



Book	Policy Manual
Section	6000 Finances
Title	PURCHASING
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#### **6320 - PURCHASING**

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 procedures. 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 Policy 1130, Policy 3110, and Policy 4110 – Conflict of Interest.

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.

Each year, the State of Michigan informs the School of the legal amount for purchases which require a formal bidding process of a single item.

It is the policy of the Board that when the purchase of, and contract for, single items of supplies, materials, or equipment is less than the amount allowed by State statute, but exceeds \$5,000, the Superintendent shall, whenever possible, obtain competitive price quotations.

All quotations should be awarded to the lowest responsible bidder. However, consideration can be given to:

1. the quality of the item(s) to be supplied;
2. its conformity with specifications;
3. suitability to the requirements of the district;
4. delivery items;
5. past performance of vendor;
6. any other criteria deemed important by the District.

Purchases in a single transaction that are in excess of the dollar amount permitted by State statute shall require competitive bid(s) whenever possible, for substantiation of purchase, and shall require approval of the Board prior to purchase.

#### **Competitive Bids**

Competitive bids are not required for items purchased through the cooperative bulk purchasing program operated by the Michigan Department of Management and Budget pursuant to M.C.L. 18.1263 (per Board Policy 6440).

Bids shall be sealed and shall be opened by the 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. its conformity with specifications;
- C. suitability to the requirements of the school;
- D. delivery terms;
- E. past performance of vendor;
- F. any other criteria deemed important by the District.

In addition to the factors above, the Board may consider and provide a preference to bidders from small, minority, or women's business enterprises and labor supply firms, when possible.

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

Contracts may be awarded by the Superintendent or Designee without Board approval for any single item or group of identical items costing less than the State of Michigan competitive bid threshold. All other contracts require Board approval prior to purchase.

The Board shall be informed of the terms and conditions of all competitive bids and shall award contracts as a consequence of such bids.

### **Bid Protest**

A bidder who wishes to file a bid protest must file such notice and follow the procedures prescribed by the Request For Proposals (RFP) or the individual bid specifications package for resolution. Bid protests must be filed in writing with the Office of the Superintendent within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed shall constitute a waiver of proceedings.

### **General Provisions**

The Superintendent or Designee is authorized to purchase all items within budget allocations.

The Superintendent or Designee is authorized to make emergency purchases, without prior approval, of those goods and/or services needed to keep the school in operation. Such purchases shall be brought to the Board's attention at the next regular meeting.

In order to promote efficiency and economy in the operation of the school, 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 placing a purchase order, the Superintendent or Designee 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 school. All purchase orders shall be numbered consecutively.

In the interests of economy, fairness, and efficiency in its business dealings, the Board requires that:

- A. opportunity be provided to as many responsible suppliers as possible to do business with the school;
- B. a prompt and courteous reception, insofar as conditions permit, be given to all who call on legitimate business matters;
- C. where the requisitioner has recommended a supplier, the Superintendent or Designee may make alternate suggestions to the requisitioner if, in the Superintendent's/Designee's judgment, better service, delivery, economy, or utility can be achieved by changing the proposed order;

D. upon the placement of a purchase order, the Superintendent or Designee shall commit the expenditure against a specific line item to guard against the creation of liabilities in excess of appropriations.

Employees may be held personally responsible for anything purchased without a properly signed purchase order or authorization.

The Board may acquire office equipment as defined in law by lease, by installment payments, by entering into lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the terms of such a purchase.

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Legal M.C.L. 380.1267, 380.1274 et seq.

Cross References po6350 - PREVAILING WAGE