

CHAPTER 7.00 - BUSINESS SERVICES

PURCHASING AND BIDDING

7.70*

The School Board recognizes that maximum economy and efficiency are best achieved through a centralized purchasing function, which includes warehousing and distribution. All purchases of materials, supplies, equipment, and services paid from School District funds shall be the responsibility of the Director of Purchasing and Contract Administration or designee under the general supervision of the Superintendent.

The Superintendent may make purchases or may approve purchases of the Director of Purchasing and Contract Administration or designee, functioning under his or her direction, of goods and services where the amount does not exceed the bid limit that is specified in State Board of Education rule 6A-1.012. No person, unless authorized to do so by the Board or authorized under its duly adopted regulations, may make any purchase involving the use of school funds. The payment of any unauthorized purchases shall be the sole responsibility of the person placing the order.

- I. Purchases - All purchases made from School District funds shall be in accordance with all applicable Florida Statutes, State Board of Education rules, State Department of Agriculture and Consumer Services rules, School Board rules, and administrative procedures and may include approved state online procurement. The District shall recognize purchasing terms as defined by law and rule.
 - A. Requisitions - Each purchase order shall be based upon a requisition originating from the principal or District department head. Each requisition or contract shall be properly financed, budgeted, and encumbered prior to issuing a purchase order. All requisitions that are not approved will be returned immediately to the originator with the explanation of why they were not approved. Under extreme emergencies, the Director of Purchasing and Contract Administration or designee may grant permission for a purchase without a requisition, provided that any emergency purchase shall be followed immediately with an emergency requisition. A purchase shall not precede a requisition except under emergency provisions or when using a procurement card.
 - B. Procurement Card - The District procurement card will be used for all small purchases of goods and services under the amount listed for goods qualifying as property in 274.02, F.S. Exceptions will be made at the discretion of the Director of Purchasing and Contract Administration or designee.
- II. Competitive Bids and Proposals - The Director of Purchasing and Contract Administration or designee shall be responsible for continually estimating the

CHAPTER 7.00 - BUSINESS SERVICES

needs of the school system and making quantity purchases accordingly. Standard lists of supplies and equipment shall be developed in all areas possible. All purchases where the item or group of items exceeds the amount stipulated in State Board of Education rule 6A-1.012 shall be made on the basis of competitive sealed bids and proposals, except in emergencies as provided herein. Bids or proposals shall be requested from three (3) or more sources for any item or group of similar items purchased from school funds, including internal funds that exceed the amount specified in State Board of Education rule 6A-1.012. All items exempt from bid and quotation procedures by 287.057, F.S, and State Board of Education rule 6A-1.012 shall be exempt from School Board purchasing and bidding rules. State purchasing contracts or approved state online procurement shall be used in lieu of bids when it is to the advantage of the School Board. The Board will, however, be informed of all purchases exempt from the bid process when the amount exceeds the bid limit.

- A. Bid and Proposal Procedures - Purchases made through bids and proposals shall be based upon justification and specifications which are clear, complete, definite and certain as to character and quality and shall conform to standard specifications for the various classes of supplies, materials, parts, services, or equipment desired. Such specifications shall be conducive to securing the best possible price for the highest quality product or service which best meets the needs of the School District. Specifications shall be as open as possible. Invitations to bid shall include but not be limited to the following:
1. Date, time, and place of bids and proposals;
 2. Procedures for presenting bids and proposals;
 3. Conditions and terms for receiving bids and proposals;
 4. Procedures to be followed in opening bids and proposals and making recommendation to the School Board; and,
 5. The amount of the bid bond or good faith deposit, if any.
- B. Conditions for Awarding Contracts Based on Bids and Proposals
1. Bids and proposals shall be opened at the time and place specified within the bid or proposal documents. No other bids shall be accepted or withdrawn after the deadline. Bids and proposals which do not qualify as sealed bids shall not be accepted. Bids or proposals received by mail shall be stamped with the time and date received. Alterations written on the outside of a bid or proposal

CHAPTER 7.00 - BUSINESS SERVICES

- shall not be accepted. All bid openings shall be open to the public.
2. The Superintendent or designee shall have the responsibility for soliciting the assistance of the District administrative and instructional staff and the school employees who use the products to assist in the preparation of specifications and evaluation of bids and proposals.
 3. The purchasing department shall maintain a list of active bidders, which will be updated as needed to add or delete vendors.
 4. Bids or proposals shall be requested from at least three (3) appropriate sources for each authorized purchase. All bids shall be signed in ink or indelible pencil.
 5. No bid or proposal may be withdrawn after submission except with Board approval based on the recommendation of the Superintendent. Such recommendation shall specify the basis for allowing the withdrawal. After formal award by the Board, no bid may be withdrawn by a bidder except for a material error, as determined by the Board.
 6. Recommendations to the Board for action shall be determined on the basis of the lowest responsible qualified bid or proposal which meets specifications with consideration being given to the specific quality of the product, its conformity to the specifications, its suitability to District needs, the delivery terms, and the service and past performance of the vendor.
 7. The District may award contracts to the lowest, responsible bidder as the primary awardee and to the next lowest and responsible bidder(s) as alternate awardees provided that the awarding of multiple contracts is clearly stated in the bid solicitation documents.
 8. After bids and proposals have been opened and tabulated, they shall be made available to those persons who wish to study and copy them. In no case may the original copies be removed from the custody of the purchasing department.
 9. The School Board will accept the lowest and best bid that is in the best interest of the Board and meets specifications, not necessarily representing the actual lowest price offered.
 10. Final action of any bid or proposal shall be the decision of the Board in open session.

CHAPTER 7.00 - BUSINESS SERVICES

11. Approval of any funds not already budgeted shall be made by the Board prior to the issuance of any contract or award of any bid or proposal.
 12. The Board, in its sole discretion, may waive minor irregularities in bids or may reject all bids or proposals.
- C. Electronic bidding may be utilized when it is determined to be in the best interest of the District. All requirements for advance notification of bid specifications and date and time of bidding shall be met.
- D. Emergency Situations
1. Occasionally, situations arise which necessitate immediate action in order to ensure the health and safety of students and staff, or to keep a facility in operation. In such cases, at the determination of the Superintendent, the normal procedures may be waived and all Board members will be notified of such action as soon as practicable. The purchasing department shall be required to make telephone contact with at least two (2) vendors to request quotations, determine availability and ability to deliver services or products in a timely manner. All such contacts must be documented and followed by written bids from those contacted. The Superintendent shall be given all facts relating to the problem and a recommendation for the purchases necessary to resolve the problem. Upon the Superintendent's approval, the lowest and best bidder will be given authorization to proceed. A formal tabulation, giving complete details and justification, shall be submitted at the next regular Board meeting for ratification.
 2. If the Superintendent determines in writing that the time required to obtain pricing information will enhance the emergency situation, the emergency purchase may be made without quotations.
- E. Bid protests shall be filed in accordance with 120.57(3), F.S. Any person who files an action protesting a decision pertaining to contracts administered by the Board shall post at the time of filing the formal written protest a bond payable to the Board in the amount equal to five percent (5%) of the estimated amount of the contract or ten thousand dollars (\$10,000), whichever is greater, not to exceed twenty-five thousand dollars (\$25,000), which bond shall be conditioned upon the payment of all costs which may be adjudged against him or her in the administrative

CHAPTER 7.00 - BUSINESS SERVICES

hearing in which the action is brought and in any subsequent appellate court proceeding.

- III. Informal bids (quotes) shall be requested in writing from three (3) or more sources, at the discretion of the Director of Purchasing and Contract Administration or designee, for any goods or services purchased from School Board funds that exceed one fourth the amount specified in State Board of Education rule 6A1.012 for purchases that require bids. Quotes are not required for items excluded from the bid procedure by 287.057, F.S and State Board of Education rule 6A-1.012. The Director of Purchasing and Contract Administration or designee has the authority to require quotes for any purchase.
- IV. Hearings, Exhibits, or Demonstrations by Vendors
 - A. The Superintendent or designee shall be responsible for the arrangement of hearings, exhibits, or demonstrations by vendors interested in presenting their products. Employees of the school system shall not extend favoritism to any vendor or salesman.
 - B. Employees may participate in
 - C. District surplus sales, provided that there is no preferential treatment.
- V. Acquisition of Professional or Educational Services - The Superintendent is authorized to contract for professional or educational services to complete projects or activities authorized or approved by the School Board.
 - A. Selection of an architect, professional engineer, landscape architect, or land surveyor to perform professional services for a School Board project shall be in accordance with the School Board Policy 7.71, Selecting Professional Services.
 - B. Contracts or commitments exceeding limits established by Florida Statutes or State Board of Education rule for educational services or professional services, other than those described in subsection V.A. herein, shall be approved by the School Board prior to execution.
- VI. Single Source Commodities or Contractual Services

A commodity or contractual service that is available from a single source may be exempted from requirements for competitive solicitation provided that the District posts notice of its intent to purchase a specific item or service and subsequently posts notice of its intent to enter a single source contract.

CHAPTER 7.00 - BUSINESS SERVICES

- VII. Conflict of Interest - The following provisions shall apply for conflict of interest. Any violation of these provisions by a School Board employee may be grounds for dismissal.
- A. No contract for goods or services may be made with any business organization in which the Superintendent or School Board member has any material financial interest.
 - B. No School Board employee may directly or indirectly purchase or recommend the purchase of goods or services from any business organization which they or their relations have a material interest as defined by 112.312, F.S. except as allowed by DOE Interpretative Memorandum No. A-20.
 - C. School Board employees or officials may not receive gifts or any preferential treatment from vendors. A School Board employee shall not be prohibited from participating in any activity or purchasing program that is offered to all School Board employees or in District surplus sales provided there is no preferential treatment.
- VIII. All contracts for purchases made at the school level using internal funds shall be initiated by the principal and shall follow the same procedures prescribed for purchasing in this policy.
- IX. When federal guidelines permit such use, federal funds may be used to purchase food items when used to support parent training and meetings.
- X. Direct Purchasing – The Board may elect to purchase materials and equipment included in a contractor’s bid directly from the supplier. The contractor will select the suppliers from whom materials will be purchased and provide purchase order worksheets to the Board. Upon review, the Board will issue purchase orders or authorize the use of procurement cards for the listed material and equipment. Deliveries will be documented and verified. The Board will make direct payment to the supplier. Purchase orders and contracts with direct purchase elements are to be reduced monthly to reflect the value of the direct purchase.

CHAPTER 7.00 - BUSINESS SERVICES

STATUTORY AUTHORITY: 337.11(5)(a), 1001.41, 1001.42, F.S.

LAW(S) IMPLEMENTED: 112.312, 120.57, 212.08(6), 212.0821,
255.04, 274.02, 287.017, 287.057,
1001.43, 1010.01, 1010.04, 1013.47, F.S.

STATE BOARD OF EDUCATION RULE(S): 6A-1.012, 6A-1.085, 6A-1.087

**STATE DEPARTMENT OF AGRICULTURE
AND CONSUMER SERVICES RULE(S):** 5P-1.003

HISTORY: **ADOPTED: 07/01/2002**
REVISION DATE(S): 04/26/04; 02/22/2007;
3/25/2008; 01/22/2009; 05/21/2009; 04/25/2013
FORMERLY: 2.13, 6.10, 6.41, 7.32, 7.33