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Office of Procurement and Contracts – Information Circular 26-01

Subject: Tie Bids

K.S.A. 75-3740(c) states in part "… The Director of Purchases shall have power to decide as to the lowest responsible bidder for all purchases, but if:"

§(2)—"The dollar amount of the bid received from the lowest responsible bidder from within the state is identical to the dollar amount of the bid received from the lowest responsible bidder from without the state, the contract shall be awarded to the bidder from within the state."

Consequently, if identical bids are received, and one is from a vendor located within the state, the award is to go to the Kansas vendor immediately. Do not contact the vendors and ask for revised prices to break the tie.

If the tied bidders are both in-state or out-of-state, the award shall be made to the bidder located farthest from the agency of use, as that bidder has the least to gain from a collusive bid process.

This directive shall be included in the Department of Procurement Procedures Manual



Todd Herman
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