

## PURCHASING ADMINISTRATION

It is the policy of the New Hanover County Board of Education to conduct all purchasing activities in accordance with Chapter 143 of the North Carolina General Statutes, where applicable, and in accordance with sound purchasing practices and professional principles. Contracts funded with federal grant or loan funds must be procured in a manner that also conforms with all applicable federal laws, policies, and standards, including those under the Uniform Guidance (2 C.F.R. Part 200). The procedural requirements of the Uniform Guidance are included in the New Hanover County Schools Federal Purchasing Manual. Employees failing to follow procurement policies and procedures may be subject to disciplinary action and may cause a loss of federal funds.

This Policy is not applicable to purchases of supplies or food in connection with the Child Nutrition Program. Such purchases are governed by Policy 4410, Child Nutrition Procurement Plan.

The Chief Financial Officer shall maintain Disbursement Procedures in the Budget Manual, to ensure that obligations made on behalf of New Hanover County Schools are properly authorized and preaudited by the Chief Financial Officer.

The Purchasing Director shall:

- Encourage fair and open competition by legitimate and ethical means; obtain, where practical, lower prices through volume buying; provide honest, courteous and impartial treatment; and equal opportunity to all interested and qualified suppliers.
- Require satisfactory performance of contractual obligations from all vendors.
- Make efforts to recruit minority vendors and contractors (e.g., race, physically handicapped or women) whenever possible and otherwise comply with all statutory requirements for minority recruitment.
- Assure contracts shall not be entered into with current employees in compliance with Policy 6084, Employee Conflict of Interest.
- Require Board approval prior to the purchase of sole source items and piggybacking on existing public agency contracts.

Neither formal nor informal bids shall be required for any purchase or contract if one of the exceptions found in NCGS 143-129 (e) or NCGS 115C-522 applies. In situations when neither formal nor informal bidding is used for service contracts or purchases, the Purchasing Director shall endeavor to obtain the best overall value for New Hanover County Schools considering all relevant factors including the cost, timeliness and quality of services, the qualifications and experience of the vendor or contractor, past experience with the vendor or contractor, as among other factors.

The Superintendent or the Purchasing Director may require either formal or informal bids, at their discretion, in situations where neither the applicable law nor this Policy require bids, if it is determined that it is in the best interest of New Hanover County Schools to do so.

The Superintendent or the Purchasing Director may, at their discretion, utilize alternative bidding Methods if so authorized under NCGS 143-129.8 (purchase of information technology, goods and services) or NCGS 143-129.9 (reverse auctions or electronic bidding).

#### Purchases of Apparatus, Supplies, Materials, and Equipment

For purchases involving federal funds, please refer to the New Hanover County Schools Federal Purchasing Manual for additional requirements.

The Purchasing Director shall endeavor to obtain the best overall value for New Hanover County Schools considering all relevant factors including price, time, quality, warranty, past experience with the vendor, etc.

When the total cost is less than \$30,000, quotes or bids are not required, except contracts that involve the sale of juice or bottled water shall be competitively bid, regardless of amount, pursuant to NCGS 143-64.

The informal bidding procedure, set forth in NCGS 143-131, shall be used for the following purchases:

- When the total cost is at or exceeds \$30,000, but less than the statutory requirement for formal bids (currently \$90,000 under NCGS 143-129(a)); or
- When, regardless of amount, the purchase is for gasoline, diesel fuel, alcohol fuel, motor oil, fuel oil or natural gas as set forth in NCGS 143-129(e)(5)

When the total cost is at least the statutory limit for formal bids (currently \$90,000 under NCGS 143-129(a)) formal bidding procedure shall be used, except as otherwise stated in the paragraph immediately above. Award of contracts, rejecting bids, or re-advertise to receive bids on behalf of New Hanover County Schools in the formal range is delegated to the Superintendent or Purchasing Director as allowed under NCGS 143-129(a).

#### Construction and Repair Contracts

For purchases involving federal funds, please refer to the New Hanover County Schools Federal Purchasing Manual for additional requirements.

The Purchasing Director or respective department with authorization of the Superintendent or Purchasing Director or with notification to the Purchasing Director shall endeavor to obtain the best overall value for the New Hanover County Schools considering all relevant factors including price, time, quality, warranty, past experience with the contractor, as among other factors.

When the total cost is less than \$30,000, quotes or bids are not required.

When the total cost is at or exceeds \$30,000, but less than the statutory requirement for formal bids (currently \$500,000 under NCGS 143-129(a)), the informal bidding procedure set forth in NCGS 143-131 shall be used.

When the total cost is at least the statutory limit for formal bids (currently \$500,000 under NCGS 143-129(a)), the formal bidding procedure shall be used. Change orders to contracts for construction or repair work shall be subject to the requirements of Policy 3410, Contract Administration.

Contracts for Services:

For purchases involving federal funds, please refer to the New Hanover County Schools Federal Purchasing Manual for additional requirements.

Contracts for architectural, engineering, surveying and “construction management at risk” are not subject to competitive bidding but instead are subject to the procedural requirements of NCGS 143-64.31.

Unless otherwise approved by the Superintendent or Designee or the Board of Education, contracts for services not specified in this Policy and having an expected value of \$100,000 or more shall be purchased by use of a Request for Proposals (RFP), in which criteria for award are established and contracts awarded to vendor who best meets RFP criteria. Whether or not competitive bidding is used for service contracts, the Purchasing Director shall endeavor to obtain the best overall value for New Hanover County Schools considering all relevant factors including the cost, timeliness and quality of services, the qualifications and experience of the service provider, past experience with the service provider, etc., but is not required to accept the lowest price bid.

LEGAL REF: NCGS 115C-521, 115C-522, 143-129.8; Chapter 143, Article 8; 2 CFR Part 200.

CROSS REF: Policy 3410 Contract Administration  
Policy 4410 Child Nutrition Procurement Plan  
Policy 6084 Employee Conflict of Interest

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