

3000—FISCAL MANAGEMENT

- 3100 Annual Operating Budget
- 3200 Local State and Federal Funding Proposals and Applications
- 3280 Borrowing
- 3290 Summer Property Tax Levy
- 3300 Investment of Funds
- 3310 Reporting of Investment Risks
- 3400 Depository of Funds
- 3430 Bonded Employees/Board Members
- 3490 Inventories and Assets Sale of Real Estate
 - Disposal of Obsolete Fixed Asset Inventory
- 3495 Employee Use of District Personal Property
- 3500 Audits
- 3570 Petty Cash Accounts
- 3580 Payroll Procedures and Schedules
- 3600 Reimbursement of Expenses
- 3610 Purchasing Goods and Services
 - Purchase Orders, Contracts, Payment Authorization Quantity Purchasing
 - Purchasing from District Employees Purchases Through the District Emergency Purchases
- 3650 Cooperative Purchasing
- 3660 Bids and Quotations Requirements
 - Under \$3,000
 - \$3,000 to \$14,999 Informal Quotation
 - \$15,000 or Above Formal Competitive Quotation
 - Capital Repairs and New Construction
 - Rejection of Bids
 - Bids and Quotation Requirements
- 3665 Procurement – Federal Grants/Funds
- 3670 Construction Change Orders
 - Superintendent
 - Board of Education
 - Emergency Change Orders
- 3750 Payment Procedures
- 3751 Electronic Transaction of Funds
- 3800 Fund Raising and Student Activity Fund

3100 Annual Operating Budget

The Board shall provide the best educational opportunities possible commensurate with the financial resources of the School District and as provided by law within an annual balanced budget prepared and administered in accordance with sound accounting practices.

A. Fiscal Year

The fiscal year of the school District shall be July 1 to June 30, as provided by law.

B. Budget Preparation Procedures

1. Preliminary Budget

On or before May 1 of each school year, the Business Manager shall submit to the Board, through the Finance Committee, a preliminary budget for the next school year containing an estimate of receipts and expenditures based upon the best financial information available.

2. Budget Adoption

The Board shall adopt a final budget for the next fiscal year on or before June 30th of the current school year.

3. Hearing on Budget Adoption

Prior to the adoption of the final budget, the Board shall hold a public hearing, the notice of which shall be published in a newspaper of general circulation within the school District at least six (6) days prior to the date of the hearing. The notice shall include the time and place of the hearing and shall state the place where a copy of such budget is available for public inspection.

4. Revised Budget

Except in emergencies, the Board shall adopt a revised budget on or before January 30th for the current school year.

5. Staff Involvement

Not later than April 1st of each year, the Board will meet with Central Administration to review goals and priorities for the upcoming budget year. Said goals and priorities may include public allocation, staff needs, major curriculum revisions and additions, and major

capital buildings and grounds improvements or additions.

Approved: January 25, 2016

LEGAL REF: MCL 380.1213-1214; 380.1216; 380.1218; 141.411; 141.421A-440A;
211.209-210; 388.1702

3200 Local State and Federal Funding Proposals and Applications

The Board may, in its discretion, direct the appropriate administrators to investigate and apply for State and Federal aid which would benefit the students of the District and meet the District's operational needs. The Board shall consider in applying for State and/or Federal aid the District's future ability to continue State and /or Federally funded programs after State and Federal funding has ceased.

One copy of all grant applications for local, state and/or federal programs shall be submitted to the Business Manager upon submittal to the appropriate agency.

Upon receipt of letters of grant awards or any other information relevant to the grant, one copy of such information shall be forwarded to the Business Manager.

Approved: January 25, 2016

3280 Borrowing

The Board may borrow funds to be used for operating purposes. The Board may apply for loans against anticipated state aid, using the state aid as collateral.

Approved: January 25, 2016
LEGAL REF: MCL 380.1356

3290 Property Tax Levy

The Board will impose a summer property tax levy by proper resolution.

Approved: January 25, 2016

LEGAL REF: MCL 380.1613

3300 Investment of Funds

The Business manager, upon proper annual resolution of the Board, may invest district funds in accordance with state statutes and regulations.

Approved: January 25, 2016

LEGAL REF: MCL 380.1223

3310 Reporting of Investment Risks (Cf. 3300)

Although policy 3300 serves to reduce the risks associated with the investment of District dollars, the District may have deposits and investments that are subject to various levels of risk.

Statement No. 40 of the Governmental Accounting Standards Board (GASB) requires that certain deposits and investments of a local government that have the potential to result in losses be disclosed in District financial statements. The administration, in consultation with the District auditor or accounting firm as necessary, shall insure that the District financial statements comply with GASB Statement No. 40.

The Superintendent may establish appropriate administrative rules to implement this policy.

Purpose and Scope

This investment policy is designed to safeguard funds on behalf of the District, to assure the availability of operating and capital funds when needed, and to provide a competitive investment return on funds held for later use.

This policy applies to all cash and investments held or controlled by the Board on behalf of the District, except where further statutory or regulatory restrictions apply.

Investment Objectives

The objectives of the District's investment activities are, in the order of priority:

- 1) Safety of principal – investment transactions shall be undertaken in a manner to ensure the preservation of principal by minimizing:
 - a. Credit risk:
 - i. Custodial credit risk – the risk of loss due to the failure of the issuer will be minimized by limiting investments to those complying with MCL 380.622, 380.1221, and 380.1223. These include:
 1. United States Government Securities
 2. United States Government Agencies
 3. Federal Instrumentalities (United States Government-Sponsored Enterprises)
 4. Certificates of Deposit
 5. Certificates of Account Registry Service (CDARS)
 6. Repurchase Agreements
 7. Commercial Paper
 8. Bankers' Acceptances
 9. Registered Investment Companies (Money Market Mutual Funds)
 10. Investment pools, as authorized by the surplus funds investment pool act,

1982 PA 367, MCL 129.111 to 129.118, composed entirely of instruments that are legal for direct investment by public school districts.

- b. Custodial credit risk will also be reduced by limiting investment institutions to those listed below who are pre-approved by Board action:
1. Primary and regional dealers that qualify under Securities and Exchange Commission Rule 15C3-1 (uniform net capital rule)
 2. Registered dealers under the Securities Exchange Act of 1934
 3. Firms registered to sell securities in Michigan
 4. Public depositories qualified in accordance with MCL 380.1221, the Revised School Code of Michigan
 - a. Concentration of credit risk – risk of loss attributable to the magnitude of the District’s investment in a single issuer will be minimized by diversifying the investment portfolio among several different institutions.
 - b. Investment rate risk – interest rate risk, which is the risk that the market value of securities in the portfolio will fall due to changes in market research rates will be minimized by structuring the portfolio so that securities mature to meet cash requirements, thereby avoiding the need to sell securities early, and by investing operating funds in short-term or liquid securities.
 - c. Foreign currency risk – the District is prohibited from investing in instruments of foreign currency.
 5. Maintenance of liquidity – investments shall be managed to maintain the level of liquidity required for reasonably anticipated cash needs.
 6. Return on investment – excess funds will be invested to obtain a fair market rate of return after considering risk restraints and liquidity needs.

Management of Investments

The Board shall designate an administrator as the investment officer responsible for overseeing investment activities, including selection of investments within the parameters of this policy, transferring of funds, and maintenance of all related costs.

At least two bids shall be obtained for any purchase of investment instruments other than liquid investment pool accounts maintained for safeguarding of funds held on a short-term basis for cash-flow needs.

The investment officer shall disclose any material financial interest in any financial institutions that conduct business with the District and shall not realize any personal gain from the management of District investments.

Approved: January 25, 2016

LEGAL REF: Governmental Accounting Standards Board, Statement No. 40

3400 Depository of Funds

All District accounts shall be maintained in such financial institutions that have been approved by the Board. A list of approved financial institutions shall be maintained by the Business Manager, and shall be reviewed at the annual organizational meeting of the Board.

The President's and/or Treasurer's signature, real or facsimile, shall be the only authorized signatures on all checks issued from the District's accounts. The Superintendent or designee shall make sure that deposits are done weekly.

Approved: January 25, 2016

LEGAL REF: MCL 380.1221-1222; 129.12

See Policy #3750 – Payment Procedures and #3751 – Wire Transfer Procedures

3430 Bonded Employees/Board Members

The District shall bond the Board President and Treasurer, as required, along with key Administrators as determined by the Board and Superintendent. The amount and form of bond shall be determined by the Board.

Other district employees may be bonded as the Board determines necessary.

Approved: January 25, 2016
LEGAL REF: MCL 380.416; 380.652

3490 Inventories and Assets

The District shall, through the Superintendent or designee, run and maintain a fixed asset inventory that shall be presented to the Board with submission of the annual audit. The report will be submitted to the Board electronically at the time of the audit.

Sale of Real Estate

The following procedure shall be utilized in the sale of real estate owned by the District:

1. An appraisal shall first be made of the real estate being offered for sale by a competent and qualified real estate broker and/or appraiser.
2. The Board shall by resolution authorize the sale of such real estate and the conditions attendant therewith.
3. The Board may list real estate for sale with a competent and qualified real estate broker.
4. Employees of the District and Board members shall be prohibited from purchasing, directly or indirectly, any real estate offered for sale by the District.

Disposal of Obsolete Fixed Asset Inventory

Disposal of obsolete property included in the District's Asset Inventory shall not be made without the written approval of the Business Manager. If the aggregate value of the property is in excess of \$1,000, authority for disposal must be received from the Board by an appropriate resolution.

Approved: January 25, 2016

LEGAL REF: MCL 380.1213-1214; 380.1216; 380.1218; 141.411; 141.421A-440A;
211.209-210; 388.1702

Fixed Asset – should be considered anything owned by the District that has a monetary value, i.e. buildings, equipment, surplus books, furniture, etc. in excess of \$1,000

Reference: GASB 34

3495 Employee Use of District Personal Property

The District may purchase personal property (i.e. cellphones, iPads, computers, laptops, etc.) for the exclusive use of employees during their term of their employment. The personal property, as well as any associated phone numbers, e-mail addresses, passwords, etc. shall remain the property of the District, which shall collectively be referred to as the "Property".

The employee must immediately return all assigned Property, and associated items, upon request of the District, or upon an employee's retirement, termination, resignation, or transfer to another position that may no longer require the use of such Property.

An employee that is given such Property for use during employment, shall sign an agreement upon receipt of said Property acknowledging ownership by the District, the proper use of the Property, and agreeing that should the employee fail or refuse to return to the Property to the District on or before the employee's last day of employment, or within 14 days of a request by the District to return the Property, that the District may withhold from their subsequent (or last) paycheck an amount equal to the amount for the purchase or a new replacement item at the then going market price.

Approved January 25, 2016

3500 Audits

The accounting records, including internal accounts, of the District shall be audited annually by an independent certified public accountant in accordance with prescribed standards and legal requirements.

The audit reports shall be reviewed annually by the Board at a public meeting. The management letter and recommendations of the auditor shall be brought to the attention of the Board, along with recommendations of the Superintendent as to the feasibility of implementing the recommendations. The Superintendent or Designee shall be responsible for filing the audit reports with all appropriate authorities required by law or regulation.

The auditing firm selected to conduct the annual audit shall be recommended by the Board Finance Committee, Superintendent, and Business Manager and approved by the Board by April prior to the expiration of any contract.

Approved: January 25, 2016

LEGAL REF: MCL 388.1418

3570 Petty Cash Accounts

The Superintendent may establish a petty cash fund not to exceed \$400 in the central office, \$300 in Latchkey/Childcare, and/or \$100 in any building or department in which he determines a need. The Board requires that proper controls shall be followed to prevent abuse of such funds.

Each custodian of a petty cash fund shall ensure that the funds in their care shall be disbursed only for minor expenditures not readily deferred. No petty cash fund may be used to circumvent the purchasing procedures required by law and the policies of this Board. The Business Manager shall be responsible for establishing appropriate procedures for utilization and administration of petty cash.

Approved: January 25, 2016

3580 Payroll Procedures and Schedules

All employees shall be paid according to a specific schedule which shall be determined by the Board. All salaries, supplements, and payments for extra duties shall be paid from the payroll account through the District's business office. No payments shall be made directly to any school personnel for services rendered from any supplementary school fund.

Approved: January 25, 2016

LEGAL REF: MCL 380.1224

3600 Reimbursement of Expenses (Cf. 1168, 2170, 5330)

Employees may be reimbursed for actual and necessary expenses incurred on authorized District business which has been approved by the appropriate supervisor. Prior to the reimbursement of such expenses, the employee shall be required to submit expense vouchers and original receipts for such expenses to his/her immediate supervisor and the Business Manager for approval. All expenses shall be submitted no more than 45 days following the incurrence of the expense. Reimbursements of expenses after the 45 days shall be at the discretion of the Superintendent.

Overnight expenditures must be approved by the Board prior to the expense.

Approved: January 25, 2016
LEGAL REF: MCL 380.1254; AG Opinion #5272

3610 Purchasing Goods and Services

Purchase Orders, Contracts, Payment Authorizations

All purchases of goods and services shall be made using a Purchase Order or a Contract, except when a Payment Authorization is approved by the by the Business Manager and Superintendent. Payment authorizations must include an original invoice and documentation of proof of delivery or completion of services prior to payment.

All purchases must receive the approval of the immediate supervisor of the individual submitting the requisition, and two of the following: the Superintendent, Assistant Superintendent, or the Business Manager, pursuant to Board Policy #3660.

Quantity Purchasing

Quantity purchasing shall be carried out wherever feasible by annual consolidated purchasing of items used in more than one department or level for the purpose of securing competitive prices.

Purchasing from District Employees

The Board shall not purchase goods or services from an employee of the District, nor from a member of their household, nor from any firm in which an employee or member of their household holds a 10 percent or greater financial interest without full proper disclosure to the Board.

Purchases Through the District

Board members and employees shall not make any purchase through the District for personal use.

Emergency Purchases

Emergency purchases may be made without using the quotation or bidding process, with the consent of the Board President. Such emergencies may arise as a result of an accident or other unforeseen occurrence which could affect the life, health, welfare or safety of the District's students or employees, and/or property of the District.

Approved: January 25, 2016

LEGAL REF: MCL 15.321-330

3650 Cooperative Purchasing

The Superintendent, or designee, shall investigate the feasibility and benefits of obtaining membership in a cooperative purchasing organization. All memberships shall be approved by the Board prior to entering into any agreement.

Cooperative purchasing also pertains to “third party bids” and must be pursued according to policy #3660-.

Approved: January 25, 2016

3660 Bids and Quotation Requirements

The District shall purchase goods and services for District operations in the most efficient and cost effective means available.

In approving purchases, the Superintendent or designee shall obtain goods and services from local vendors whenever possible, providing that price, quality, availability, and service of the local vendor compare favorably with those from non-local vendors.

Under \$~~53~~,000

The Superintendent and Business Manager or their designee's signatures are required for purchases under \$~~53~~,000.00.

Items that would be considered fixed assets and/or competitive in nature should be quoted by phone, catalog or other means by multiple sources to determine best price, except for emergency purchases (see #36~~150~~) or when the materials being purchased are of such a nature that price negotiations would not result in a savings to the District.

Approval of said payments will be approved by the Board.

\$~~53~~000 to \$124,999 Informal Quotation

The appropriate administrator shall secure written quotes from a minimum of three vendors, or utilize a cooperative purchasing agreement as provided for in Polich 3650 for all purchases costing more than \$~~53~~000 and less than \$14,999 for:

- a. A single item.
- b. Multiple consecutive purchases of a single item.
- c. Items related in nature.

Approval of said purchases and payment shall be made by the Board.

\$125,000 or Above Formal Competitive Quotation

The Business Manager shall obtain sealed quotes for purchases that exceed \$15,000 for the following:

- a. A single item.
- b. Multiple consecutive purchases of a single item.

c. Items related in nature.

Bids and Quotation Requirements

The purchase and payment shall be approved by the Board.

Capital Repairs and New Construction

Capital repairs and new construction, including additions and modifications to existing buildings, costing more than \$15,000 shall be bid in accordance with applicable provisions of MCL 380.1267 as amended. Specifications for such repairs or construction shall be furnished by an architect, appropriate engineer, or the administration.

Rejection of Bids

The Board reserves the right to reject any and all bids and to ask for new bids. Such reservation shall be so specified in the publication or notification of requests for bids/proposal.

Bids and Quotation Requirements

The Board reserves the right to waive any informalities in, or reject any part of, a bid.

Approved: January 25, 2016

LEGAL REF: MCL 380.1267; 380.1274

REF: Policy 3650 – Cooperative Purchasing

Policy 3610 – Emergency Purchases

3665 Procurement – Federal Grants/Funds

Procurement of all supplies, materials, equipment, and services paid for from Federal funds or District matching funds shall be made in accordance with all applicable Federal, State, and local statutes and/or regulations, the terms and conditions of the Federal grant, Board policies, and administrative procedures.

The Superintendent shall maintain a procurement and contract administration system in accordance with the USDOE requirements (2 CFR 200.317-.326) for the administration and management of Federal grants and Federally-funded programs. The District shall maintain a contract administration system that requires contractors to perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders. Except as otherwise noted, procurement transactions shall conform to the provisions of the District's documented general Purchasing and Construction Policy

All District employees, officers, and agents who have purchasing authority shall abide by the standards of conduct covering conflicts of interest and governing the actions of its employees, officers, and agents engaged in the selection, award, and administration of contracts as established in Conflict of Interest Policy.

The District will avoid acquisition of unnecessary or duplicative items. Additionally, consideration shall be given to consolidating or breaking out procurements to obtain a more economical purchase. And, where appropriate, an analysis shall be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. These considerations are given as part of the process to determine the allowability of each purchase made with Federal funds.

To foster greater economy and efficiency, the District may enter into State and local intergovernmental agreements where appropriate for procurement or use of common or shared goods and services.

Competition

All procurement transactions shall be conducted in a manner that encourages full and open competition and that is in accordance with good administrative practice and sound business judgement. In order to promote objective contractor performance and eliminate unfair competitive advantage, the

District shall exclude any contractor that has developed or drafted specifications, requirements, statements of work, or invitations for bids or requests for proposals from competition for such procurements.

Some of the situations considered to be restrictive of competition include, but are not limited to, the following:

- A. Unreasonable requirements on firms in order for them to qualify to do business;
- B. Unnecessary experience and excessive bonding requirements;
- C. Noncompetitive contracts to consultants that are on retainer contracts;
- D. Organizational conflicts of interest;
- E. Specification of only a "brand name" product instead of allowing for an "or equal" product to be offered and describing the performance or other relevant requirements of the procurement; and
- F. Any arbitrary action in the procurement process.

Further, the District does not use statutorily or administratively imposed State, local, or tribal geographical preferences in the evaluation of bids or proposals, unless (1) an applicable Federal statute expressly mandates or encourages a geographic preference; or (2) the District is contracting for architectural and engineering services, in which case geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

To the extent that the District uses a pre-qualified list of persons, firms or products to acquire goods and services, the pre-qualified list includes enough qualified sources as to ensure maximum open and free competition. The District allows vendors to apply for consideration to be placed on the list annually.

Solicitation Language

The District shall require that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in

competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it shall conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which shall be met by offers shall be clearly stated; and identify all requirements which the offerors shall fulfill and all other factors to be used in evaluating bids or proposals.

The Board will not approve any expenditure for an unauthorized purchase or contract.

Procurement Methods

The District shall utilize the following methods of procurement:

- A. Micro-Purchases: Procurement by micro purchase is the acquisition of supplies or services, the aggregate dollar amount of under \$3,000. To the extent practicable, the District shall distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be made without soliciting competitive quotations if Superintendent considers the price to be reasonable. The District maintains evidence of this reasonableness in the records of all purchases made by this method.
- B. Small Purchases: Small purchase procedures provide for relatively simple and informal procurement methods for securing services, supplies, and other property that does not exceed the competitive bid threshold of \$3,000-\$14,999. Small purchase procedures require that price or rate quotations shall be obtained from an adequate number of qualified sources.
- C. Sealed Bids: Sealed, competitive bids shall be obtained when the purchase of, and contract for, single items of supplies, materials, or equipment which amounts to above \$15,000 and when the Board determines to build, repair, enlarge, improve, or demolish a school building/facility the cost of which will exceed the amount allowed by Michigan statute.

In order for sealed bidding to be feasible, the following conditions shall be present:

1. a complete, adequate, and realistic specification or purchase description is available;
2. two (2) or more responsible bidders are willing and able to compete effectively for the business; and
3. the procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.

When sealed bids are used, the following requirements apply:

1. Bids shall be solicited in accordance with the provisions of State law and Purchasing and Construction Policy. Bids shall be solicited from an adequate number of qualified suppliers, providing sufficient response time prior to the date set for the opening of bids. The invitation to bid shall be publicly advertised.
2. The invitation for bids will include product/contract specifications and pertinent attachments and shall define the items and/or services required in order for the bidder to properly respond.
3. All bids will be opened at the time and place prescribed in the invitation for bids; bids will be opened publicly.
4. A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs shall be considered in determining which bid is lowest. Payment discounts may only be used to determine the low bid when prior experience indicates that such discounts are usually taken.
5. The Board reserves the right to reject any or all bids for sound documented reason.

Competitive Proposals: Procurement by competitive proposal, normally conducted with more than one source submitting an offer, is generally used when conditions are not appropriate for the use of sealed bids or in the case of a recognized exception to the sealed bid method. If this method is used, the following requirements apply:

1. Requests for proposals shall be publicized and identify all evaluation factors and their relative importance. Any response to the publicized requests for proposals shall

be considered to the maximum extent practical.

2. Proposals shall be solicited from an adequate number of sources.
3. **The District shall use its written method for conducting technical evaluations of the proposals received and for selected recipients.**
4. Contracts shall be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

The District may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated, and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E that firms are a potential source to perform the proposed effort.

Noncompetitive Proposals: Procurement by noncompetitive proposals allows for solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

1. the item is available only from a single source
2. the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation
3. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District
4. the Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the District
5. after solicitation of a number of sources, competition is determined to be inadequate

Contract/Price Analysis

The District shall perform a cost or price analysis in connection with every procurement action in excess of \$150,000, including contract modifications. A cost analysis generally means evaluating the separate cost elements that make up the total price, while a price analysis means evaluating the total price,

without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the District shall come to an independent estimate prior to receiving bids or proposals.

When performing a cost analysis, the District shall negotiate profit as a separate element of the price. To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.

Time and Materials Contracts

The District uses a time and materials type contract only (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract whose cost to the District is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, the District sets a ceiling price for each contract that the contractor exceeds at its own risk. Further, the District shall assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Suspension and Debarment

The District will award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. All purchasing decisions shall be made in the best interests of the District and shall seek to obtain the maximum value for each dollar expended. When making a purchasing decision, the District shall consider such factors as (1) contractor integrity; (2) compliance with public policy; (3) record of past performance; and (4) financial and technical resources.

The Superintendent shall have the authority to suspend or debar a person/corporation, for cause, from consideration or award of further contracts. The District is subject to and shall abide by the nonprocurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR Part 180.

Suspension is an action taken by the District that immediately prohibits a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1) for a temporary period, pending completion of an agency investigation and any judicial or administrative proceedings that may ensue. A person so excluded is suspended. (2 CFR Part 180 Subpart G)

Debarment is an action taken by the Superintendent to exclude a person from participating in covered transactions and transactions covered under the Federal Acquisition Regulation (48 CFR chapter 1). A person so excluded is debarred. (2 CFR Part 180 Subpart H)

The District shall not subcontract with or award subgrants to any person or company who is debarred or suspended. For contracts over \$25,000, the District shall confirm that the vendor is not debarred or suspended by either checking the Federal government's System for Award Management, which maintains a list of such debarred or suspended vendors at www.sam.gov; collecting a certification from the vendor; or adding a clause or condition to the covered transaction with that vendor. (2 CFR Part 180 Subpart C)

Bid Protest

The District maintains the following protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency.

A bidder who wishes to file a bid protest shall file such notice and follow procedures prescribed by the Request For Proposals (RFPs) or the individual bid specifications package, for resolution. Bid protests shall be filed in writing with the Superintendent within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and

rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

Maintenance of Procurement Records

The District maintains records sufficient to detail the history of all procurements. These records will include but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price (including a cost or price analysis).

Approved: June 26, 2017

3670 Construction Change Orders

The Board recognizes that during any construction project, unanticipated conditions or extenuating circumstances may develop, which by their nature require decisions within a short period of time in order to prevent costly delays and other negative circumstances. Therefore, the Board delegates approval of change orders to construction contracts as follows:

Superintendent

A change order that has been reviewed and approved by the Construction Manager and the Architect, and has a total cost of less than \$10,000, may be approved by the Superintendent if the change order meets the following conditions:

A description and justification for the requested change(s) in relation to the original bid specifications, the general contractor's summary of total costs and/or credits to affect the change order and any required documentation to update the districts records/files is provided.

The change order does not significantly alter the approved contract.

The approval of the change order is necessary to ensure the project remains within its timeline.

The purpose of the change order is to address a previously unknown condition and is not for what would otherwise be additional work.

All change orders approved under the authority of the Superintendent, shall be provided, in detail, to the Board at or prior to the next regularly scheduled board meeting.

Board of Education

Any change order that exceeds the approval level of the Superintendent, or significantly alters the original contract, shall be approved by the Board at a Regular or Special Meeting prior to proceeding with the items of the change order. Prior to presenting the change order to the Board for approval, the following must occur:

- The change order must be approved by the Construction Manager, the Architect, the Director of Operations, and the Superintendent
- A description and justification for the requested change(s) in relation to the original bid specifications, the general contractor's summary of total costs and/or credits to affect

the change order and any required documentation to update the districts records/files.

Emergency Change Orders

Should a condition arise that is deemed an emergency or an imminent threat to the safety of employees of the District or the contractors, the students of the district, the general public, or the structural integrity of the facility, a change order may be approved by the Superintendent, with the verbal consent of the Board President, should the amount exceed the Superintendents authorized approval, following review and approval by the Construction Manager and the Architect of the proposed change order. All such Emergency Change Orders shall be provided to the Board as soon as the documents become available.

Approved: January 25, 2016

3750 Payment Procedures

No bill will be paid without authorization or ratification of the Board at a regular or special meeting.

Upon receipt of a request for payment by a District vendor, and upon receipt of all goods or satisfactory completion of all services from said vendor, the Board may authorize payment to said vendor within 45 days.

The Board may designate one or more employees to pay bills in advance of any Board meeting in order to avoid a penalty for late payment or to take advantage of an early payment discount. Recurring payments such as Payroll Transfers, Utility Payments and Contract Services may be released as due. The Business Manager, after consultation with the Superintendent, may with approval from the Treasurer release payment early on an exception basis. All early released and recurring payments must be ratified by the Board at a subsequent meeting.

Approved: January 25, 2016

3751 Electronic Transaction of Funds

The District shall utilize an Automated Clearing House (ACH) arrangement or Wire Transfers where feasible in order to reduce transaction costs. The Superintendent or designee shall be responsible for the District's Electronic Funds Transaction (EFT) agreements, including payment approval, accounting, reporting, and generally overseeing compliance with the EFT Policy. Transactions between District accounts or for payment are allowed for reoccurring district commitments such as debt payments, repayment of notes, insurance, retirement, etc., and will require two signatures. One of the signatures must be the Superintendent, Assistant Superintendent or Business Manager. The second signature must be one of the above or member of the Business Office. Electronic transactions shall be submitted to the Board along with the check registers to be reviewed by the Finance Committee.

Approved: January 25, 2016

3800 Fund Raising and Student Activity Fund

Only school-sponsored groups may sell or solicit on District grounds with prior approval from the Principal, and only during non-instructional times. All fundraising activities should be sent to the Board on an informational basis.

Booster and parent organizations authorized by the Board shall be responsible for operating their fund raisers in accordance Board Policy, and in a manner that protects the reputation of the District.

Student Groups

The District shall establish financial controls for the administration of the normal, legitimate, activities of the student body.

Each activity must be recognized by the Superintendent before monies can be collected or disbursed for the activity. The Superintendent is directed to obtain annually a list and brief description of the objectives, activities, and limitations of each fund prior to the start of the new fiscal year.

All fund raising events must have a sponsor, and submit an approved application form to be approved in advance by the Building Principal.

Only school-sponsored groups may sell or solicit in the District with prior approval from the Principal, and only during non-instructional times.

Booster and parent organizations are and shall be separate entities from the District.

Specifics

- A. Funds raised in advance of special trips or projects should not be expended until approval of the trip or project is granted. Trips covered by this policy shall include out-of-state and overnight trips. (The above mentioned trips need Board approval, and shall comply with all Policies)
- B. Fund raising projects shall be compatible with the District's purpose and goals.
- C. Funds earned shall be maintained in the individual school's office under the control of the Principal. The Principal shall maintain no more than \$300.00 in the building. Amounts exceeding

\$300.00 shall be deposited in the school's activity account, or deposited in a specific activity account created for the project with the district's business office. School related organizations that are primarily adults and whose funds are used for the improvement of programs, clubs and sporting teams must submit a written request for fundraising to the appropriate Administrator. This request should be submitted 30 days in advance, identifying the nature of the activity, including purpose, and date of activity. Fund raising activities should not commence until approval has been granted. No activity shall interfere with the instructional delivery or general operation of the District.

Community Groups

Any group whose purpose is not for the enhancement of any individual District group or organization, must receive Superintendent or designee's approval prior to operating on District property.

Approved: January 25, 2016

Reference: Policy 9710