

## PURCHASING

Procurement of all supplies, materials, equipment, and services paid for from District funds shall be made in accordance with all applicable Federal and State statutes, Board policies, and administrative procedures. Additionally, procurement of Federal Grant Funds should adhere to policy 6325. Standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts are established in Policy 1130, Policy 3110, and Policy 4110 – Conflict of Interest.

Each year the State of Michigan informs the School of the legal amount for purchases of supplies, materials or equipment which require a formal bidding process for a single item or group of related items.

It is the policy of the Board that the Superintendent or designee adhere to the following:

- A. Seek price quotations from an adequate number of qualified sources on purchases of supplies, materials, and equipment in excess of the federal standard for micropurchases outlined in the uniform guidance 200.67 except in cases of emergency, or for technical or professional services, or when the materials purchased are of such a nature that price negotiations would not result in a savings to the school.
- B. Purchases of supplies, materials or equipment in a single transaction that are in excess of the dollar amount permitted by State statute section 1274 of the Revised School Code shall require competitive bids. Whenever possible, purchases shall have at least three (3) competitive bids for substantiation of purchase and shall require approval of the Superintendent or designee prior to approval to purchase.

### **Competitive Bids**

Competitive bids are not required for items purchased through the cooperative bulk purchasing program operated by the Michigan Department of Management and Budget pursuant to M.C.L. 18.1263.

Competitive bids are not required for food purchases, unless food purchased in a single transaction costs \$100,000 or more.

Bids shall be sealed and shall be opened by the superintendent or designee in the presence of at least one (1) witness. All orders or contracts should be awarded to the lowest responsible bidder; however, consideration can be given to:

- A. The quality of the item(s) to be supplied;
- B. Its conformity with specifications;
- C. Suitability to the requirements of the school;
- D. Delivery terms;
- E. Past performance of supplier;
- F. Local supplier.

The Board reserves the right to reject any and all bids.

The Board shall be informed of the terms and conditions of all competitive bids and shall award contracts as a consequence of such bids.

### **Bid Protest**

A bidder who wishes to file a bid protest must file such notice and follow procedures prescribed by the Request For Proposals (RFP) or the individual bid specifications package, for resolution. Bid protests must be filed in writing with the Office of the Superintendent within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent or designee shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

### **General Provisions**

The Superintendent or designee is authorized to purchase all items within budget allocations.

The superintendent or designee is authorized to make emergency purchases, without prior approval, of those goods and/or services needed to keep the school in operation. Such purchases shall be brought to the Board's attention at the next regular board meeting.

In order to promote efficiency and economy in the operation of the school, the Board requires that the Superintendent or designee periodically estimate requirements for standard items or classes of items and make quantity purchases on a bid basis to procure the lowest cost consistent with good quality.

Whenever storage facilities or other conditions make it impractical to receive total delivery at any one time, the total quantity to be shipped but with staggered delivery dates, shall be made a part of the bid specifications.

Before placing a purchase order, the superintendent or designee shall check as to whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the school. All purchase orders shall be numbered consecutively.

In the interests of economy, fairness, and efficiency in its business dealings, the Board requires that:

- A. Items commonly used in the various schools or units thereof, be standardized whenever consistency with educational goals can be maintained;
- B. Opportunity be provided to as many responsible suppliers as possible to do business with the school;
- C. A prompt and courteous reception, insofar as conditions permit, be given to all who call on legitimate business matters;

- D. Where the requisitioner has recommended a supplier, the Assistant Superintendent may make alternate suggestions to the requisitioner if, in his/her judgment, better service, delivery, economy, or utility can be achieved by changing the proposed order;
- E. Upon the placement of a purchase order, the Assistant Superintendent shall commit the expenditure against a specific line item to guard against the creation of liabilities in excess of appropriations.

The Superintendent or designee shall determine the amount of purchase which shall be allowed without a properly signed purchase order. Employees may be held personally responsible for anything purchased without a properly signed purchase order or authorization.

Requisitions for budgeted items shall originate from the personnel directly responsible for their use. The Superintendent of Schools shall arrange appropriate administrative processes whereby all requisitions will be examined and approved, or disapproved, for purchasing.

The Superintendent or designee shall receive and process requisitions in a manner most beneficial to the overall purposes of the schools.

The Board may acquire office equipment as defined in law by the lease, by installment payments, by entering into lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the terms of such a purchase.

#### Procurement – Federal Grants

The Superintendent or designee shall maintain a procurement and contract administration system in accordance with the USDOE requirements (34 CFR 80.36) for the administration and management of Federal grants and federally-funded programs. The District shall maintain a compliance system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of this policy and administrative guidelines.

M.C.L.A. 380.1267, 380.1274 et seq.

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