

3300 PURCHASING

References:

R-33-3-401

The purchasing of all equipment, supplies and related services shall be made in compliance with the statutes of the State of Utah.

No purchase shall be made and no indebtedness shall be incurred by an officer or employee of any school district without the approval and order of the Board of Education of such district. The approval and order of the Board of Education may be satisfied in one or two methods: (1) The Board may approve in the school district budget an appropriation for identified purchases, and once these appropriations are approved in the budget, the individual purchases do not need to come back to the Board for approval when each purchase is made. (2) The Board may approve each individual purchase as it is made throughout the fiscal year of the school district. @

(Section 53A-3-405 Utah Code Annotated)

~~Purchases and related services within the scope of the approved budget may be purchased, as funds are available, without special authorization by the Board of Education. Proposed purchases for goods and services not included in the scope of the approved budget or special funds must receive authorization at an official meeting of the Board of Education prior to any commitments being made to a vendor if they exceed \$25,000 for equipment and supplies \$40,000 for construction.~~

The Superintendent and the Purchasing Agent shall develop procedures outlining the purchase of goods and services in accordance with the policies of the Board of Education and in the best interest of the educational program of the school district. These procedures will comply with the Utah Procurement Code B Section 63-56 et.seq Utah Code Annotated and Title R33 et.seq Utah Administrative Rules.

In all procurement activities, agents of the Board of Education shall consider the interest of the school system and the betterment of its educational programs.

The District shall endeavor to obtain the greatest value of every tax dollar expended.

3310 BIDS AND QUOTATIONS BIDDING REQUIREMENTS AND PURCHASE LIMITS

~~All contracts for and purchases of supplies, materials, equipment and services totaling \$1,000 or more shall be made after obtaining competitive bid or quotes. Any quotes or bids for contracts of purchases \$7,000 or over must be received by the district in writing, \$25,000 and above need to be sent to Purchasing for formal bid.~~

~~All contracts and purchase orders will be awarded to the lowest, responsible, qualified bidder who meets specifications.~~

~~When bidding procedures are used, bids shall be advertised appropriately. Suppliers shall be invited to have their names placed on mailing lists to receive invitations to bid. When specifications are prepared, they will be mailed to all vendors and firms who have indicated an interest in bidding.~~

~~All bids, including building construction, must be submitted in sealed envelopes, addressed to the Purchasing Agent. Bids shall be opened at the time specified and all bidders and any other interested persons shall be invited to be present.~~

~~Electronically submitted bids that are sent via email or facsimile will not be accepted as part of the sealed bid or request for proposal process, but may be accepted in the request for quotation for small and emergency purchases as deemed necessary by the District. Pricing submitted through the request for proposal and invitation for bid process may be sent to an electronically sealed mailbox, as long as they are received at the designated time specified for bid opening.~~

A. School District Policy, as well as Utah State Law, imposes particular requirements for the different dollar amounts of purchases.

B. It is unlawful and a violation of District policy to intentionally structure a purchase to evade any of the thresholds set out in this policy, and such actions are subject to criminal penalties and District disciplinary action. Such unlawful actions typically would involve avoiding a threshold by dividing a procurement purchase into one or more smaller purchases, dividing an invoice or purchase order into two or more invoices or purchase orders, or making smaller purchases over a period of time. It is unlawful and a violation of District policy to intentionally split a purchase of similar items that would typically be purchased at the same time from the same vendor to avoid requiring competitive quotes. (Examples include splitting up the purchase of uniforms, club or athletic equipment, or textbook orders.) This includes dividing the purchases or invoices over a period of time or making separate purchases over a period of time. Caution should be exercised with using purchase cards, and employees should not split purchases with such cards to stay under single purchase limits on purchase cards or the established purchasing thresholds. Additional purchases of the same type of item may be necessary if, for example, it is determined after an order is placed or received that an insufficient quantity was ordered or that incorrect sizes were obtained. If additional purchases of the same item are necessary, for these or other reasons, the employee initiating the purchase must provide a written explanation of the purpose of the purchase and justification as to why it is not considered splitting a purchase. This written explanation should be retained with the vendor invoice.

C. Purchasing limits are as follows:

i. Small purchase – non-construction

1. Individual line item procurement threshold \$1,000
2. Single procurement aggregate threshold: \$5,000

3. Annual Cumulative (per vendor) threshold: \$50,000
- ii. Purchase of line items costing over \$1,000 and less than \$5,000
 1. Obtain two oral or written competitive quotes
 2. Maintain a record of quotations for five (5) years to include the following:
 - a. Name of Company invited to quote
 - b. Name of person making the quotation for the company
 - c. Date quote was obtained
 - d. Price
 - e. Use the "Telephone Quote Form" to record the above information.
- iii. Purchase of line items costing over \$5,000 and less than \$50,000
 1. Obtain three written quotations
 2. Use "Written Quotation" form
 3. Maintain documentation of quotation for five (5) years

OR

 4. Submit specifications to the District Purchasing Department for written quotation
- iv. Purchase of vehicles
 1. All vehicle purchase must have Board of Education approval.
- v. Purchase of items costing over \$50,000 shall be formally bid
 1. Submit specifications to the District Purchasing Department for formal bid process
 2. All purchases in excess of \$50,000 shall be formally bid in accordance with the Utah Procurement Code.
 3. Must have Board of Education approval
- vi. Construction in Schools
 1. Any and all construction performed in the schools must be approved by the Assistant Superintendent of Schools responsible for Building and Grounds before work is started.

D. Formal Bid Procedures

- i. Specification Development
Specifications for formal bidding shall be drafted by the school, department, appropriate director or supervisor and submitted to the Purchasing Department. Specifications shall be drafted following the Utah Procurement Code with the objective of clearly describing the requirements and encouraging competition.
- ii. All purchases in excess of \$50,000 shall be formally bid in accordance with the Utah Procurement Code. Those purchases in excess of \$50,000 shall be formally bid with

public notice given in accordance with the Utah Procurement Code and District Policies and Procedures. All solicitations and advertisements to bid shall be issued from the Purchasing Department. The Purchasing Department shall coordinate the receipt, opening, review and award of all bids.

iii. Bid Files

1. Pre-Qualified Vendors

The Purchasing Department shall maintain a list of pre-qualified vendors for the various categories of products and services purchased by the District. This list shall incorporate those who request to receive bids as well as those added through the Purchasing Department's effort to solicit all available sources. All schools or departments should refer prospective vendors to the Purchasing Department for inclusion in the bidder file.

2. Pending Bid File

A file shall be maintained in the Purchasing Department of all "Invitations to Bid" currently pending.

3. Completed Bid File

After the opening of bids, they become public information. A file shall be maintained retaining the bids, bid comparison sheets, other submittals, and rationale in award. These bids shall be made available for the public for a period of ninety (90) days after which time they will be archived for five (5) years.