

SUBJECT: PURCHASING

The Purchasing Agent identified within this policy refers to Mrs. Sheila Buhse, the District's School Purchasing Agent.

The purchasing policy of the District is to secure supplies, materials, equipment and services in an efficient, economical and timely fashion to meet the District's needs. The purchasing procedures employed shall comply with all applicable laws and regulations of the state and Commissioner of Education.

The District's purchasing activities will be part of the responsibilities of the Business Office, under the general supervision of the Purchasing Agent designated by the Board of Education. The Purchasing Agent is authorized to enter into cooperative bidding and cooperative purchasing to meet the various needs of the District. No goods and services shall be made by individuals or organizations in the school that involve expenditures without first securing approval for such contract from the Purchasing Agent. Except as authorized by law, no Board member or employee of the District shall have an interest in any contract entered into by the District.

PURPOSE

Goods and services that 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 that are not required be made pursuant to the competitive bidding requirements of General Municipal Law Section 103 or any other general, special or local law.

No employee, officer, or agent may participate in the selection, award, or administration of a contract if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents can neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. If the financial interest is not substantial or the gift is an unsolicited item of nominal value (\$75), no further action will be taken. Otherwise, however, disciplinary actions will be applied for violations of this section.

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The District will avoid acquisition of unnecessary or duplicative items. Consideration will be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives and any other appropriate analysis to determine the most economical procurement approach. The District will also analyze other means, as described in Policy 200.318 of the Uniform Guidance, to ensure appropriate and economical acquisitions.

VENDOR BUSINESS GUIDELINES

1. Vendor, as defined for this policy, includes any business, organization, or individual doing business with the District, any of its organizations, or employees; and student organizations, approved to operate in accordance with District policy.
2. The Board shall not enter into contracts with vendors and/or sales representatives in which an individual Board member, school official or employee is in a position to benefit personally from the exercise of his/her official authority with respect to that contract. Any violation of this policy would bar the vendor from doing business with the District.
3. The District will maintain a list of responsible bidders, suppliers and vendors.
4. The Business Office shall develop, maintain, and upon request provide the names of potential vendors and bidders for various types of materials, equipment and supplies to schools and organizations.
5. All staff and students will comply with the District's procedures and applicable state law. Any building, department, program or organization shall obtain quotations if required by District procedures.
6. School facilities may be used by an outside or private vendor when such use satisfies a legitimate school purpose. Such practice may be authorized only upon:
 - a. Approval of the Superintendent and Board of Education;
 - b. The full and equal opportunity for all approved prospective vendors to compete;
 - c. The involvement of students in the process, and;
 - d. Students are not compelled to use a designated vendor.

PURCHASING PROCESS

The Board of Education recognizes its responsibility to ensure the development of procedures for the procurement of goods and services not required by law to be made pursuant to competitive bidding requirements. These goods and services will be procured in a manner so as to:

- a) Assure the prudent and economic use of public monies are made in the best interest of the taxpayer; keeping consistent with the educational goals and programs of the district;
- b) Facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances; and
- c) Guard against favoritism, improvidence, extravagance, fraud and corruption.

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In addition, these procedures must contain, at a minimum, provisions which:

- a) Prescribe a process for determining whether a procurement of goods and services is subject to competitive bidding and if it is not, documenting the basis for such determination;
- b) With certain exceptions, provide that alternative proposals or quotations for goods and services shall be secured by use of written requisitions for proposals, written quotations, verbal quotations or any other method of procurement which furthers the general purposes of General Municipal Law Section 104-b;
- c) Set forth when each method of procurement will be utilized;
- d) Require adequate documentation of actions taken with each method of procurement;
- e) Require justification and documentation of any contract awarded to other than the lowest responsible dollar offer, stating the reasons;
- f) Set forth any circumstances when, or the types of procurement for which, the solicitation of alternative proposals or quotations will not be in the best interest of the District; and
- g) Identify the individual or individuals responsible for purchasing and their respective titles; such information shall be updated annually.

The District will develop administrative regulations to establish procedures for the procurement of goods and services. 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.

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PROCUREMENT GUIDELINES

Guidelines for Purchasing Supplies and Equipment

ESTIMATED AMOUNT OF PURCHASE	PROCEDURE AND REQUIREMENTS	RESPONSIBILITY
Less than \$1,000	Two (2) Catalog or Price Sheet Comparisons	Obtained by the Originator and Submitted to Purchasing Department
\$1,001 to \$5,000	Three (3) Informal, Written Quotes. Must Contain Name of Vendor and Date of Quote (Internal Form)	Obtained by the Originator and Submitted to Purchasing Department
\$5,001 to \$20,000	Three (3) Formal Requests Issued by the District	Obtained by the Purchasing Agent
In Excess of \$20,000	Public Bid	Obtained by the Purchasing Agent

Guidelines for Public Works Projects

ESTIMATED AMOUNT OF PURCHASE	PROCEDURE AND REQUIREMENTS	RESPONSIBILITY
Less than \$2,000	No Quotation Required	Originator Must Substantiate the Need and Choice of Contractor
\$2,001 to \$35,000	Three (3) Formal, Written Quotes. Must Contain Name of Vendor and Date of Quote	Obtained by the Business Official
In Excess of \$35,000	Public Bid	Obtained by Purchasing Agent

Non-Instructional/Business
Operations

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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 offer, the District will retain documentation setting forth the reasons such an award furthers the purpose of this regulation.

OPENING OF SEALED BIDS AND OFFERS

Sealed bids and offers will be received, time-stamped, recorded and kept in a safe place until the appointed time when they are publicly opened and read.

Bids and offers will be checked and analyzed for compliance with specifications and law. The District reserves the right to reject any and all bids and offers 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 bids and offers and to purchase items on State Contract if such items can be obtained on the same terms, conditions, specifications, 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. When formal bidding or offering procedures are required, the purchase order will be issued after the Board award of the contract and will refer to the bid or offer submitted and the specifications, and will bear the price or prices indicated by the vendor or contractor in the bid or offer.

Blanket purchase orders will be issued yearly and will be used where appropriate.

Purchase orders will indicate the address for delivery. All goods received must be accepted by an authorized South Huntington 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:

1. An itemized invoice showing the name of the person or firm to whom payment is due is present;
2. A receiving copy of the purchase order bearing the signature of an authorized District employee is present;
3. The invoice has been issued in response to an approved purchase order.

SUBJECT: PURCHASING**SPECIAL CIRCUMSTANCES**

State Contracts: For supplies and equipment available under State contract, which are below the State contract price, no further quotes are required provided the product is the same brand and model number.

Request for Proposal (RFP): 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.

Independent Auditors: In accordance with the 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 response to a request for competitive proposals or be awarded a contract to provide such services use a request for proposal process.

APPAREL AND SPORTS EQUIPMENT PURCHASES

The District will not purchase any apparel or sports equipment manufactured in a sweatshop. A decision to reject a vendor's proposal may be based upon either or both of the following considerations:

1. The labor standards applicable to the manufacture of the apparel or sports equipment including, but not limited to, employee compensation, working conditions, employee rights to form unions, the use of child labor; or
2. The vendor's failure to provide information sufficient for the Board of Education to determine the labor standards applicable to the manufacture of the apparel or sports equipment.

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ENVIRONMENTALLY SENSITIVE CLEANING AND MAINTENANCE PRODUCTS

The District will identify and procure environmentally sensitive cleaning and maintenance products available in the form, function, and utility generally used. The District will follow any and all applicable guidelines, specifications and sample lists when purchasing such products for use in its facilities. The District will notify their personnel of the availability of such guidelines, specifications and sample product lists.

ANNUAL REVIEW

Comments concerning the District's bidding and purchasing policies and procedures will be solicited from those District employees involved in the procurement process from time to time.

The Board of Education will annually review its bidding and purchasing policies and procedures. The School Business Official will be responsible for conducting an annual review of such policies and for an evaluation of the internal control structure established to ensure compliance with the procurement policy.

Education Law Sections 305(14), 1604, 1709, 1950,
2503, 2554 and 3602
General Municipal Law Articles 5-A and 18
8 New York Code of Rules and Regulations (NYCRR)
Sections 170.2, 200.2(b)(10), 200.2(c)(2) and 200.2(i)

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