

PURCHASING

The purchasing objective of the School Board shall be to provide services, materials and supplies that offer District personnel the most effective and efficient means to perform their tasks. The policy of the Board will be to acquire these at a minimum possible cost, taking into consideration the best interests of the School District. The CFO/COO shall serve as the purchasing agent for the District.

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 guidelines. Standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts are established in the Employee Handbook.

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 judgment.

It is recognized that the Board relies upon the Superintendent and his/her staff to administer the business operations of the District. Because the Board cannot relinquish its responsibility and accountability as an agent of the State and to the citizenry of the District, the following guidelines are established with regard to purchasing:

A. General Guidelines

1. In awarding purchases or contracts for services, the CFO/COO shall consider the following:
 - a. price;
 - b. quality of product;
 - c. service, delivery and maintenance of product;
 - d. suitability of product;
 - e. conformance to needs and specifications;
 - f. past performance to the District;
 - g. vendor reliability; and
 - h. Federal Debarment.
2. The Board directs that all purchases from funds under its control and responsibility be made after proper written documentation is secured to support such purchases excluding purchases of a minor or emergency nature.
3. The Board will have a fully operative purchase order system as a means of budgetary control.
4. Vendor competition in purchasing shall be practiced whenever possible.
5. All expenditures from the Capital Projects Fund, over \$25,000 per trade per project, shall be presented to the Board for approval before a commitment is made, except for emergency situations, in which case the Superintendent or his/her designee, may approve the expenditure and report it to the Board at the first practicable opportunity.
6. Sufficient amounts must have been budgeted in appropriate accounts and sufficient funds must be available in said accounts. Line item transfer approvals should be completed as required by the Department of Public Instruction.
7. For those items requiring Board approval, the CFO/COO shall make available to the Board a summary of the price quotations or competitive bids obtained from vendors for goods or services. Copies are to be retained by the District until the audit for a fiscal year has been received by the Board.
8. Bus contracts shall be bid at least every fourth year with a bid period of at least two weeks.

9. The Superintendent is authorized to enter into cooperative agreements with other school districts for the purchase of any product or service used by the District when such arrangements will be for the benefit of the district.

B. Non-Negotiated Purchases

Non-negotiated purchases can be made when there is only one supply source, provided the amount does not exceed bidding requirement limitations.

C. Bids or Quotations

1. Bids are not required but multiple quotations are encouraged for:
 - a. Instructional textbooks, books, tapes, films, workbooks, educational kits, periodicals, computer software and equipment, and audio-visual materials.
 - b. Replacement parts for existing equipment where the values of the replacement parts are estimated to be less than fifty percent (50%) of the total value of the equipment.
 - c. Cooperative Educational Service Agency (CESA) and other intergovernmental contracts.
 - d. Maintenance contracts of at least one (1) year's duration where the maintenance is to be performed on a routine or as needed basis on specific equipment. Such contracts shall include the additional cost of all repairs or replacement parts.
 - e. Personal service contracts.
 - f. Used equipment (including demonstrators) where a definite cost advantage can be demonstrated.
 - g. The vendor meets or is lower than Wisconsin state contract pricing.
2. Informal quotations to ensure the best possible price (secured in person, via internet or by telephone) should be used when purchasing individual supply items or non-capital equipment costing less than \$3,000.
3. The Superintendent is authorized to purchase any item, or group of items in a single transaction costing more than \$3,000 but less than \$20,000, upon the receipt of at least three quotations or bids, except as noted in C (1) above. The Superintendent shall use discretion in deciding whether such purchases are made on the basis of requested quotations, internet research or through advertising for bids.
4. A single transaction costing more than \$10,000 but less than \$20,000 will be brought forward for Board approval as a Consent Agenda item. No purchase shall be made for supplies, services or equipment costing \$20,000 or more unless competitive bids or proposals for those items are obtained and the purchase is pre-approved by the Board, except as in C (1) above.
5. Per State statute, competitive bids are required for the selection of group health care benefits and for energy savings performance contracts. The Board must give at least ten (10) days' notice of the meeting at which it intends to award the health care benefit or performance contract bid.
6. Bids shall be opened publicly at a specific time and place as stated in the bid advertisement or in the invitation to bid. Bids may be opened by the Superintendent, analyzed and brought to the Board for consideration in accordance with established procedures.
7. The Board shall have discretion in determining the responsibility of the bidders and generally shall award the contract to the lowest responsible bidder, provided specifications are fully met. The Board may also consider available services and delivery in determining the successful bidder.
8. The Board reserves the right to accept or reject any bid which it feels is in the best interest of the District, and delegates this authority to those responsible for purchases not required to come before the Board.
9. Alternative Bids - A bid submitted in knowing variance from the specifications is considered an alternative bid and must be clearly distinguished as an alternate by the bidder. Alternate bids that

do not meet the specifications of the request for bid will not be accepted. However, the CFO/COO may reject all bids and re-bid the requirement with a revised specification using the features of the alternate.

10. Competitive Bids on Building Construction, Renovation and Repairs:

- a. Purchase of and contract for projects will be subject to a competitive bid process as and when required by law.
- b. Prior to commencing construction of a new building, or additions to or repairs or renovation of an existing building costing \$25,000 per trade per project or more; the District shall obtain competitive bids or proposals on all material and labor required to complete the proposed construction, addition, repair or renovation. When appropriate, bid specifications shall include penalty clauses. Repair work normally done by District employees is exempted from this bidding requirement.
- c. If utilized, sealed bids shall be opened publicly at a specific time and place as stated in the bid advertisement or in the invitation to bid. Bids may be opened by the CFO/COO, analyzed and brought to the Board for consideration in accordance with established procedures.
- d. The District may reject any or all bids, and may re-advertise in the event all bids are rejected in a manner provided by State law and Board Policy.
- e. Voluntary alternates submitted by bidders shall not be considered in determining low bids. However, such alternates may be negotiated after the successful bidder has been determined.
- f. The CFO/COO will determine when each bidder shall be required to file a surety bond in the amount of five percent (5%) of the amount of the bid, conditioned to secure the District from loss or damage by reason of the withdrawal of the bid or by the failure of the bidder to enter a contract for performance if the bid is accepted by the District.
- g. Performance and material payment bonds shall be required from the prime contractor in accordance with State law. These bonds may be waived by the Board, upon other proof of financial responsibility as provided by State law. However, waiver of the bond costs shall not be used to determine the low bidder.

D. Purchasing for resale to individuals/organizations: Under no circumstances may the District purchase items for resale to District staff or other individuals or organizations for personal use.

E. Emergency Purchases: Emergency purchases may be made without using the quotation or bidding process. Such emergencies may arise as a result of an accident or other unforeseen occurrence which could affect the life, health, welfare or safety of the District's children or employees. Such purchases shall be reported to the Board at the first practicable opportunity.

F. Purchasing Rules and Regulations: The CFO/COO shall develop the necessary rules and regulations to implement this policy, including requisition and approval procedures, verification of purchases, and verification that goods have been received in an acceptable condition and services performed in an acceptable manner.

Purchasing Items with Federal Grant Funds

When purchasing items with Federal funds a District shall:

1. give consideration to whether separating or combining purchases will provide for a more cost-effective approach to avoid acquisition of unnecessary or duplicative items;
2. where appropriate, conduct an analysis of lease versus purchase options and the most economical and beneficial method shall be pursued;

3. conduct an evaluation of the availability and feasibility of entering into intergovernmental agreements to procure the goods or services required on a shared basis;
4. in the case of a time and material contract, make a determination that no other arrangement is suitable and that the contract places a ceiling price that protects the District.

The CFO/COO shall determine the maximum expenditure 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 District may acquire office equipment by lease, installment payments, lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the specific terms, including price, of such a purchase.

Debarred Contractors Excluded

The District shall not award any contract, agreement or subcontract for goods or services to any party that has been suspended or debarred from receiving contracts or subcontracts by the Federal Acquisition Regulations (FAR).

For any contract or subcontract with a value in excess of \$25,000, the District shall include a provision in the contract or as a condition of any subcontract award that the contracting party attest that it is not at the time of contracting a suspended or debarred party under the Federal Acquisition Regulations and that, if at any time during the performance of the services or delivery of goods in the applicable contract, said contractor or subcontractor should be identified as a suspended or debarred entity by the General Services Administration, the contractor or subcontractor shall immediately notify the District of that fact, which shall serve as sufficient grounds to terminate the contract as the District determines is appropriate.

Legal reference: 120.12(24), 66.0133, Wis. Stats.
2 C.F.R. Section 200.213; 200.318-200.326
48 C.F.R. Section 9.4

Adopted: 2/24/2020