

## Policy Information

### Series 3000 - Business and Non-Instructional

#### Expenditures

#### Purchasing Procedures

Policy # 3323

In accordance with the provisions of General Municipal Law, Section 104-b, the Board of Education hereby adopts the following policy for all procurements of goods and services not required by law to be made pursuant to competitive bidding requirements.

### **PROCEDURES FOR THE PURCHASE OF COMMODITIES, EQUIPMENT AND GOODS**

<b><u>DOLLAR LIMITS</u></b>	<b><u>PROCEDURE</u></b>
<b>\$501 - \$9,999</b>	Verbal quotes.
<b>\$10,000 - \$19,999</b>	Formal written quotes from at least three different vendors (if available) are required.
<b>More than \$20,000</b>	Sealed, advertised bids in conformance with General Municipal Law.

### **PROCEDURES FOR PUBLIC WORKS PROJECTS/CONTRACTS**

<b><u>DOLLAR LIMITS</u></b>	<b><u>PROCEDURE</u></b>
<b>\$1 - \$14,999</b>	At the discretion of the Purchasing Agent.
<b>\$15,000 – \$34,999</b>	Formal written quotes from at least three different vendors (if available) are required.
<b>More than \$35,000</b>	Sealed, advertised bids in conformance with General Municipal Law

With respect to both procedures above:

- Goods and services will be procured in a manner so as to ensure the prudent and economical use of public monies, in the best interests of the taxpayers, to facilitate acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.
- Purchase awards shall generally be made to the lowest responsible and responsive vendor quotation.
- Written documentation, pursuant to Section 104-b of the General Municipal Law, is required when the purchase is not awarded to the vendor quoting the lowest price.
- Written documentation, acceptable to the Purchasing Agent, must be provided if the required number of quotes cannot be obtained.
- A quote that exceeds the bidding threshold may not be awarded except as provided in “EXCEPTIONS TO COMPETITIVE BIDDING” contained herein.

### **EXCEPTION TO COMPETITIVE BIDDING**

1. In the case of a public emergency arising out of an accident or other unforeseen occurrence or condition whereby circumstances affecting public buildings, public property or the life, health,

safety or property of the inhabitants of the school district, require immediate action which cannot await competitive bidding, contracts for public work or the purchase of supplies, material or equipment may be let by the Board of Education (General Municipal Law, Section 103[4]). Such action may be taken only after the Board of Education adopts a resolution declaring that an emergency exists and setting forth the facts upon which the declaration is based (Comptroller's Opinion No. 74-339).

2. The Board authorizes that purchase contracts may be awarded on the basis of best value. "Best value" means optimizing quality, cost and efficiency. The basis for best value shall reflect, whenever possible, objective and quantifiable analysis and may also take into consideration small businesses or certified minority-owned or women-owned businesses.
3. Under a county, state or federal contract.
4. Under a contract of another municipality or political subdivision (piggybacking, cooperative bids), including cooperative BOCES bids.
5. Articles manufactured in state correctional institutions.
6. From agencies for the blind and severely disabled.
7. Procurements for which there is no possibility of competition (sole source).
8. Very small procurements of \$500.00 or less when solicitations of competition would not be cost-effective.

### **PROCEDURES FOR PROFESSIONAL SERVICES AND CONSULTANTS**

Any professional services, including consulting services, which are not subject to competitive bidding requirements (such as property appraisals and legal, medical and insurance services), the cost of which may exceed the bidding threshold of public works projects, may be procured only on the recommendation of the Superintendent of Schools or designee and the approval of the Board of Education.

### **INTERNAL CONTROL**

The Board authorizes the Superintendent of Schools, with the assistance of the Assistant Superintendent for Business, the Purchasing Agent and the Treasurer, to establish and maintain an internal control structure to ensure, to the best of their ability, that the District's assets will be safeguarded against loss from unauthorized use or disposition, that transactions will be executed in accordance with law and District policies and regulations, and recorded properly.

The unintentional failure to fully comply with the provisions of Section 104-b of the General Municipal Law or the District's policies regarding procurement will not be grounds to void action taken nor give rise to a cause of action against the District or any officer or employee of the District.

The Board of Education will review this policy annually.

### **Policy References:**

Sections 103, 103-g, 104-b, General Municipal Law

Adoption Date: 1/1/1952, Revised: 6/14/2014; 10/1962, 07/07/1964, 07/06/1965, 02/13/1975, 02/13/1992, 02/17/2005, 10/21/2010, 12/06/2012  
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