, et
4 seq., MCA):
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7 1. § 18-4-303, MCA – Competitive sealed bidding. With the exception of construction
8 contracts, allows the District to negotiate an adjustment of the bid price with the lowest
9 responsible bidder in order to bring the bid within the amount of available funds, if, and
10 only if, all bids exceed available funds and the lowest responsible bid does not exceed
11 available funds by more than five percent (5%).
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13 2. § 18-4-306, MCA – Sole source procurement. A contract may be awarded for a supply
14 or service item without competition when, the District determines in writing that:
15 (a) there is only one source for the supply or service item;
16 (b) only one source is acceptable or suitable for the supply or service item;
17 or
18 (c) the supply or service item must be compatible with current supplies or
19 services.
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21 3. § 18-4-307, MCA - Cancellation of invitations for bids or requests for proposals. An
22 invitation for bids, a request for proposals, or other solicitation may be cancelled or any or all
23 bids or proposals may be rejected in whole or in part, as may be specified in the solicitation,
24 when it is in the best interests of the state. The reasons therefor must be made part of the
25 contract file.
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28 Legal Reference:	§ 18-4-121, et seq., MCA	Montana Procurement Act
29	§ 18-4-303, MCA	Competitive Sealed Bidding
30	§ 18-4-306, MCA	Sole Source Procurement--records
31	§ 18-4-307, MCA	Cancellation of invitations for bids or
32		requests for proposals
33	2.5.604, ARM	Sole Source Procurement

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35 Policy History:

36 Adopted on: May 21, 2002
37 Revised on: February 2007, December 2018
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39 *Note: The revision included the addition of lines 15-18 for additional clarification. 2018*
40 *revision adds cancellation of bid.*