

Lower Merion School District

Administrative Regulation No. 610
Section: FINANCES
Title: PURCHASING
Date Adopted: 11/23/09
Date Last Revised: 1/12/24; 2/3/23; 2/4/22; 4/9/2021; 3/8/19; 9/14/12

R610 PURCHASING

Note: All dollar thresholds referenced below are subject to adjustment on an annual basis in accordance with the percentage changes of the Consumer Price Index for All Urban Consumers, as determined by the Department of Labor and Industry, and annually published in the Pennsylvania Bulletin. To the extent that any dollar threshold outlined in this Administrative Regulation is in conflict with that most recently announced by the Pennsylvania Department of Labor and Industry, the threshold announced by the Pennsylvania Department of Labor and Industry shall control. The Superintendent is authorized to update the amounts as determined by the Department of Labor and Industry without the necessity to present the item for review to the Policy Committee.

General Guidelines

1. Purchases Budgeted - When funds are available, all purchases contemplated within the current budget and not subject to bid shall be made in a manner that ensures the best interests of the District.
2. Purchases Not Budgeted - When funds are not available for a proposed appropriation, a legal transfer from one class of expenditure to another may be made by the Board in the last nine (9) months of the fiscal year if it is apparent that the necessary surplus funds do exist in another appropriation, the procedures specified in the School Code are followed, and it can be demonstrated that the proposed expenditure would be educationally warranted in the current fiscal year.
3. Purchases Subject to Bid – The District shall obtain competitive bids for products and services where such bids are required by law, including any waiver of law granted by the Pennsylvania Department of Education. The Business Manager or designee is also authorized to obtain competitive bids or price quotations when not required by law, but, wherein the judgment of the Business Manager or designee, obtaining such bids or quotations may result in monetary savings to the District or is otherwise determined to be in the District's best interests. This includes the use of purchases through consortiums or other bulk purchases, such as the Pennsylvania Education Purchasing Program for Microcomputers (PEPPM) or the Montgomery County Intermediate Unit, which could result in monetary savings to the District.

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4. Cooperative Purchasing - The District recognizes the advantages of centralized purchasing. Therefore, the District may seek the benefits and savings that may accrue through joint agreements with other local governments for the purchase of supplies, equipment or services.

Purchase Orders

Every purchase made on behalf of the District shall be made by an approved purchasing document, issued by authority of the responsible administrative officer, except those purchases made under provision of the petty cash regulations. No orders for goods or services shall be made prior to appropriate purchasing approval, except in emergency situations that pose an immediate threat to the health or safety of occupants of District facilities or to protect the District from substantial legal exposure. All purchases shall be governed by the budget.

Purchased Budgeted and Purchases Subject to Bid

1. The District shall procure the following in accordance with the provisions of the School Code or any waiver obtained from those provisions by the District:
 - a. furniture, equipment, textbooks, school supplies and appliances; and
 - b. contracts for construction, reconstruction, repairs, maintenance or work of any nature on any District building or property.
2. Purchases Costing \$23,200 or more – All furniture, equipment, textbooks, school supplies and other appliances for the use of the District, costing twenty-three thousand two hundred (\$23,200) or more shall be purchased by the Board only after due advertisement as provided below:
 - a. advertisement once a week for three (3) weeks in not less than two (2) newspapers of general circulation.
3. Purchases Costing \$12,600 or more but less than \$23,200 - written or telephonic price quotations from at least three qualified and responsible vendors shall be requested by the Board for all purchases of supplies that exceed twelve thousand six hundred (\$12,600) but are less than twenty three thousand two hundred dollars (\$23,200), or, in lieu of price quotations, a memorandum shall

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be kept on file showing that fewer than three qualified vendors exist in the market area within which it is practicable to obtain quotations.

A written record of telephonic price quotations shall be made and shall contain at least the following:

- a. date of the quotation;
- b. the name of the vendor and the vendor's representative;
- c. the supplies which were the subject of the quotation; and
- d. the price of the supplies.

Written price quotations, written records of telephonic price quotations and memoranda shall be retained for a period of three years.

4. When competitive bidding is required by law, The Board shall accept the bid of the lowest responsible bidder, kind, quality and material being equal, with consideration being given, to the extent permitted by law, to the qualities of the article to be supplied, their conformity with the specifications, their suitability to the requirements of the educational system, the delivery terms, and the past performance of vendors. Additionally, the Board always reserves the right to reject any and all bids, or select a single item from any bid.
5. The following are exempt from the above provisions:
 - a. maps;
 - b. music;
 - c. globes;
 - d. charts;
 - e. educational films;
 - f. filmstrips;
 - g. prepared transparencies and slides;
 - h. pre-recorded magnetic tapes and disc recordings;
 - i. textbooks;
 - j. games;
 - k. toys;
 - l. prepared kits;
 - m. flannel board materials;
 - n. flash cards;
 - o. models;

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- p. projectuals; and
- q. teacher demonstration devices necessary for school use.

6. Construction Contracts costing - \$23,200 or more – All construction, reconstruction, repairs, maintenance or work of any nature, including the introduction of plumbing, heating and ventilating, or lighting systems, upon any school building or upon any school property, or upon any building or portion of a building leased, where the entire cost, value, or amount of such work, including labor and material, shall exceed twenty three thousand two hundred (\$23,200) shall be done under separate contracts to be entered into with the lowest responsible bidder, upon proper terms, after due public notice has been given asking for competitive bids.

Bid specifications shall be prepared by the Business Manager and shall provide for alternates wherever possible.

7. Construction Contracts costing \$12,600 or more but less than \$23,200 written or telephonic price quotations from at least three qualified and responsible contractors shall be requested by the Board for all contracts that exceed twelve thousand six hundred dollars (\$12,600) but are less than twenty three thousand two hundred (\$23,200), or, in lieu of price quotations, a memorandum shall be kept on file showing that fewer than three qualified contractors exist in the market area within which it is practicable to obtain quotations.

A written record of telephonic price quotations shall be made and shall contain at least the following:

- a. date of the quotation;
- b. the name of the contractor and the contractor's representative;
- c. the construction, reconstruction, repair, maintenance or work which was the subject of the quotation; and
- d. the price.

Written price quotations, written records of telephonic price quotations and memoranda shall be kept for a period of three years.

8. The District may use its own maintenance personnel for construction or repairs costing twelve thousand six hundred dollars (\$12,600) or less and may use

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maintenance or other personnel to perform maintenance work irrespective of the entire cost or value of such work.

9. The Business Manager or designee shall combine like items of supply and material whenever it is feasible and permissible under statute and shall not split purchases to avoid requirements for bidding.
10. In the interests of economy, fairness and efficiency in its business dealings, the Board requires that:
 - a. Items commonly used in the various schools and buildings be standardized whenever possible.
 - b. Opportunity to do business with the District shall be provided to as many responsible suppliers as possible. Lists of potential suppliers for various types of supplies, equipment and services will be developed and maintained.
 - c. No purchase request will be honored unless made on a District requisition form that has the necessary approval.

Purchases Not Budgeted

1. When budgeted funds are allocated on a building basis, the total amount budgeted may not be exceeded without prior approval.
2. No unbudgeted purchases from the budgetary reserve shall be made without Board authorization.

Cooperative Purchasing

1. Cooperative purchases require an agreement approved by the Board and the participating contracting body(s) which may specify:
 - a. categories of equipment or supplies to be purchased.
 - b. manner of advertising for bids and awarding contracts.
 - c. method of payment by each participating party.
 - d. other matters deemed necessary to carry out the purposes of the agreement.
2. All such agreements must conform to relevant provisions of the School Code.