PURCHASING

The Board of Education views purchasing as serving the educational program by providing necessary supplies, equipment and related services. Purchasing will be centralized in the business office under the general supervision of the Assistant Superintendent for Business or his/her designee.

It is the goal of the Board to purchase competitively, without prejudice or favoritism, and to seek the maximum educational value for every dollar expended. No Board member, officer or employee of the school district shall have an interest in any contract entered into by the Board or the district, as provided in Article 18 of the General Municipal Law.

Competitive bids or quotations shall be solicited in connection with purchases pursuant to law. The General Municipal Law requires that purchase contracts for materials, equipment and supplies involving an estimated annual expenditure exceeding $20,000 and public work contracts involving an expenditure of more than $35,000 will be awarded only after responsible bids have been received in response to a public advertisement soliciting formal bids. However, the Board authorizes that purchase contracts may be awarded on the basis of best value, in accordance with State Finance Law §163. Similar procurements to be made in a fiscal year will be grouped together for the purpose of determining whether a particular item must be bid.

Goods and services which are not required by law to be procured by the district through competitive bidding will be procured in a manner so as to ensure the prudent and economical use of public monies, in the best interests 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. If it is in the best interest of the district, the Board will solicit requests for proposals for contracts for professional services requiring special skill or training such as: legal and medical services; property appraisals; engineers and architects; investment management; auditing; and claims management. The RFPs and evaluation of such proposals will consider price plus other factors such as:

a. The special knowledge or expertise of the professional or consultant service;
b. The quality of the service to be provided:
c. The staffing of the service: and
d. The suitability for the district's needs.

The Superintendent of Schools, with the assistance of the Purchasing Agent, shall be responsible for the establishment and implementation of the procedures and standard forms for use in all purchasing and related activities in the district. Such procedures shall comply with all applicable laws and regulations of the state and the Commissioner of Education.

All district policies regarding the procurement processes will be reviewed by the Board at least annually.

Cross-ref: 2160, School District Officer and Employee Ethics

Ref: Education Law §§305(14); 1709(9)(14)(22)
General Municipal Law §§102; 103; 103-g; 104; 104-b; 109-a; 800 et seq.
State Finance Law §§97-g(3), (4), (5); 163; 163-b; 165-a

1st Reading March 26, 2002
2nd Reading and Adoption April 23, 2002
1st Reading for Re-adoption: January 25, 2011
2nd Reading and Re-adoption: February 15, 2011
1st Reading for Re-adoption: April 28, 2015
2nd Reading for Re-adoption: May 26, 2015

PURCHASING REGULATION

In accordance with the Board of Education's purchasing policy, and in compliance with General Municipal Law, Sections 103 and 104-b, the Superintendent of Schools or his/her designee is authorized to arrange for the procurement of goods and services through the bid process, best value offerings, authorized federal, State, County, political subdivision and BOCES purchase contracts, requests for proposals, authorized cooperative purchasing with other school districts, or by quotation under the following guidelines:

A. *Procedures for the Purchase of Commodities, Equipment, or Goods (Purchase Contract)*

Dollar Limit	Procedure
$1 - $ 2,999	At the discretion of the Assistant Superintendent for Business.
$3,000 - $5,999	Documented verbal quotes from at least three separate vendors.
$6,000 - $19,999	Formal written quotes from at least three separate vendors.
$20,000 and up	Sealed bids in conformance with Municipal Law, Section 103; or competitive offerings on the basis of best value as defined in State Finance Law, Section 163.

B. *Procedures for Public Works Projects and Contracts*

Dollar Limit	Procedure
$1 - $ 2,999	At the discretion of the Assistant Superintendent for Business.
$3,000 - $5,999	Documented verbal quotes from at least three separate vendors.
$6,000 - $35,000	Formal written quotes from at least three separate vendors.
$35,000 and up	Sealed bids in conformance with Municipal Law, Section 103.

C. *Documenting Actions for Non-Bid Procurement*

1. Verbal Quotation:

   - Procurement Quotation Record will be completed and signed by personnel obtaining the quote. The date, description of item or service, price quoted and vendor name and telephone number must be included.

2. Written Quotation:

- Vendors must provide to the district, on their letterhead, the date, description of item or service, price quoted, duration period of quote, contact name and telephone number and authorization signature.

3. Best Value:

- Goods and services procured and awarded on the basis of best value are those that the Board determines will be of the highest quality while being the most cost efficient. The determination of quality and cost efficiency shall be based on objectively quantified and clearly described and documented criteria, which may include, but shall not be limited to, any or all of the following: cost of maintenance; proximity to the end user if distance or response time is a significant term; durability; availability of replacement parts or maintenance contractors; longer product life; product performance criteria; and quality of craftsmanship.

D. *Items Excepted From Board Policies and Procedures*

In the following circumstances, the solicitation of alternative proposals or quotations is not in the best interests of the district:

1. Emergencies:

Purchases must be made at lowest possible costs, seeking competition by informal solicitation of quotes or otherwise, to the extent practicable under the following circumstances:

1. the situation arises out of an accident or unforeseen occurrence or condition;
2. public buildings, public property or the life, health, safety or property of the students and staff are affected; and
3. the situation requires immediate action which cannot await competitive bidding.

2. Sole Source Items:

Competitive bidding is not required under Section 103 of the General Municipal Law in those limited situations when there is only one possible source from which to procure goods and services required in the public interest such as in the case of certain patented goods or services or public utility services. If the Board determines that a particular patented item is required in the public interest and it is further determined that such item is available only from one source so that no

possibility for competition exits, competitive bidding may not be required for the procurement of the item. The district should document that, as a matter of fact, there is no possibility of competition for the procurement of the goods.

3. Procurement of Professional Services:

If it is in the best interest of the district, the Board will solicit requests for proposals for contracts for professional services requiring special skill or training such as: legal and medical services; property appraisals; engineers and architects; investment management; auditing; and claims management. The RFPs and evaluation of such proposals will consider price plus other factors such as:

a. The special knowledge or expertise of the professional or consultant service;
b. The quality of the service to be provided:
c. The staffing of the service: and
d. The suitability for the district's needs.

4. Other Purchases Not Requiring Alternative Proposals or Quotations:

1. procurement under County or State contracts,
2. articles manufactured in State correctional institutions;
3. procurement from agencies for the blind severely disabled; or
4. procurement under a federal contract or a contract of any state or any political subdivision or district therein, as permitted by law.

E. *Awards to Other Than Lowest Dollar Offeror*

Whenever any contract is awarded to other than the lowest responsible Dollar Offeror, the reasons such an award furthers the purpose of General Municipal Law (Sections 103 or 104-b) shall be documented as follows:

1. Memorandum of Records prepared by the Business Administrator, or appropriate administrator, to include reasons for non-award, e.g., not making deliveries on time, inferior quality, not meeting specifications, etc. Memorandum forwarded to Superintendent.
2. Additional documentation of facts should be provided, where feasible.

F. *Internal Control*

The Board shall annually review these policies and procedures. The Superintendent 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.

Comments will be solicited from those administrators involved in the procurement process before enactment of the district's regulations purchasing from time to time.

G. *Unintentional Failure to Comply*

The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the district's policies regarding procurement will not be grounds to void action taken nor give rise to a cause of action against the district or any officer or employee of the district.

2nd Reading & Adoption April 23, 2002
1st Reading for Re-adoption January 25, 2011
2nd Reading & Adoption February 15, 2011

1st Reading for Re-adoption April 28, 2015
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