

## PURCHASING REGULATION

The following sets forth the procedures for the procurement of goods and services by the District:

### I. Definitions

Purchase Contract: a contract involving the acquisition of commodities, materials, supplies or equipment

Public Work Contract: a contract involving services, labor or construction

### II. General Municipal Law

The General Municipal Law requires that purchase contracts for materials, equipment and supplies involving an estimated annual expenditure exceeding \$10,000 and public work contracts involving an expenditure of more than \$20,000 will be awarded only after responsible bids have been received in response to a public advertisement soliciting formal bids. Similar procurements to be made in a fiscal year will be grouped together for the purpose of determining whether a particular item must be bid.

### III. Competitive Bidding Required

#### A. Method of Determining Whether Procurement is Subject to Competitive Bidding

1. The District will first determine if the proposed procurement is a purchase contract or a contract for public work.
2. If the procurement is either a purchase contract or a contract for public work, the District will then determine whether the amount of the annual procurement is above the applicable monetary threshold as set forth above.
3. The District will also determine whether any exceptions to the competitive bidding requirements (as set forth below) exist.

#### B. Contract Combining Professional Services and Purchase

In the event that a contract combines the provision of professional services and a purchase, the District, in determining the appropriate monetary threshold criteria to apply to the contract, will determine whether the professional service or the purchase is the predominant part of the transaction.

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C. Opening and Recording Bids; Awarding Contracts

The Purchasing Agent or designee will be authorized to open and record bids. Contracts will be awarded by the Board of Education to the lowest responsible bidder (as recommended by the bid advisor), who has furnished the required security where required, and after responding to an advertisement for sealed bids.

D. Purchase of Instructional Materials

In accordance with Education Law the District shall give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats (i.e., any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as a accommodation for a disabled student enrolled in the District, including but not limited to Braille, large print, open and closed captioned, audio or an electronic file in an approved format.)

The District will establish and follow a plan to ensure that every student with a disability who needs his or her instructional materials in an alternative format will receive those materials at the same time that they are available to non-disabled students.

E. Leases of Personal Property

In addition to the above-mentioned competitive bidding requirements, section 1725 of the Education Law requires that the District will be subject to competitive bidding requirements for purchase contracts when it enters into a lease of personal property.

Documentation: The District will maintain written documentation such as quotes, cost-benefit analysis of leasing versus purchasing, etc.

Any legal issues regarding the applicability of competitive bidding requirements will be presented to the school attorney for review.

IV. Quotes When Competitive Bidding Not Required

Goods and services which are not required by law to be procured by the District through competitive bidding 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. Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, as set forth below.

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BID/QUOTES

Commodity Purchases

Up to \$1,000

Quotes may be obtained but not required.

\$1,001 to \$3,000

Telephone quotations should be obtained from 2 to 3 vendors unless circumstances do not permit. The purchase should be made from the lowest responsible vendor that meets the specifications of the commodities to be purchased. A record will be kept as to name of vendor contacted, name of vendor's representative spoken to, on what date, the amount of the quote and item or service desired.

\$3,001 to \$9,999

Written quotations shall be obtained from at least three (3) vendors when possible. The purchase shall be made from the lowest responsible vendor that meets the specifications of the commodities to be purchased. Vendors will provide at a minimum, the date, description of the item or details of the service to be provided, price quoted, name of vendor and vendor's contact.

\$10,000 or more

Formal bidding procedures as per Government Municipal Law Section 103 shall be followed.

Public Works Contracts

Up to \$10,000

Telephone quotations should be obtained from 2 to 3 vendors unless circumstances do not permit. The contract should be made from the lowest responsible vendor that meets the specifications of the commodities to be purchased. A record will be kept as to the name of vendor contacted, name of vendor's representative spoken to, on what date, the amount of the quote and item or service desired.

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\$10,001 - \$19,999

Written quotations must be obtained from at least three (3) contractors. The contract shall be awarded to the responsible contractor providing the lowest quotation that meets the specification of the work to be completed.

\$20,000 or more

Formal bidding procedures as per General Municipal Law Section 103 shall be followed.

Adopted: November 15, 2006