



**NORTH SLOPE BOROUGH SCHOOL DISTRICT**

**M E M O R A N D U M**

**TO:** Robyn Burke, President  
Members of the School Board

**THROUGH:** David Vadiveloo, Superintendent Dsv  
Dsv

**THROUGH:** Dennis Niedermeyer, Director of Finance DN  
DN

**FROM:** Chelsie Overby, Board Secretary

**DATE:** March 4, 2024

**SUBJECT: First Reading of BP 3311**

**Memo No: SB24-103**  
(Action Item)

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**NSBSD Policy Manual:**

Board Bylaw 9311, Board Policies:...Prior to adoption, policies shall normally be given two readings by the Board. At its second reading, the policy may be adopted by a majority vote of all members of the Board.

**Issue Summary:**

This policy revision was provided by the Association of Alaska School Boards with recommendation by the Business Office to clarify operating procedures for purchasing procedures and for items that are exempt from normal purchasing procedures.

New language is underlined and removed language is stricken out.

**Proposed Motion:**

“I move that the NSBSD Board of Education approve the first reading of: Board Policy 3311, Bids, as described in this memo SB24-103 and attachments.”

Motion by \_\_\_\_\_ Seconded by \_\_\_\_\_

Advisory Vote \_\_\_\_\_ Vote \_\_\_\_\_

## **Business and Noninstructional Operations**

### **BIDS**

**BP 3311(a)**

The district shall purchase equipment, supplies and services on a competitive bidding basis when required by law and whenever it appears to be in the best interest of the district to do so. The Superintendent or designee shall establish procedures to implement these requirements. Prior to any purchase, the District should review the federal funding award or grant to determine if it requires compliance with OMB's procurement procedures.

~~All Purchases in the amount of \$20,000 or more shall be based, when possible, on three competitive bids. The Superintendent or designee shall establish procedures to ensure that formal advertised bids are solicited for purchases over \$50,000.~~

### **Purchases Made Under Federal OMB Funding Awards**

All bids under federal awards must be made in accordance with the standards set forth in 2 CFR 200.320, set forth below. One of the following five methods of procurement shall be used for each purchase under a federal award:

1. Micro-purchases: Less than \$10,000
  - a. No competitive quotes required
2. Small Purchases: Between \$10,000 and \$250,000
  - a. Rate quotes must be obtained from two or more sources
  - b. Quotes can be obtained from suppliers or from public websites
3. Sealed bids: Purchases more than \$250,000
  - a. Two or more available qualified bidders are required
  - b. Bids will be publicly advertised and solicited from adequate suppliers
  - c. Lowest bidder for the fixed price purchase meeting the specific requirements shall be awarded the contract
4. Competitive Proposals: Purchases more than \$250,000 (Alt to Sealed Bids)
  - a. Written regulations will be adopted for conducting technical evaluations of reviewing proposals and selecting the recipient
5. Sole Source: Purchases of any amount that meet one of the following four requirements
  - a. Good/service is only available from a single source
  - b. Only one source can provide the good/service in the time frame required
  - c. Written pre-approval from the Federal awarding agency
  - d. Competition is deemed inadequate, after solicitation attempts through one of the other methods

To ensure that good value is received for funds expended, specifications shall be carefully designed and shall describe in detail the quality, delivery and service required.

### **Minority Bidding**

When procuring contracts under federal awards set forth in 2 CFR 200.320, the District will take affirmative steps to utilize minority businesses, women's business enterprises, and labor surplus area firms when possible.

## Business and Noninstructional Operations

### BIDS

BP 3311(b)

### Exemptions

The following items are exempted from formal purchasing procedures:

- A. Instructional materials for which purchasing guidelines have been established by School Board; or
- B. In-service presenters, speakers, or curriculum, instruction, or staff development experts selected for particular and unique expertise; or
- C. Professional or consultant services such as medical, legal, negotiation, technical, or educational, not including architectural/engineering design services; or
- D. Professional or consultant services (such as property and casualty insurance) purchased jointly with Local, State, or Federal agencies; or
- E. Public services, utilities or energy-related expenses, site licenses, upgrades, maintenance contracts, and specialized services, software, or equipment where no competition exists (single source) or the District has established a need for standardization of equipment, supplies, or services; or
- F. Emergency supplies or supplies and equipment that augment previously purchased items of a similar nature whereby the District would incur substantial costs to switch products or product lines; or
- G. Purchases involving replacement of equipment where similar equipment is being traded in; or
- H. Purchases involving items regulated by Fair Trade Statutes; or
- I. Purchases made through cooperative purchasing agreements, existing Federal/State or inter-district contracts including GSA pricing; or when cooperatively bidding with other public agencies; or
- J. Contracts or purchases when time is of the essence for reasons of health or safety, or to comply with legal requirements in a timely manner.
- K. Proprietary (sole-source) items or services or items that are only available from a single source.

~~All contracts and orders will be awarded to the lowest priced responsible, qualified supplier. The district may treat a local firm as the low bidder when its bid is no more than 5% higher than the low bid of a firm located outside North Slope Borough boundaries.~~

(e. 3310 – Purchasing Procedures, Procurement)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 9270 - Conflict of Interest)

Legal Reference:

### ALASKA STATUTES

14.14.060 Relationship between borough school district and borough

14.14.060 (h) Procurement of supplies and equipment

~~14.14.065 Relationship between city school district and city~~

## Business and Noninstructional Operations

### BIDS

BP 3311(c)

14.03.085 Procurement preference for recycled Alaska products

~~29.71.050 Procurement preferences for recycled Alaska products~~

~~35.15 Construction procedures~~

36.15.020 Use of local agriculture and fisheries products required in products with state money

### ALASKA ADMINISTRATIVE CODE

4 AAC 27.085 Competitive pupil transportation proposals

~~4 AAC 31.080 Construction and acquisition of public school facilities~~

### CODE OF FEDERAL REGULATIONS

2 C.F.R. 200.317-326, Procurement Standards

### COURT DECISIONS

Fairbanks North Star Borough School District v. Bowers, 851 P.2d 56 (Alaska 1992)

Revised 9/97 – AASB

Adopted 6/01

Revised 08/19

Revised 08/21

Revised     /24

Signature: David Vadiveloo  
David Vadiveloo (Mar 5, 2024 11:37 AKST)

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Dennis Niedermeyer (Mar 5, 2024 16:34 EST)

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