

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.

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.

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

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- 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.

(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
14.03.085 Procurement preference for recycled Alaska products
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

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)

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Adopted 6/01
Revised 08/19
Revised 08/21
Revised __/24