

**SUBJECT: PROCUREMENT GUIDELINES****Purpose**

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public funds, in the best interest of the taxpayers to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption. To further these objectives, the District has adopted internal policies and procedures governing all procurements of goods and services which are not required to be made pursuant to the competitive bidding requirements of General Municipal Law Section 103 or any other general, special or local law.

**Responsibilities**

The District's purchasing activities will be part of the responsibilities of the Business Office, under the general supervision of the Purchasing Agent, who has been designated by the Board of Education.

**Guidelines for Purchasing when Competitive Bidding is Not Required by Law**

<u>Supplies and Equipment</u> (single fiscal year)	<u>Public Works Contracts</u>	<u>Requirements</u>	<u>Procedures</u>
< \$3,000	Less than \$5,000	No competitive quotation required	Originator shall indicate on purchase requisition why the suggested vendor's price is fair and reasonable
\$3,000 - \$19,999	\$5,000 - \$34,999	3 formal, written quotations (if available) or RFP	Quotations to be obtained by the originator, and kept on file, with a copy furnished to the Business Office. RFPs to be obtained by Business Office
≥ \$20,000	≥ \$35,000	Public Bids	Obtained by Business Office

**Note:**

- 1) For products available pursuant to State contract that are below the State contract price, no further quotes are required provided the product is the same brand and model number.
- 2) When procurement can be accomplished through the following sources, competitive bidding or procedure requirements listed above are not required:
  - a. Under State contract
  - b. Under County contract;

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- c. From State Correctional Institutions (Corrections Law §§ 184, 186);
- d. From State agencies for the blind and severely disabled (State Finance Law § 175-b);
- e. Emergencies (General Municipal Law § 103(4));
- f. Sole source, professional services, true leases and insurance; or
- g. Second-hand equipment purchased from another government agency.

**Documentation**

The District will ensure that each purchase and/or procurement is adequately documented. Such documentation will include, but not be limited to, information sufficient to demonstrate that the purchase and/or procurement was made in compliance with the guidelines set forth above, and the basis for the determination that competitive bidding is not required.

In the event a contract is awarded to a vendor other than the lowest responsible dollar offeror, the District will retain documentation setting forth the reasons such an award furthers the purposes of this regulation.

**Sealed Proposals**

In the event they are required, sealed proposals will be received, time-stamped, recorded and kept in a safe place until the appointed day and time when they are publicly opened and read.

Electronic submission of bids and offers are authorized for purchase contracts (including contracts for service work, but excluding contracts for public work) so long as electronic submission is not the sole method for submission of bids (except it may be the sole method of submission of bids for technology contracts) and so long as the method of electronic bid submission will at a minimum:

- Document the time and date of receipt of each bid received electronically;
- Authenticate the identity of the sender;
- Ensure the security of the information transmitted: and
- Ensure the confidentiality of the bid until the time and date established for the opening of bids.

Proposals will be checked and analyzed for compliance with specifications and law. The District reserves the right to reject any and all proposals for valid cause, or to waive technical defects, qualifications, irregularities and omissions if, in its judgment, such action serves the best interests of the District. Also reserved is the right to reject proposals and to purchase items on

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State Contract if such items can be obtained on the same terms, conditions, specifications, and at a lower price.

Purchase Orders

The Purchasing Agent will be authorized to issue pre-numbered purchase orders for all goods and services where a budgetary appropriation has been made. Purchase orders will be issued after the award of the contract, will refer to the relevant specifications, and will bear the price or prices indicated by the vendor.

Blanket purchase orders issued yearly will be used where appropriate.

Purchase orders will indicate the address for delivery. All goods received must be accepted by an authorized Base School District employee who must certify that the goods were received in good condition, before payment can be approved.

No payment for goods or services will be made unless: an itemized invoice showing the name of the person or firm to whom payment is due is present; a receiving copy of the purchase order bearing the signature of an authorized school employee is present; and the invoice has been issued in response to an approved purchase order.

Requests for Proposals

The District may use a request for proposal process for securing services, supplies, or equipment when such process is permitted by law, is not inconsistent with District policy, and is in the best interest of the District. Such process will include, but not be limited to:

- 1) The development of specifications designed to ensure the successful proposer's ability to perform the proposed contract;
- 2) Appropriate advertisement or solicitation of proposals;
- 3) A review and evaluation of each proposal submitted;
- 4) Board approval of any contract or contracts awarded to one or more successful proposers; and
- 5) Any other requirement specified in state or federal law or regulation, or District policy or regulation.

Independent Auditors

In accordance with law, no engagement with an independent auditor shall be for a term longer than five (5) consecutive years. The District may, however, permit an independent auditor engaged under an existing contract for such services to submit a proposal for such services in

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response to a request for competitive proposals or be awarded a contract to provide such services under a request for proposal process.

**Annual Review**

The Board shall annually review these policies and procedures. The School Business Official shall be responsible for conducting an annual review of the procurement policy and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

**Unintentional Failure to Comply**

Any unintentional failure to fully comply with these provisions shall not be grounds to void action taken or give rise to a cause of action against the District or any District employee.