PURCHASES

Quotations and Bids

It is the policy of the Board of Education that the _Director of Business Affairs_____ seek at least three (3)_____ price quotations on purchases of more than $1,000_____ 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 District or when the item is subject to formal bid. Standardized purchasing procedures of the District (AG 6320A) shall be followed when purchasing on the basis of price quotations from vendors.

When the purchase of, and contract for, single items of supplies, materials, or equipment

(x) amounts to $_50,000_____ or more,

and when the Board determines to build, repair, enlarge, improve, or demolish a school building the cost of which will exceed $50,000 the _Treasurer_____ shall obtain competitive bids.

[X] In accordance with statute, the Board may elect to forego the bidding for contracts in any of the following situations:

(X) the acquisition of educational materials used in teaching

(X) if the Board elects and declares by resolution to participate in purchase contracts, in accordance with R.C. Chapter 125 and the terms and conditions prescribed by the Department of Administrative Services

(X) if the Board determines and declares by resolution adopted by two-thirds (2/3's) of its members that any item is available and can be acquired only from a single source

(X) if the Board declares by resolution adopted by two-thirds (2/3's) of its members that the installation, modification, and/or remodeling subject to contracting is involved in an energy conservation measure undertaken through an installment payment contract under R.C. 3313.372 or pursuant to R.C. 133.06(G)

(X) the acquisition of computer software and/or computer hardware for instructional purposes

The Superintendent shall verify that the specifications for any public improvement project for which bids are solicited do not require any bidder to:

A. enter into agreements with labor organizations on said public improvement; or

B. enter into an agreement that requires its employees to become members of or pay fees or dues to a labor organization as a condition of employment or continued employment.

Bids shall be sealed and shall be opened by the _Treasurer_____ in the presence of at least one (1) witness.

Soliciting of Bids

[~~OPTION #1~~]

[ ] ~~All orders or contracts are to be awarded to the lowest responsible bidder.~~

[END OF OPTION #]

[OPTION #2]

[X] The Board, by resolution, may award a bid to the lowest responsive and responsible bidder. For a bidder to be considered responsive, the proposal must respond to all bid specifications in all material respects and contain no irregularities or deviations from the bid specifications that would affect the amount of the bid or otherwise provide a competitive advantage. For a bidder to be deemed responsible, the Board may request evidence from the bidder concerning:

(X) the experience (type of product or service being purchased, etc.) of the bidder;

(X) the financial condition;

(X) the conduct and performance on previous contracts (with the District or other agencies);

(X) the bidder's facilities;

(X) management skills;

(X) the ability to execute the contract properly;

~~( ) a signed affidavit affirming that neither the bidder nor any sub-contractor has entered into an agreement with any labor organization regarding the public improvement project.~~

[END OF OPTION #2]

Awarding of Bids

[X] OPTION #1

Contracts can be awarded to the lowest and best bidder by the __Superintendent_____ without Board approval for any single item or group of identical items costing less than $_50,000_____. All other contracts require Board approval prior to purchase. The Board shall be informed of the terms and conditions of all competitive bids and of the contracts awarded as a consequence of such bids. The Board reserves the right to reject any or all bids.

[NOTE: END OF OPTION #1]

~~**[ ] OPTION #2**~~

~~The Board shall approve all contracts resulting from competitive bids prior to being awarded. The Board reserves the right to reject any or all bids~~.

[NOTE: END OF OPTION #2]

In situations in which the Board has resolved to award a bid to the lowest responsible and responsive bidder and the low bidder does not meet the considerations specified above, the Board shall so notify the bidder, in writing, by certified mail. The bidder may protest the award of a bid within five (5) days of the notification and the Board shall meet with the protesting bidder and then reaffirm or reverse its decision.

[X] The Board may, at its discretion, allow for a hearing prior to making this decision.

PIONEER CAREER AND TECHNOLOGY CENTER
Limitations

All purchases that are within the amount contained in the

(X) function

~~( ) object~~

~~( ) line item~~

of the appropriation

(x) and were originally contemplated in the budgeting process

may be made upon authorization of the _Director of Business Affairs_____.

(x) unless the contemplated purchase is for more than $_1,000_____, in which case prior approval is required from the _Superintendent_____.

[x] The _Treasurer_____ is authorized to adjust appropriations within a fund in order to make necessary purchases and shall report such modifications at the following regular Board meeting.

[x] Then and Now Certificate

If the Treasurer can certify that both at the time of the purchase and at the time of certification, sufficient funds were available

(x) or in the process of collection,

to the credit of the respective fund, properly appropriated and free from previous encumbrance, the expenditure may be authorized. The Board may approve such payment within thirty (30) days from receipt of such certificate.

Amounts of less than $3,000 may be paid by the Treasurer upon completion of the "then and now" certificate, provided that the expenditure is otherwise lawful.

The Board should be advised, for prior approval, of all nonbid purchases

~~( )~~ ~~not contemplated during the budgeting process~~

~~( )~~ ~~when the amount exceeds the amount of the appropriation.~~

[x] The Superintendent is authorized to make emergency purchases, without prior adjustment, of those goods and/or services needed to keep the schools in operation. Such purchases shall be brought to the Board's attention at the next regular meeting.

[x] "Blanket" Certificates

The Treasurer may issue "blanket" purchase orders (certificates) for a sum not exceeding an amount established by resolution of the Board against any specific line item account over a period of time, not to extend beyond the end of the fiscal year in which it is issued. Only one (1) "blanket" purchase order (certificate) may be outstanding at any one (1) particular time for any one (1) particular line item appropriation.

[x] "Super Blanket" Certificates

The Treasurer may issue "super blanket" purchase orders (certificates) for any amount for expenditures and contracts from a specific line-item appropriation account in a specified fund for most professional services, fuel, oil, food items, and any other specific recurring and reasonably predictable operating expense. Such a purchase order (certificate) shall not extend beyond the fiscal year.

Contracts for Development and Improvement of Facilities

All contemplated contracts for professional design services such as from an architect or for construction management shall be in accordance with R.C. 9.33, 9.333, and R.C. 153.54 et seq.

Lease-Purchase Agreements

Lease-purchase agreements entered into by the Board shall be in accordance with R.C. 3313.375. Such agreements shall be a series of not more than thirty (30) one (1) year renewable lease terms, after which time ownership is transferred to the Board if all obligations of the Board under the agreement have been satisfied.

Purchases from the State

In accordance with State law (R.C. 4115.31 et seq.), the Superintendent shall purchase products and services which are available from the Ohio Industries for the Handicapped (OIH) when such products or services are needed by the District. The Superintendent is to maintain the current catalog provided by OIH and inform all District personnel who may be purchasing products or services of the catalog's current listings.

Quantity Purchases

In order to promote efficiency and economy in the operation of the District, the Board requires that the __Director of Business Affairs_____ 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 (1) time, the total quantity to be shipped but with staggered delivery dates, shall be made a part of the bid specifications.

Requirements

Before the _Director of Business Affairs_____ places a purchase order, s/he 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 District. All purchase orders shall be numbered consecutively.

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

(x) items commonly used in the various schools or units thereof, be standardized whenever consistency with educational goals can be maintained;

(x) opportunity be provided to as many responsible suppliers as possible to do business with the School District. To this end, the __Director of Business Affairs_____ shall develop and maintain lists of potential suppliers for various types of supplies, equipment, and services;

(x) a prompt and courteous reception, insofar as conditions permit, be given to all who call on legitimate business matters;

(x) where the requisitioner has recommended a supplier, the _Director of Business Affairs_____ 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.

[x] The Superintendent 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.

The Board may acquire equipment as defined in law by 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.

Reverse Auctions

It is the policy of the Board to permit the use of a reverse auction to purchase services and supplies whenever it is determined that the reverse auction process will be advantageous to the District (e.g., result in a cost savings to the District). To that end, vendors may submit proposals when competing to sell services and/or supplies in an open environment via the Internet. While the reverse auction process may be used to purchase supplies such as equipment, materials, tangible assets and insurance, the process may not be used to purchase real property or interests in real property. The process may also be used to purchase services such as the furnishing of labor, time, or effort by a person, provided such services do not involve the delivery of a specific end product other than a report, and are not being furnished in connection with an employment agreement or collective bargaining agreement.

The Board will provide notice of the request for proposals and award contracts in accordance with the Superintendent's administrative guidelines. When competitive sealed bidding and/or competitive sealed proposals for the purchase of services or supplies are required by law, purchases made by reverse auction will satisfy such legal requirement.

[x] 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 and administrative guidelines (AG 6320A).

R.C. 9.25, 9.30, 9.31, 9.311, 9.312, 9.314, 125.04, 153.02, 153.12, 153.54
R.C. 2909.33, 3313.37, 3313.375, 3313.46, 4115.32 et. seq., 4116.02, 4116.03
R.C. 5705.41, 5705.45

© NEOLA 2017