



**Boulder Valley School District**

**File: DJ/DJE**

**Adopted: January 13, 2009**

**Revised: November 12, 2019**

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## **PURCHASING AND CONTRACTING**

Purchases are made to obtain the optimum value for each dollar expended. Competition is the basis for all purchasing, unless impractical, inefficient or impossible. Free and fair vendor competition and impartial evaluation shall be accomplished using methods and actions which uphold the highest ethical standards.

The Procurement Director shall have the authority to establish procurement processes and to establish and maintain terms and conditions to govern District procurements.

The Procurement Department issues purchase orders and is authorized to issue procurement cards for the purchase of goods and services authorized in the District's adopted budget and purchased in accordance with this policy. Procurement Department staff members are solely authorized to issue a District purchase order or District purchase order number, or to revise or cancel a District purchase order.

### **1. Awards**

First consideration in making awards will be the interests, policies, and objectives of the District. Other factors to be considered include quality, availability, and price of the product or service, and responsibility and responsiveness of the vendor. The District reserves the right to cancel any solicitations, and reject any and all bids or offers, in whole or in part.

### **2. Contracts**

District staff with budget authority are permitted to enter into various contracts for small dollar amounts such as providing customized training or services, rental of vending machines or reservations and use of outside facilities. Any such contract term shall not exceed one year. Board policy requirements, including the competitive procurement requirements set forth below, shall apply.

The Superintendent or designee has the authority to enter into contracts for goods or services or other activities within the mission of the District provided that the amount involved does not exceed \$50,000.

Contracts between \$50,000 and \$100,000 must be signed by the Board President, but do not require formal Board approval if the provisions of this policy have been complied with and funds have been budgeted.

Unless otherwise provided by resolution, all District contracts exceeding \$100,000 shall first be authorized by Board resolution, prepared with the approval of the attorney for the District. Following Board approval, all contracts shall be executed by the President and Secretary. The Secretary shall see that one properly executed copy is delivered to the other party, a copy is delivered to the appropriate school or department and a copy is properly filed with the Board's records.

**3. Discretionary Purchases, Quotations, Bids and Requests for Proposals (RFP)**

Competition for the purchase of goods and services, except professional services and food, shall be accomplished as indicated below. All food purchases shall be made in compliance with federal requirements.

PURCHASE OF GOODS/SERVICES	METHOD
Less than \$5,000	Discretionary purchases. No competition required.
\$5,000 - \$50,000 (unit price – goods or services or combination, i.e., project)	Competitive quotations required <ul style="list-style-type: none"> <li>• Written quotes</li> <li>• 2 or more vendors</li> </ul>
\$50,000 and higher (unit price – goods or services or combination, i.e., project)	Competitive sealed bid or RFP process. Procurement Staff will conduct solicitation process. <ul style="list-style-type: none"> <li>• If unit price of goods or services exceeds \$100,000, Board approval is required prior to purchase. Expenditures in excess of Board- approved amounts shall be submitted to the Board for consideration.</li> </ul>

Pricing for large volume purchases will be obtained, even if not required, through a quotation process or sealed bid process if significant savings are anticipated. Procurements shall not be divided for the purpose of circumventing purchasing policy dollar threshold requirements.

**4. Procurement Cards**

Schools and departments may apply to the Procurement Department for the issuance of procurement cards to authorized employees. The cards may be used for small purchases within restricted dollar and commodity limits and rules established by the Procurement Department and the building principal or budget manager. All procurement cardholders shall comply with the terms and conditions of the cardholder handbook and agreement.

**5. Sale of Goods and Services by District Employees**

- a) Goods: No employee of the District, and no firm owned in whole or in part by an employee of the District will be allowed to sell to the District, to students of

the District or to parents/guardians of students, goods of any kind without prior approval of the Board.

- b) Services: No employee of the District, and no firm owned in whole or in part by an employee of the District will be allowed to sell to the District, to students of the District or to parents/guardians of students, services of any kind in excess of \$500 unit cost, without prior approval of the Superintendent or designee.

#### **6. Purchase of Goods and Services to be Paid for by Parents or Students**

All goods and services related to school activities that are to be paid for by parents or students shall be controlled and administered by the building principal in accordance with Board policy requirements. Parents and/or students shall be informed of their option to obtain goods and services from vendors other than those selected by the District, if they so elect.

#### **7. Cooperative Purchasing**

The Procurement Department may join in cooperative purchasing with other school districts, the State of Colorado, or any other entity where such purchasing benefits the District.

#### **8. Sole Source Procurements**

Sole source procurements in lieu of required competition will be permitted upon submittal by the requestor of acceptable documentation to the Procurement Department verifying that: 1) There is only one product or service that can reasonably meet the requirements, AND 2) There is only one vendor who can reasonably provide that product or service.

#### **9. Emergency Purchases**

If a condition develops which is likely to result in immediate physical injury to persons, damage to District property, interruption of District operations, or significant financial loss to the District if action is not taken immediately, limited emergency purchases can be made without following the competitive bid procedures if the Superintendent or designee so authorizes. Written documentation shall be provided to the Procurement Director justifying such emergency purchases.

#### **LEGAL REFS.:**

7 C.F.R. 3016.36 (*USDA's procurement standards*)

7 C.F.R. 3016.37 (*USDA's procurement requirements for subgrants*)

34 C.F.R. Parts 75, 76 (*EDGAR - Education Department General Administrative Regulations*)

48 C.F.R. Subpart 2.1 (*micro-purchase and competitive bidding thresholds*)

C.R.S. 22-32-109(1)(b)

C.R.S. 22-63-204

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