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6320 - **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. Standards and conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts established in Policy 8110 Conflict of Interest.

All procurement transactions shall be conducted in a manner that encourages full and open competition and in accordance with good administrative practice and sound business judgement.

Each year the State of Michigan informs the School of the legal amount for purchases which require a formal bidding process of a single item.

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

- A. Seek informal price quotations on purchases that are under fifty percent (50%) of the amount allowed by State statute for a single item, except in cases of emergency or when the materials purchased are of such a nature that price negotiations would not result in a savings to the School.
- B. When the purchase of, and contract for, single items of supplies, materials, or equipment is in excess of fifty percent (50%) but less than the amount allowed by State statute the Superintendent shall whenever possible, require three (3) competitive price quotations.
- C. Purchases that are in excess of the dollar amount permitted by State statute shall require competitive bids and, whenever possible, have at least three (3) competitive bids for substantiation of purchase and shall require approval of the Board 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.

BIDDING PROCEDURE:

A public bid notice shall be advertised at least once in a newspaper of general circulation in the District.

Bidder shall be required to file a bid bond of not less than (5%) of the amount of the bid, when dealing with construction bids. The bids under this section shall be opened, examined and read aloud at a public meeting.

The District may reject any and all bids; and if all bids are rejected, may re-advertise in the manner required in this section.

All bids must include a familial relationships affidavit of bidder, compliance with school safety regulation and any other regulations required by law.

Bids shall be sealed and shall be opened by the Deputy 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 vendor.

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

Contracts may be awarded by the Deputy Superintendent for Business without Board approval for any single item or group of identical items costing less than the amount required by State Statute. All other contracts require Board approval prior to purchase.

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 (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent 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 is authorized to purchase all items within budget allocations.

The Superintendent 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 meeting.

In order to promote efficiency and economy of the operation of the school, the Board requires the Superintendent 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.

Procurement – Federal Grants

The Superintendent 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. This policy will work in accordance with Policy 6325.

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