

## **OPERATIONAL SERVICES**

### **4:60 Purchases and Contracts**

The Superintendent shall manage the District's purchases and contracts in accordance with the law, the standards set forth in this policy, and other applicable Board policies.

#### **Standards for Purchasing and Contracting**

All purchases and contracts shall be entered into in accordance with applicable federal and Illinois law. The Board Attorney shall be consulted as needed regarding the legal requirements for purchases or contracts. ~~All professional services contracts greater than \$10,000 shall be approved or authorized by the Board of Education.~~

All purchases and contracts should support a recognized District function or purpose as well as provide for good quality products and services at the lowest cost, with consideration for service, reliability, and delivery promptness, and in compliance with State law. No purchase or contract shall be made or entered into as a result of favoritism, extravagance, fraud, or corruption.

Adoption of the annual budget authorizes the Superintendent or designee to purchase budgeted supplies, equipment, and services, provided that State law is followed. Purchases of items outside budget parameters require prior Board approval, except in an emergency. ~~Notwithstanding the above, the Superintendent shall not commit to any single, non-customary purchase or expenditure, excluding personnel, of greater than \$10,000 without prior Board approval.~~

When presenting a contract or purchase for Board approval, the Superintendent or designee shall ensure that it complies with applicable federal and State law, including but not limited to, those specified below:

1. Supplies, materials, or work involving an expenditure in excess of \$35,000 must comply with the State law bidding procedure, [105 ILCS 5/10-20.21](#), unless specifically exempted.
2. Construction, lease, or purchase of school buildings must comply with State law and Board policy 4:150, Facility Management and Building Programs.
3. Guaranteed energy savings must comply with [105 ILCS 5/19b-1 et seq.](#)
4. Third party non-instructional services must comply with [105 ILCS 5/10-22.34c](#).
5. Goods and services that are intended to generate revenue and other remunerations for the District in excess of \$1,000, including without limitation vending machine contracts, sports and other attire, class rings, and photographic services, must comply with [105 ILCS 5/10-20.21](#)(b-5). The Superintendent or designee shall keep a record of: (1) each vendor, product, or service provided, (2) the actual net revenue and non-monetary remuneration from each contract or agreement, and (3) how the revenue was used and to whom the non-monetary remuneration was distributed. The Superintendent or designee shall report this information to the Board by completing the necessary forms that must be attached to the District's annual budget.
6. Any contract to purchase food with a bidder or offeror must comply with [105 ILCS 5/10-20.21](#)(b- 10).
7. The purchase of paper and paper products must comply with [105 ILCS 5/10-20.19c](#) and Board policy 4:70, Resource Conservation.
8. Each contractor with the District is bound by each of the following:
  - a. In accordance with [105 ILCS 5/10-21.9](#)(f): (1) prohibit any of its employees who is or was found guilty of a criminal offense listed in [105 ILCS 5/10-21.9](#)(c) and [5/21B-80](#)(c) to have

direct, daily contact at a District school or school-related activity with one or more student(s); (2) prohibit any of the contractor's employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in [5/21B-80](#)(b) (certain drug offenses) until seven years following the end of the employee's sentence for the criminal offense; and (3) require each of its employees who will have direct, daily contact with student(s) to cooperate during the District's fingerprint-based criminal history records check on him or her.

- b. In accordance with [105 ILCS 5/22-94](#): (1) prohibit any of its employees from having *direct contact with children or students* if the contractor has not performed a sexual misconduct related employment history review (EHR) of the employee or if the District objects to the employee's assignment based on the employee's involvement in an instance of sexual misconduct as provided in [105 ILCS 5/22-94](#)(j)(3), which the contractor is required to disclose; (2) discipline, up to and including termination or denial of employment, any employee who provides false information or willfully fails to disclose information required by the EHR; (3) maintain all records of EHRs and provide the District access to such records upon request; and (4) refrain from entering into any agreements prohibited by [105 ILCS 5/22-94](#)(g).
- c. In accordance with [105 ILCS 5/24-5](#): (1) concerning each new employee of a contractor that provides services to students or in schools, provide the District with evidence of physical fitness to perform the duties assigned and freedom from communicable disease; and (2) require any new or existing employee who provides services to students or in schools to complete additional health examinations as required by the District and be subject to additional health examinations, including tuberculosis screening, as required by the Ill. Dept. of Public Health rules or order of a local health official.

- 9. Any pavement engineering project using a coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant product for pavement engineering-related use must comply with the Coal Tar Sealant Disclosure Act.
- 10. Design-build contracts must comply with [105 ILCS 5/15A-1](#) *et seq.*
- 11. Any new contract for a district-administered assessment must comply with [105 ILCS 5/10-20.86](#).
- 12. Purchases made with federal or State awards must comply with [2 C.F.R. Part 200](#) and [30 ILCS 708/](#), as applicable, and any terms of the award.

The Superintendent or designee shall: (1) execute the reporting and website posting mandates in State law concerning District contracts, and (2) monitor the discharge of contracts, contractors' performances, and the quality and value of services or products being provided. Bids shall be sealed and shall be opened by the Associate Superintendent or designee in the presence of at least one (1) witness. All orders or contracts should be awarded to the lowest responsible bidder.; ~~however, consideration can be given to:~~

- ~~A. The quality of the item(s) to be supplied;~~
- ~~B. Conformity with specifications;~~
- ~~C. Suitability to the requirements of the District;~~
- ~~D. Delivery terms;~~
- ~~E. Past performance of the vendor.~~

The District reserves the right to reject any and all bids.

In order to promote efficiency and economy in the operation of the District, the Board requires that the Superintendent or designee 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 time, the total quantity to be shipped but with staggered delivery dates, shall be made a part of the bid specifications.~~

~~Before the Associate Superintendent places a purchase order, he/she 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 interest of economy, fairness, and efficiency, in its business dealings, the Board requires that:

- A. Items commonly used in the various schools or units thereof, be standardized whenever consistency with educational goals can be maintained;
- B. Opportunity be provided to as many responsible suppliers as possible to do business with the School District;
- C. A prompt and courteous reception, insofar as conditions permit, be given to all who call on legitimate business matters;
- D. When the requisitioner has recommended a supplier, the Associate Superintendent or designee 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;
- E. Upon placement of a purchase order, the Associate Superintendent or designee shall commit the expenditure against a specific line item to guard against the creation of liabilities in excess of the budget.

~~The Board may acquire equipment by lease, by installment payments, by entering into lease purchase agreements, or by lease with an option to purchase, in accordance with law.~~

The Superintendent or designee shall seek at least two (2) price quotations on purchases of more than \$10,000 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.

LEGAL REF.:

[2 C.F.R. Part 200.](#)

[105 ILCS 5/10-20.19c](#), [5/10-20.21](#), [5/10-20.86](#), [5/10-21.9](#), [5/10-22.34c](#), [5/15A-1](#) *et seq.*, [5/19b-1](#) *et seq.*, [5/22-94](#), and [5/24-5](#).

[30 ILCS 708/](#), Grant Accountability and Transparency Act. [410](#)

[ILCS 170/](#), Coal Tar Sealant Disclosure Act.

[820 ILCS 130/](#), Prevailing Wage Act.

CROSS REF.: 2:100 (Board Member Conflict of Interest), 4:70 (Resource Conservation), 4:150 (Facility Management and Building Programs), 4:175 (Convicted Child Sex Offender; Screening; Notifications), 5:90 (Abused and Neglected Child Reporting)

Adopted: February 11, 2025

## Rock Island - Milan School District #41

---