PROCUREMENT PROCEDURES MANUAL

Updated September 2024

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I. INTRODUCTION

A. INTRODUCTION

Procurement Services, under the general supervision of the Assistant Superintendent of Facilities and Operations, is a support service for Fort Mill School District #4, hereafter referred to as FMSD. The function of this department is to oversee and assist departments and schools in the acquisition of the numerous routine and varying products and services required to operate and educate our children. Obtaining the proper product at the right price, in the right quantity and quality, from the right source, on time, and in compliance with all legal requirements, administrative policies, and ethical practices is the department's daily challenge.

B. BACKGROUND

Public Procurement embraces a fundamental obligation to the general public to ensure that procurements are accomplished in accordance with the intent of the laws and administrative policies. Competition is sought to the maximum feasible degree. When conducted fairly and honestly, competitive procurement does not guarantee a preferred brand or vendor will be selected; instead the most favorable prices will be obtained for the quality level specified.

C. PURPOSE

The purpose of this manual is:

1. To inform all FMSD personnel of the District's procurement policies, procedures, and objectives.
2. To outline practices, principles, and procedures to be followed in the performance of the procurement function.
3. To acquaint personnel of FMSD with the purpose and functions of Procurement.
4. To ensure standardization in procurement practices and procedures.

D. SCOPE

The scope of the FMSD Procurement Policies and Procedures Manual includes:

1. The acquisition of goods, services, and equipment involving FMSD funds to include:
   (a) General Funds
   (b) Capital Fund (Including Building Funds)
   (c) Student Nutrition Service Fund

(d) Student Activity Funds (all Student Activity Funds are exempt from Code requirements)

(e) Federal Grant Funds

(f) State Grant Funds

(g) Purchases supported by parent groups, community groups, special interest booster groups when such funds are either deposited into District accounts or into school bank accounts

2. The acquisition of goods, services, and equipment involving non-District funds when funds are deposited into FMSD accounts, and therefore, become the responsibility of the FMSD.

These policies/procedures do not apply to PTA, PTO, Booster Clubs or any other association or organization when the purchase is made directly by such organizations. Should a combined purchase by an association/organization and the District be made for which partial funding is supplied by the District, the Procurement Code would apply and District Procurement Procedures must be followed.

E. MISSION

To conduct the procurement function in a manner which results in obtaining the most efficient and effective use of District funds. The Procurement staff is dedicated to serving the District by coordinating its knowledge of markets and procurement techniques with its knowledge of the District's requirements. The conduct of our office will be accomplished in accordance with ethical practices of the procurement profession. Activities and procedures of Procurement Services are regulated by and must comply with the FMSD Procurement Code, policies of the Board of Trustees, all applicable state and federal laws, and the FMSD Procurement Policies and Procedures Manual.

F. GOALS

1. To procure the highest quality goods and services at the best cost available.
2. To provide assistance to departments and schools of FMSD while enforcing the FMSD Procurement Code and the District's rules, policies and procedures concerning procurement.
3. To conduct all procurement actions in a fair and impartial manner with any impropriety or appearance thereof.
4. To provide assistance to administrators, departments, and schools with the selection of vendors, research, and resolving order problem issues as needed.

5. To assist departments and schools in the preparation of specifications.
6. To provide administrators, departments, and schools with the procurement tools, policies, procedures, and standards needed to accomplish their missions.
7. To hold staff development sessions for personnel in the performance of their duties which relate to the purchase of goods and services.

G. ETHICS

Public confidence in the integrity of FMSD Procurement activities is critical. Improprieties, or even the appearance of improprieties, can undermine this confidence with very negative consequences. Erosion of trust by the town of Fort Mill taxpayers could result in decreased community support and revenues. Lack of trust by the vendor community could result in contract award protests or an unwillingness to submit bids, thus decreasing competition and potentially increasing the costs of goods and services.

The Procurement Services department has adopted the following National Institute of Governmental Purchasing (NIGP) Code of Ethics:

> The Institute believes, and it is a condition of membership, that the following ethical principles should govern the conduct of every person employed by a public sector procurement or materials management organization.
>
> - Seeks or accepts a position as head or employee only when fully in accord with the professional principles applicable thereto, and when confident of possessing the qualifications to serve under those principles to the advantage of the employing organization.
> - Believes in the dignity and worth of the service rendered by the organization and the societal responsibilities assumes as a trusted public servant.
> - Is governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served.
> - Believes the personal exaltation or personal profit obtained through misuse of public or personal relationships is dishonest and not tolerable.

- Identifies and eliminates participants of any individual procurement in operational situations where a conflict of interest may be involved.
- Believes that members of the District and its staff should at no time or under any circumstances accept directly or indirectly, gifts, gratuities, or other things of value from suppliers which might influence or appear to influence Procurement decisions.
- Keeps the District informed, through appropriate channels, on problems and progress of applicable operations by emphasizing the importance of the facts.
- Resists encroachment on control of personnel in order to preserve integrity as a professional manager. Handles all personnel matters on a merit basis and in compliance with applicable laws prohibiting discrimination in employment on the basis of politics, religion, color, national origin, disability, gender, age, pregnancy and other protected characteristics.
- Seeks or dispenses no personal favors. Handles each administrative problem objectively and empathetically, without discrimination.
- Subscribes to and supports the professional aims and objectives of the National Institute of Governmental Purchasing, Inc.

II. ORGANIZATIONAL STRUCTURE

Procurement Services consists of one (1) Procurement Officer and one (1) Procurement Specialist. These positions report to the Assistant Superintendent of Facilities & Operations, who reports directly to the Superintendent.

III. PROCUREMENT POLICIES

A. DEVELOPMENT AND ACCOUNTABILITY

Fort Mill School District has adopted operating procedures consistent with the policies of the Board of Trustees of the District in managing the commitment of funds entrusted to the District. The Procurement staff has the responsibility to prescribe uniform procedures for requisitioning, receiving, transferring and accounting for supplies, materials, equipment and services in accordance with all applicable laws, rules, regulations, and policies. The procedures contained in this manual are applicable to all District personnel involved in the requisitioning, receiving, transferring and replacement of supplies, materials,

equipment and services. The Associate Superintendent of Finance and Operations is responsible for procurement oversight on Construction Projects.

The purchase of supplies, equipment, and services necessary for the operation of the District is the responsibility of the Procurement Department with some delegated authority to departments and schools within established dollar limits. The Procurement Department, departments, and schools are authorized to make commitments against District accounts for these purposes. It is the responsibility of each department/school administrator to ascertain that funds are available for purchases.

The Procurement Department, schools and all other departments, shall conduct the Procurement function in such a manner as to achieve the greatest benefit for the District in accordance with the ethical practices of the Procurement profession. Financial commitments inconsistent with the District's Procurement Code and the State of South Carolina statues and policies shall not be made.

1. PROCUREMENT ACCOUNTABILITY

A. The duties and responsibilities of the Procurement Department include, but are not limited to, the following:

(a) Administering all District policies, applicable procedures and reporting improprieties.

(b) Educating District personnel as to their responsibilities regarding procurement practices.

(c) Training all Department Heads, Principals, and bookkeepers in the implementation and procedures of this manual.

(d) Determine the proper and most effective Procurement method for required supplies, equipment and services.

(e) Obtain competitive bids and proposals to the fullest extent possible and to prepare, in conjunction with departments and schools, complete specifications in order to release an Invitation for Bid (IFB) or Request for Proposal (RFP), for the required supplies, equipment, and services.

(f) Receive, open, tabulate, evaluate, and recommend bids and requests for proposals that are in the best interest of the District.

(g) Administering the issuance of purchase orders and contracts issued by the District by monitoring vendor performance in conjunction with efforts by departments/schools and terminating contracts for cause when poor performance is documented.

(h) Review, analyze and approve, in conjunction with the Associate Superintendent of Finance and Operations, or designee, emergency

procurement and sole source procurement requests in accordance with the District's Procurement Code.

(i) To coordinate and maintain all files and records as required by the District's Board Policy and Procurement Code.

(j) Assist other departments and schools with the purchase of supplies, equipment, and services.

B. The District is not required to maintain a formal Bidders' List. All formal solicitations will be advertised pursuant to the requirements of FMSD Procurement Code. Vendors interested in doing business with the Fort Mill School District can review the SCBO website & Vendor Registry for solicitations and awards.

2. DEPARTMENT/SCHOOL ACCOUNTABILITY

The Duties and responsibilities of the Principals and Department Heads include, but are not limited to, the following:

(a) To train all personnel in the implementation and procedures of this manual. The Procurement Services staff will be available to assist in this area.

(b) Insure that only authorized items and services are requisitioned and/or purchased and that all items purchased are shipped/delivered to the designated school/department. All purchases made with District funds for District use must be shipped/delivered to a District address.

(c) Insure that supplies, materials, and equipment are not requested or accumulated beyond actual needs.

(d) Insure that adequate planning and scheduling occurs at the department/school level to allow sufficient time for Procurement Services to schedule and perform their duties and responsibilities in a timely manner.

(e) Receive supplies and materials in a timely manner to insure prompt payment.

(f) Reporting poor vendor and material/equipment performance to the Procurement Services for corrective action.

(g) Collaborating with the Procurement Office in all contract negotiations.

The conservation, preventative maintenance, safeguarding, recovery, repair and salvage of supplies and equipment are the responsibility of all district personnel.

3. UNAUTHORIZED PROCUREMENTS

Any purchase not made in accordance with the provisions of the District Procurement Policy and/or procedures will be considered an unauthorized procurement. The Associate Superintendent of Finance and Operations will take corrective action on all unauthorized procurements. A written determination shall be made as to the facts and circumstances surrounding the act, corrective action taken to prevent reoccurrence, action taken against the individual committing the act, and documentation that the price paid is fair and reasonable.

B. PROCUREMENT AUTHORITY AND RESPONSIBILITY

1. PROCUREMENT OFFICIAL

The District's Board of Trustees and the Superintendent have delegated to the Procurement Officer, under the direction of the District's Assistant Superintendent of Facilities and Operations, the authority and responsibilities as follows:

(a) Enter into contracts for the procurement of goods and services as the Procurement Official.

(b) Issuing, receiving, evaluating, and awarding informal competitive bids. All formal competitive bids are issued, received, and awarded by the Procurement Official, in accordance with the Fort Mill School District Procurement Code.

(c) Administration of the Fort Mill School District Procurement Card program in accordance with the District's Procurement Code and the Procurement Card Policies and Procedures.

(d) The Procurement Officer is authorized to delegate procurement authority, or authorize exceptions from its procedures, to departments/schools for the procurement of specific goods and/or services. Authority to sign PO's, contracts and agreements are delegated as follows:

- Department Administrators, *or designee, in their absence* (up to $10,000.00)
- Principals, *or designee, in their absence* (up to $10,000.00)
- Procurement Specialist (unlimited)
- Assistant Superintendent of Facilities and Operations (unlimited)

2. DEPARTMENTS/SCHOOLS

(a) The Procurement Staff delegates the authority to all departments/schools for Small Purchases up to $10,000.00 for the purchase of goods and services, in accordance with the procedures identified herein. At this level, the purchase order must be digitally approved by the Department Administrator/Principal, or their designee (in their absence), or the Procurement Staff.

(b) The Procurement Staff delegates the authority to all departments/schools for obtaining three (3) written quotes for solicitations from $10,000.00 to $25,000.00. All requisitions greater than $10,000.00 must be approved by the Procurement Staff, or designee. All PO's greater than $25,000.00 must be approved by the Procurement Staff, or designee and must comply with restrictions as outlined in these procedures.

(c) Departments/Schools have the authority to enter purchase requisitions with unlimited dollar restrictions. *(See Purchase Order Procedures section)*

Note: Purchases cannot be divided (split) to circumvent any requirements herein.

This delegated authority shall not apply to signing vendor contracts or agreements. When exercising this delegated authority, the department/school administrator, or designee, signs as the "Authorized Procurement Official" and certifies that goods and/or services are budgeted, appropriate, and that prices are fair and reasonable. Where possible, orders should be equitably distributed among vendors.

3. COOPERATIVE PURCHASING

The Procurement Staff shall have the authority to join with other SC School Districts, or other public procurement units, in cooperative purchasing plans when such purchasing is in the best interest of the District. Cooperative purchasing plans outside the state of South Carolina must be approved by the State Procurement Agency.

C. PROHIBITED CONDUCT

No Fort Mill School District employee having official responsibility for a procurement transaction will participate in that transaction on behalf of the District when the employee knows any or all of the following:

1. The employee is contemporaneously employed by a bidder, offeror, or contractor involved in the procurement transaction.

2. The employee, the employee's partner, or any member of the employee's immediate family holds a position with a bidder, offeror, or contractor such as an officer, director, trustee, partner or the like, or is employed in a capacity involving personal and substantial participation in the procurement transaction.
3. The employee, the employee's partner, or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment with a bidder, offeror, or contractor.
4. No FMSD employee or former FMSD employee having official responsibility for procurement transactions shall accept employment with any bidder, offeror, or contractor with whom the employee or former employee dealt with in an official capacity concerning procurement transactions for a period of six (6) months from the cessation of employment with FMSD unless the employee, or former employee, provides written notification to FMSD prior to commencement of employment by that bidder, offeror, or contractor.
5. No FMSD employee having official responsibility for a procurement transaction shall knowingly falsify, conceal, or misrepresent a material fact, knowingly make any false, fictitious, or fraudulent statement or representations; or make or use any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry.

The penalty for violations of any of the above provisions is provided in the Ethics Government Accountability and Campaign Reform Act of the South Carolina Code of Laws. Violations of these provisions shall be grounds for loss of or reduction in authority delegated by the Board.

Procurement staff will not enter into any negotiations or become involved in any transactions for the purchase of anything for the personal use of FMSD employees. Also, the purchasing power of the District (i.e., District contracts, State contracts, etc.) shall not be used to obtain goods and/or services for the private use of employees.

It is the responsibility of each employee of the Fort Mill School District and Procurement Services to take all appropriate steps to assure that the School District does not knowingly enter into any purchase commitment, which could result in a conflict of interest. Procurement Services will bring any questionable situations to the attention of the proper authorities.

D. RETENTION OF RECORDS

All procurement records of the FMSD shall be retained on an active basis for a period of two (2) years then placed in storage for a retention period of three (3) years, then destroyed.

Procurement records for all federally funded projects must be maintained for the year of funding, plus any carryover year, plus five (5) additional years. If any litigation claim, audit, or other action involving the records has not completed or resolved by the end of the five (5) years, the records shall be retained until completion of the action or resolution of all issues.

E. AUDITING

The Procurement Services department shall be audited by the State Fiscal Accountability Authority (SFAA) or an independent audit firm (approved by SFAA) every three (3) years, at minimum.

IV. PROCUREMENT METHODS

A. SMALL PURCHASES

Purchases where the estimated total cost of the materials, equipment, supplies, and/or professional services is less than $100,000.00 shall be handled as follows:

1. $0 - $10,000.00: (excluding SC sales tax, but including freight, installation, delivery, etc.) Quotations are not required if prices are considered to be fair and reasonable. Small purchases should be distributed equitably among qualified vendors. When practical, a quotation must be solicited from other than the previous supplier before placing a repeat order. Purchases can be placed directly with the vendor by the end user through the Infinite Visions requisition/purchase order process.
2. $10,000.01 - $25,000.00: (excluding SC sales tax, but including freight, installation, delivery, etc.) Solicitation of written quotations/bids from a minimum of three (3) qualified sources is required. A "no-quote" does not constitute a valid quotation. Documentation of the written quotes must be attached to the Purchase Order. Award shall be made to the lowest responsive and responsible bidder.
3. $25,000.01 - $100,000.00: (excluding SC sales tax, but including freight, installation, delivery, etc.) Requires written solicitation of written quotes, bids, or proposals. Must be advertised in SCBO (South Carolina Business Opportunities) or a paper of general circulation, or a means of central electronic advertising approved by the Board. The issuing Procurement person shall consult the Division of Small and Minority Business Contracting and Certification Directory for certified minority vendors to invite for bid. A copy of the written solicitation and written quotes must be

attached to the Purchase Order or made a part of the contract file. The award must be made to the lowest responsive and responsible source or the highest-ranking offeror (when a Request for Proposal process is used).

B. COMPETITIVE SEALED BIDDING

$100,000.01 and up: (excluding SC sales tax, but including freight, installation, delivery, etc.) Requires formal sealed bidding and public advertisement in SCBO (South Carolina Business Opportunities) or a paper of general circulation, or a means of central electronic advertising approved by the Board. The issuing Procurement person shall consult the Division of Small and Minority Business Contracting and Certification Directory for certified minority vendors to invite for bid. After the public bid opening and award decision, notice of an award or an intended award of a contract to the lowest responsive and responsible bidder(s). A formal bid process typically will take from 30 to 45 days.

C. INDEFINITE DELIVERY CONTRACTS

With the approval of the chief procurement officer, and in accordance with any applicable regulations, a procurement officer may establish contracts providing for an indefinite quantity, within state maximum or minimum limits, of specified supplies, services, or information technology, to be furnished during a fixed period, and that provide for the issuance of orders for delivery or performance of individual requirements during the period of the contract. The use of this type of contract must comply (if applicable) with the regulations under Indefinite Delivery Contracts: Office of State Engineer's 2023 Manual for

Planning and Execution of State Permanent Improvements, chapter 9.4, Indefinite Quantity contracts for professional services, and chapter 9.5 and 9.6, Task Order Contracts for construction services. (The Superintendent grants any approval required by reference to "OSE" or the "State Engineer".)

D. EXEMPTIONS

The FMSD Board may exempt specific supplies or services from the Procurement procedures herein required or withdraw any exemptions provided for in this section. Purchases in excess of $10,000.00 that are exempt from the Quote/Bid/RFP process are as follows: **(Approved by School Board March 29, 2022)**

- **COPYRIGHTED EDUCATIONAL MATERIALS** to include, but not be limited to**:**

- Books, dictionaries, textbooks, newspapers, diplomas
- Professional journals, technical pamphlets, periodicals, subscriptions

- Educational films, filmstrips, slides and transparencies
- Video tapes, cassettes, DVDs
- Standardized testing materials
- Band music, marching band arrangements
- Printing of Curriculum Guides, Program of Studies and other repetitively printed booklets/agendas

➢ **COPYRIGHTED TECHNOLOGY MATERIALS** to include, but not be limited to:

- Computer assisted instructional materials, interactive video programs
- Data bases
- District adopted instructional software, including site licenses, maintenance contracts, upgrades or other support services or related information/materials only available or provided by the software provider
- Specific technology includes but not limited to the District's applicant tracking system, parental notification system, other systems and software previously adopted and/or needed to integrate to current systems

➢ **MEDICAL AND RELATED SERVICES** to include, but not be limited to:

- Licensed/certified medical doctors, surgeons, nurses, psychiatrists, psychologists, behaviorists, counselors, dentists, optometrists, etc.
- Hospitals, medical clinics, and clinical services
- Licensed/registered/certified physician assistants, nurses, occupational and physical therapists
- Mental health organizations and services
- Speech, language, audiology, vision, orientation, mobility, occupational and physical therapy services
- Vaccines

➢ **GOVERNMENTAL SERVICES** to include, but not be limited to:

- Services and supplies provided by the Federal government, State agencies, county, city or special purpose districts
- Payments of taxes, social security, annuities
- School Resource Officer services

➢ **EDUCATIONAL GOODS AND SERVICES** to include, but not be limited to:

- Contractual and cooperative agreements for provision of services to students
- Tuitions paid to institutions of higher learning
- Evaluation services and expenses of visiting committees

- Consultants for evaluation of academic programs
- Approved instructional material required in course of study (ie Project Lead the Way)

- **POLICY AND LEGAL SERVICES** to include, but not be limited to:

  - Attorney services (subject to Board approval), court recorders, expert witness services, bond rating services and costs associated with issuance or refinancing of bonds
  - Certified Public Accountants (subject to Board approval)
  - Legislative consultant (subject to Board approval)
  - Financial advisors, investment management, brokerage services (subject to Board approval)
  - Insurance coverage, both primary and reinsurance (subject to Board approval)
  - Board Governance consultants and facilitators

- **STAFF DEVELOPMENT** to include, but not be limited to:

  - Training provided by consultants, certified teachers/trainers or District personnel
  - Training materials secured or prepared for instructional purposes
  - Workshop, conference and seminar registration

- **STUDENT SERVICES** to include, but not be limited to:

  - Electronic and printed exams, tests, testing materials, including scoring services and materials
  - Canine drug and/or weapon detection services and related support services
  - Homebound services and home visits
  - Instruction provided by certified teachers
  - Interpreters, interpreter services, translation services, tutors

- **UTILITIES & ENERGY EXPENSES** to include, but not be limited to:

  - Fuel, propane, natural gas
  - Oil company credit card purchases of gas, oil or fluids
  - Electric/power services
  - Water/sewer services and related costs

- **COMMUNICATION EXPENSES** to include, but not be limited to:

  - Local & long-distance telecommunication services
  - Telecommunication equipment, upgrades, maintenance & repair contracts

- Lease of imbedded telephone systems
- Cell phones, hotspots, radios, & services
- District Emergency communication systems
- E-Rate Consultants

- **REFUNDS** to include, but not be limited to:

  - Refunds of health insurance, earnest monies, bid securities, or other funds temporarily entrusted to the District

- **ONE-OF-A-KIND ITEMS** to include, but not be limited to:

  - Paintings, sculptures, antiques, art reproductions, historical artifacts, other rare items
  - Scientific specimens, skeletal and taxidermy mounts, models, fossils, minerals, rocks, etc.
  - Used Vehicles
  - Used Equipment
  - Used Instruments
  - Transport of Mobile Units

- **EMERGENCY REPAIRS** to include, but not be limited to:
  - Repairs to life safety, fire and security systems
  - Repairs to buses or other vehicles while transporting students or staff on District sponsored trips
  - Unplanned bus repairs
  - Environmental remediation services where issues disrupt educational process

- **PROFESSIONAL SERVICES** in addition to construction in code to include, but not be limited to:
  - Auditing Services – Subject to Board Approval
  - 403B Services – Subject to Board Approval
  - Student Athletic Insurance
  - Purchase Card Program
  - Technology and other consultants as needed
  - Construction Management Services
  - Executive search and recruitment services

- **DONATIONS**

- **ITEMS PURCHASED FOR RESALE**.

- **LIVESTOCK, FEED & VETERINARY SUPPLIES & SERVICES**.

- **MAIL & DELIVERY SERVICES, POSTAGE**.

- **PERISHABLE FOODS.**

- **STATE CONTRACT AT LEAST 10% LESS THAN STATE CONTRACT COST.**

- **TRAVEL EXPENSES FOR STAFF & STUDENTS** to include, but not be limited to.

  - Airline, car rental, bus, train, parking, taxis, etc.
  - Hotel accommodations
  - Meals/allowances
  - Conference/seminar and other registrations/fees

- **PROFESSIONAL DUES & MEMBERSHIPS**.

- **PROPERTY SERVICES** to include, but not be limited to:

  - Appraisals and related services
  - Realtor Fees
  - Land Surveyors and related services
  - Leasing of public parking lots, lecture halls, theaters, arenas, athletic facilities, recreational areas, etc. for District sponsored events

- **ADVERTISING.**

- **STUDENT ACTIVITY FUNDS**.

- **PROFESSIONAL ARTISTS & CHOREOGRAPHY**

- **CLERGY SERVICES**

- **GRANT SPECIFIED EQUIPMENT AND SERVICES**:

  - Purchase of grant specified and approved equipment, subcontracts and consultants required for the successful completion of the grant project and where competitive bidding is not required or practical (subject to Chief Procurement Officer approval)

- **SPECIFIC GOODS AND SERVICES**

  - Interior & Exterior Flooring Solutions (materials and installation) – including but not limited to synthetic turf, rubberized exterior flooring, and other exterior

flooring options; and interior flooring options including but not limited to carpeting, vinyl, polished concrete and other interior flooring options.
- Imaging Solutions including off-site storage.
- State approved PLTW curriculum equipment and supplies

➢ **CONFIDENTIAL GOODS AND SERVICES**:

- Goods and services of a confidential/sensitive nature that would cause injury to students, staff and/or the District if procured through public solicitation (subject to Superintendent approval)

➢ **DEPARTMENT OF ADMINSTRATION EXEMPTIONS:**

- The District also adopts the exemptions granted by the Department of Administration, both present and future

DEPARTMENT OF ADMINSTRATION EXEMPTIONS:

- The District also adopts the exemptions granted by the Department of Administration, both present and future
  1. Surplus items that are to be given/donated to other school districts, municipalities and governmental agencies
  2. All exemptions listed in SC Code Ann. 11-35-710 and all additional exemptions granted by the Department of Administration

  Note: Exempt supplies and services are subject to all other sections of the District Procurement Code and these procedures (including requiring Purchase Orders).

E. SOLE SOURCE PROCUREMENTS *(Greater than $10,000.00)*

Sole Source procurements are those in which the needs of the District can only be met by one (1) item or method and can only be obtained from one (1) source of supply.

1. The following are conditions that could necessitate a Sole Source procurement:
   (a) Where the compatibility of equipment, accessories, or replacement parts is of paramount consideration;
   (b) A unique item is needed for trial use, or testing;
   (c) Where the item is one of a kind.

A written determination must be made for all Sole Source Procurements. Sole Source Procurements must be approved in advance by the department/school administrator, Procurement Department and the Assistant Superintendent of Finance and Operations. Any Sole Source Procurements greater than $50,000, require adequate public notice of the intent to award without competition must be posted in South Carolina Business Opportunities, except that public notice is not required if the Superintendent, after consultation with the Board, determines in writing that award without such notice is in the interest of the District. Notice must contain a statement of the right to protest and must be posted at least five business days before entering a contract. For contracts with a total potential value greater than two hundred fifty thousand dollars, such notice must be posted at least ten business days before entering a contract.

2. PROCEDURES

(a) Complete a Sole Source Procurement Request Form with a written determination/justification for the procurement, enter the Purchase Requisition into Infinite Visions and send Sole Source Procurement Request Form along with the Purchase Requisition number and any supporting documentation to the Procurement Department.

(b) The Sole Source request will be reviewed by the Procurement Department and post the intent to award in South Carolina Business Opportunities for five business days. Upon approval, the request will be forwarded to the Assistant Superintendent of Facilities and Operations for approval/disapproval.

(c) Once approved, Procurement Services will approve the purchase requisition in Infinite Visions.

F. EMERGENCY PROCUREMENTS *(Greater than $10,000.00)*

1. EMERGENCY PROCUREMENTS EXIST WHEN THERE IS

(a) A threat to public health or welfare;

(b) A threat to the safety of people or property;

(c) When normal daily operations are adversely affected.

Emergency Procurements shall be made with as much competition as is practicable under the circumstances. Emergency Procurements are restricted to an immediate need. Emergency Procurements must be declared by the Superintendent, Assistant Superintendent of Facilities and Operations, Maintenance Director or the Procurement Department. When a contract has a

total or potential value in excess of fifty thousand dollars, notice of the award must be posted in South Carolina Business Opportunities (SCBO) as soon as practicable thereafter. The posted notice must contain a statement of the right to protest.

2. DECLARATION

   Declaration of an Emergency shall be made as follows:

   (a) Operations/Maintenance Issues: To be declared / determined by the District's Maintenance Director.

   (b) Non-Operations/Maintenance Issues: To be declared / determined by the Superintendent, the Assistant Superintendent of Facilities and Operations, or the Procurement Department.

3. PROCEDURES

   (a) Upon declaration of an emergency, the Procurement Department must be notified as soon as possible via phone call or email. When feasible, three (3) written quotes must be solicited. The responsive and responsible bidder can be given Notice to Proceed.

   (b) Complete an Emergency Procurement Request Form within twenty-four (24) hours of the determination of the emergency, or by close of the next business day, or as soon as possible, with a written determination/justification for the procurement. Enter the Purchase Requisition into Infinite Visions and send Emergency Procurement Request Form along with any supporting documentation to the Procurement Department.

   The Emergency Procurement request will be reviewed by the Procurement Department. When a contract has a total or potential value in excess of fifty thousand dollars, notice of the award must be posted in South Carolina Business Opportunities (SCBO) as soon as practicable thereafter. The posted notice must contain a statement of the right to protest.

   (c) Upon approval, the request will be forwarded to the Associate Superintendent of Finance and Operations, or his/her designee, for approval.

   (d) Once the request is approved, the Procurement Department will approve the purchase request.

G. DISTRICT CONTRACTS

The Procurement Department specifically procures these contracts either for District-wide purposes or for a specific department/school. The District contract number (bid solicitation number) must be entered on the purchase requisition by notating "As per Solicitation # ----------". *(The District contract number must be printed on the face of the purchase order.)*

Other Contracts classified as District Contracts are Cooperative Contracts that are contracts established by two or more public entities, combining their requirements in order to realize a volume cost advantage.

H. STATE TERM CONTRACTS

The District has access to contracts established by the State of South Carolina. *(Procurement processes/procedures have already been performed. No bidding required)* These contracts should be utilized when possible. The State contract number must be entered on the purchase requisition by notating "State Contract # ----------". *(The contract # must be printed on the face of the purchase order.)*

A listing of State Contracts can be found at http://www.mmo.sc.gov/PS/PS-index.phtm

V. CONTRACTS

A contract is a mutually binding legal relationship obligating the seller to furnish the supplies or services and the buyer to pay for them.

A. USE OF DISTRICT CONTRACTS

Whenever the Procurement Department has assigned a contract for a particular commodity or service, departments and schools are encouraged to order from the contracts.

B. CONTRACTS/AGREEMENTS

1. Only the Superintendent, Associate Superintendent of Finance and Operations, Assistant Superintendent of Facilities and Operations, and the Procurement Department are authorized to sign contracts that bind the District for the purchase of goods, services, insurance or construction, unless Board Policy or the Superintendent makes a specific delegation or exemption.
2. All other administrators are limited to signature approvals on contracts with a dollar value of $10,000.00 or less.
3. Non-standard contract documents requiring approval and signature shall be processed as follows:

(a) The using department/school shall review the document and forward to the Procurement Department;

(b) The Procurement Department or Associate Superintendent of Finance and Operations shall approve if it is in accordance with District policies, District Procurement Code and contract law.

(c) Procurement shall secure the signature of the Contractor, and if necessary, the Associate Superintendent of Finance and Operations, or the Superintendent. Procurement will distribute the contract documents as necessary.

C. CONTRACT ADMINISTRATION

It is necessary that contracts be administered to ensure that vendors are complying with the terms and conditions of the contract. Procurement is responsible for administration of contracts involving appropriated funds. Problems with vendor performance should be reported to the Procurement Department.

VI. SPECIFICATIONS

The term "specification" refers to that portion of a solicitation that describes the characteristics of a commodity or service required by a using agency. It is used interchangeably with the terms, "purchase description", "purchase specifications", "purchase requirements", "scope of work", and "statement of work". A specification may include requirements for samples, prototypes, inspection, testing, warranty and packaging. The specification portion of a solicitation should not contain bidding instructions, contractual terms and conditions, pricing formats or similar materials. Procurement Services will assist departments/schools in describing goods and services in a manner that will not only meet the customer's needs, but that will also encourage competition.

The preferred types of specifications are as follows:

A. PERFORMANCE SPECIFICATIONS

Performance specifications are preferred since they communicate what a product is to do, rather than how it is to be built. Performance specifications should include the following:

- A general description;
- Required performance characteristics (minimum/maximum) to include speed, storage, production capacity, usage, ability to perform a specific function;
- Operational requirements such as limitations on environment, water, or air cooling, electrical requirements;

- Site preparation requirements for which the contractor will be responsible, such as electricity, plumbing, or, for which FMSD will be responsible;
- Compatibility requirements with existing equipment or programs;
- Conversion requirements for maintaining current equipment or system until switching to the new equipment or system;
- Installation requirements;
- Maintenance requirements;
- Supplies and parts requirements;
- Quantity and method of pricing;
- Warranty;
- Service location and response time.

B. DESIGN SPECIFICATIONS

Design specifications involve dimensional and other physical requirements and concentrate on how a product is to be built rather than on what is should do. Architects and engineers typically prepare design specifications for construction or custom manufactured products. A design specification includes the following:

- Dimensions, tolerances, and specific manufacturing or construction processes;
- References to a manufacturer's brand name or model number
- Use of drawings and other detailed instructions to describe the product.

C. BRAND NAME OR APPROVED ALTERNATE

Brand name or approved alternate is the most commonly used type of specification. A brand name may be used to convey the general style, type, character, and quality of the goods desired. Any good determined to be an approved alternate of that specified by the District, considering quality, workmanship, economy of operation and suitability for the purpose intended, shall be accepted. A brand name cannot be considered restrictive to exclude other manufacturer's products from consideration.

Bidders must indicate brand name, model, model number, size, type, weight, color, etc. of the item bid if not exactly the same as the item specified. Vendor's stock number or catalog number is not sufficient to meet this requirement. If any bidder desires to furnish an item different from the specifically mentioned in the specifications, he/she shall submit with his bid the information, data, pictures, cuts, designs, etc., of the material he/she plans to furnish so as to enable the District to compare the material specified; and, such material will be given due consideration. The District reserves the right to insist upon and receive the items as specified, if submitted items do not meet the District's standards for acceptance. ***The District***

reserves the exclusive right to determine approved alternates and such determination shall be final and binding upon all bidders.

An alternate product can be defined as being similar in form, fit, and function and may be substituted for the required items, with no advantages or disadvantages.

The most important part of preparing brand name bid specifications is the use of the product's salient features. Salient features are the inherent qualities of the product that are required for the product to perform its intended application. These characteristics should be stated in the specification, and the alternate product must meet these requirements in order to be acceptable. Not all characteristics of a product typically can be categorized as salient features so it is important to identify those that truly are critical to the product's acceptability.

D. SCOPE OF WORK FOR SERVICES

The following is a list of the types of information that should be included in a scope of work for professional or other services.

1. General Requirements: Describe the contractor's responsibility to provide a service or produce a specific study, design, or report.
2. Specific Requirements: Address the specific tasks, subtasks, parameters and limitations that must be considered in producing the service or final project. The following factors should be included:
   - Details of work environment
   - Minimum or desired qualifications
   - Amount of service needed
   - Location of service
   - Definition of service unit
   - Time limitations
   - Travel regulations or restrictions
   - Special equipment required
   - Other factors affecting working environment
3. Provided Materials or Services: List any plans, reports, statistics, space, personnel, or other FMSD provided items that must be used by the contractor.
4. Deliverables, Reports, and Delivery Dates: Identify the specific delivery dates for all documentation or other products the contractor must furnish. Be clear about the expectations for the contractor's performance.

E. SPECIFICATIONS DO'S AND DONT'S

DO:

- Use the word "shall" or "must" to describe a command or mandatory requirement;
- Use the words "should" or "may" to describe an advisory or optional requirement; and
- Be specific and detailed in presenting mandatory requirements.

DON'T:

- Present something as mandatory if it is really optional; and
- Write specifications or scope of work that restrict response to a single bidder/offeror.

Departments/Schools are responsible for coordinating with the Procurement Department to develop specifications *(for bids in excess of $25,000.00)*.

VII. COMPETITIVE SEALED BIDS

Competitive sealed bidding is the preferred method of acquisition due to its non-subjective nature. This method of procurement is used to establish annual contracts.

Competitive sealed bidding is required by FMSD Procurement Code for purchases of goods and services estimated to cost in excess of $100,000.00. Award is made to the lowest responsible and responsive bidder whose bid complies with the specifications contained in the Request for Bid (RFB).

A. PROCEDURES

1. A written Request for Bid (RFB) must be issued.
2. If a Pre-Qualification is conducted prior to RFB, consult the *Pre-Qualification: Chapter 3.5 of the Office of State Engineer's 2020 Manual for Planning and Execution of State Permanent Improvements. (The Superintendent grants any approval required by reference to "OSE" or the "State Engineer".*
3. Provide public notice of the bid by advertising in the South Carolina Business Opportunities (SCBO) or a newspaper of general circulation.
4. Bid opening must be public and held at the location, date and time as advertised and published in the RFB. Public announcement of all bids received must be made.
5. Contract to be awarded to the lowest responsive and responsible bidder meeting the terms and specifications.

B. RESPONSIBILITIES

1. Departments/Schools are responsible for the following during the competitive sealed bid process:

   (a) Submit a Request for Bid/Proposal Form with details and specifications describing the design or performance characteristics of the goods and services required;

   (b) Review bids, along with Procurement, to ensure that the offered products meet the specifications of the solicitation;

   (c) Document reasons, based on specifications, why a bidder should not be considered for award, if necessary; and,

   (d) Recommend award to the lowest responsive and responsible bidder meeting the specifications.

2. Procurement Services is responsible for the following during the competitive sealed bid process:

   (a) Prepare bid solicitation document based on the Request for Bid Form and specifications submitted by the using department/school to assure that the process is open, equitable and fair to all potential vendors;

   (b) Issue the solicitation and advertise the sealed bid according to FMSD Procurement Code requirements;

   (c) Receive and secure bids prior to bid opening;

   (d) Open bids at the location, date and time specified in the solicitation;

   (e) Conduct evaluation of the bids to determine the apparent lowest responsive and responsible bidder;

   (f) Provide copies of the apparent lowest responsive and responsible bid to the using Department/School for review; and,

   (g) Recommend award to the lowest responsive and responsible bidder meeting the specifications.

C. DETERMINATION OF NON-RESPONSIVENESS

Any bid which fails to conform to the delivery schedule or other material requirements of the solicitation (i.e., failing to sign the bid, incomplete required forms, and change in delivery terms, and offer for goods/services that did not comply with the bid specifications) may be determined as non-responsive. When a bid is declared non-responsive, a written determination must be made part of the bid file.

D. DETERMINATION OF NON-RESPONSIBILITY

A bid may be declared non-responsible under the following example situations:

1. Bidder is not a regular supplier of the goods or services offered.
2. Bidder cannot comply with the required delivery or performance schedule.
3. Bidder does not have a satisfactory record of performance as documented prior to receipt of bids.
4. Bidder does not have satisfactory record of integrity, or bidder is currently debarred or suspended by the District or the State of South Carolina.
5. Bidder does not have the necessary facilities, organization, experience, technical skills, or financial resources to fulfill the terms of the PO or the contract.

When a bidder is declared non-responsible, a written determination must be made part of the bid file.

E. CONFIDENTIALITY

Once bids are publicly opened and reviewed by persons present at the bid opening, they become confidential and are not releasable to the public until the contract is awarded. Only the information disclosed by the Procurement Official or designee at the bid opening is considered to be public information under the Freedom of Information Act, Chapter 4 of Title 30, until the notice of intent to award is issued. Should an award not be made, bid/proposal documents are not available for public review under FOIA.

VIII. REQUEST FOR PROPOSAL

Request for Proposals are issued when the District determines that competitive sealed bidding is neither practicable nor advantageous to the District. The RFP or competitive negotiation process is typically used when factors other than lowest price are either equally as important as or more important than costs; or, when there's a lack of information about what is required.

Competitive sealed proposals are an option for source selection for procurements with an estimated cost of $100,000.00 or greater. Award is based on an evaluation of specified criteria, including price, and is made to the offeror whose proposal is determined to be the most advantageous to the District.

A. PROCEDURES

1. A written Request for Proposals (RFP) must be issued.
2. Provide public notice of the bid by advertising in the South Carolina Business Opportunities (SCBO) or a newspaper of general statewide circulation.

3. Receipt of proposals must be open to the public and held at the location, date and time as advertised and published in the RFP. No information is to be disclosed at the opening.

4. Contract to be awarded to the highest ranked responsive and responsible proposer meeting the terms and specifications of the solicitation.

5. Any required communication after opening and prior to award must adhere to the *Guidance and Best Practices for Permissible Communications in a Competitive Sealed Proposal After Opening but Prior to Award: Appendix I of the Office of State Engineer's 2020 Manual for Planning and Execution of State Permanent Improvement.*

B. RESPONSIBILITIES

1. Departments/Schools are responsible for the following during the competitive sealed bid process:
   (a) Submit a Request for Bid/Proposal Form with details, requirements and any required specifications describing the characteristics of the goods and services requested;

   (b) Prior to the closing date of the RFP, the Procurement Official and the Administrator or designee submitting the request must develop a Selection Advisory Committee (SAC) to perform evaluations of proposals received. The committee should consist of both technical and administrative personnel, and if appropriate, should include user department staff and persons from other departments. Members of this committee shall not have any financial interest in or any personal relationship with any of the proposing firms.

2. Procurement Services is responsible for the following during the competitive sealed proposal process:

   (a) Prepare the RFP solicitation document based on the Request for Bid/Proposal Form and information submitted by the using department/school to assure that the process is open, equitable and fair to all potential vendors with the technical requirements being prepared separately from the costs;

   (b) Issue the solicitation and advertise for proposals according to FMSD Procurement Code requirements;

   (c) Receive and secure proposals prior to date and time in the solicitation;

   (d) Announce names of proposers only at the location, date and time specified in the solicitation;

   (e) Reviews the proposals for responsiveness and responsibility then distributes copies to members of the SAC following a briefing and instructions on the evaluation process.

(f) Procurement Official, or designee, shall act as an advisor to the Evaluation Committee.

3. Selection Advisory Committee (SAC) is responsible for the following during the RFP process:

(a) Individually reviews and evaluates the technical proposals according to the evaluation criteria specified in the RFP. No other criteria can be used or considered.

(b) The SAC meets as a group and reaches a consensus on the technical ranking of the proposals. The costs rankings will be provided to the SAC by the procurement official upon completion of the technical ranking. Proposals are the re-evaluated and rank offerors based on the technical and costs proposals.

(c) Negotiations may be conducted with the highest ranked offeror.

(d) Assuming negotiations are successful, a recommendation for award is made to the Procurement Official for action.

C. CONFIDENTIALITY

Once proposals are publicly received, they become confidential and are not releasable to the public until a contract is awarded. Only the information disclosed by the Procurement Official or designee at the public opening is considered to be public information under the Freedom of Information Act, Chapter 4 of Title 30, until the notice of intent to award is issued. Should an award not be made, bid/proposal documents are not available for public review under FOIA.

IX. PURCHASE REQUISITIONS/PURCHASE ORDERS

A. PURCHASE REQUISITIONS

Purchase requisitions are used to begin the process of buying goods and services using appropriated and non-appropriated funds. The requisition serves to inform Procurement of the needs of the department/school and to fully define the material or services requested.

B. PURCHASE ORDERS

Purchase Orders provide written authorization for vendors to provide the goods and/or services described on the order. The product or service description, delivery conditions (if applicable), quantity, and price are all specifically listed on the order. The PO also confirms to vendors that funds have been encumbered to ensure payment after the goods or services have been received.

C. PURCHASE REQUISITION/PURCHASE ORDER PROCEDURES

Orders should not be placed with a vendor until a purchase order has been issued or Purchasing Card order has been placed. Failure to do so, could result in an Unauthorized Procurement.

1. Purchase Orders less than $10,00.00:
   (a) Check budget status to be sure sufficient funds are available.
   (b) Enter complete requisition in Infinite Visions and have department/school administrator (or his/her designee, in their absence) approve the order. Once approved, the purchase requisition becomes the purchase order.
   (c) Print and email or fax the purchase order to the vendor.
   (d) File a copy of the signed purchase order, along with all supporting documents. These files are subject to review and audit.
   (e) Infinite Visions purchase order approval and related assignment of a purchase order number is representative of the Administrator's approval and acceptance of compliance responsibility.
2. Purchase Orders from $10,00.01 - $25,000.00:
   (a) Check budget to see if sufficient funds are available.
   (b) Each department/school is responsible for obtaining three (3) written quotes, if required. Procurements that do not require quotes must fall within one of the following categories: State Contract, District Contract, or Board Approved Exemptions.
   (c) Email copies of the written quotes to Procurement for approval
   (d) The purchase requisition is to be entered into the Infinite Visions accounting system through remote entry with the written quotes attached.
   (e) The requisition will be reviewed for accuracy, availability of funds, contract number, etc. by Procurement. Upon approval of the requisition, the purchase order will revert back to the issuer's queue for printing/processing.
3. Purchase Orders in excess of $25,000.00 ***(requiring competitive bids)***:
   (a) Check to see if sufficient funds are available.
   (b) Notify the Procurement Official, or designee of the need, and forward any supporting documentation and specifications.
   (c) Once the competitive process is complete, the Procurement Officer, or designee, will review the bids/proposals received to determine the lowest responsive and responsible bidder (or highest ranked proposer when RFP process is used) and will notify the buying department/school. Once an

award is made and posted according to Procurement Code requirements, the purchase requisition will be entered into the accounting system referencing the contract or bid number. The requisition will be approved by procurement and then revert back to the issuer's queue for printing/processing. A copy of the PO and all supporting documents must be maintained in the Procurement file for audit.

4. Orders in excess of $25,000.00 **NOT** requiring competitive bids *(i.e., State Contracts, District Contracts, Emergencies – except when bids are deemed appropriate, Sole Source and Exemptions):*

   (a) The purchase requisition is to be entered into the Infinite Visions accounting system through remote entry with PO notes identifying contract number, exemption, etc. Once approved by procurement, the purchase order will revert back to the issuer's queue for processing.

D. BLANKET PURCHASE AGREEMENT

A blanket purchase agreement is a simplified method of filling anticipated repetitive needs for small quantities of supplies or services. Blanket agreements are not to be used to purchase equipment items. The agreement will cover a stipulated time period up to an aggregate amount. This method of procurement reduces costs in accomplishing small purchases by eliminating the need for individual purchase orders. Blanket purchase agreements shall include the following information:

1. Name of vendor/contractor
2. Order number
3. Description of supplies or services furnished
4. Aggregate amount of order
5. Not to exceed total amount per order
6. Persons authorized to request supplies/services against the agreement

E. BOARD APPROVED EXEMPTIONS

Complete list posted on pages 17-21

F. REQUISITION DO'S AND DON'TS

DO:

- Provide as much information as possible.
- Provide a description of function, performance, or technical characteristics, as appropriate.

- Obtain appropriate Procurement Official approval before submitting request, if necessary.
- Contact Technology Department for assistance/advice on technology purchases.
- Contact Operations for assistance/advice on building/grounds purchases.
- Contact Procurement Services for assistance.
- Ensure that Administrators approve order requests/requisitions prior to issuing a PO.
- Communicate the importance of your request *(i.e., grant funds, impact on instructional process, etc.).*
- Include in the PO notes the contract number or exemption, if applicable.

DON'T:

- Purposefully divide requirements to fall under the competitive threshold ($10,00.00).
- Copy specifications verbatim from a vendor's publication.
- Provide any information to any potential vendor during the bidding process.
- Authorize any vendor(s) to proceed without a valid purchase order.
- Obtain goods or services without a valid purchase order.

G. PROCUREMENT PLANNING

Proper planning is an essential element of good procurement. The primary mission of the procurement function is to provide goods and/or services for departments/schools in the proper quantity, of the proper quality, at the right time and place needed, and at the lowest possible cost. It is therefore imperative that customers thoroughly plan for their needs. Determining in advance what is needed, how much, where, and when will assist Procurement Services in effectively and efficiently satisfying customer needs while obtaining quality products and services.

H. PURCHASE ORDER PROCEDURES IN INFINITE VISIONS:

Purchasing and Payables | Purchasing | Control Panel

1. In the Control Panel, select the 'add' command. The system displays the Add Requisitions screen.

2. Fill in the Requisition Detail fields as appropriate for the requisition. The system will assign the next sequential requisition number as soon as you begin adding line items to the requisition.
3. Fill in the Order Information fields as appropriate for the requisition. Note that Requester and Project are required fields and cannot be blank.
4. If you want to add notes (either internal or for display on the purchase order), click the Notes tab and add the notes you want in the appropriate field.

To add line items to the requisition:

You can quickly add another line item by pressing Ctrl and A on your keyboard. Or to quickly add requisition lines in an editable grid, use the Quick Requisition option.

1. In the Requisitions screen, select the add command. The system displays the Add Requisition Lines screen.
2. If the item you are ordering is defined as an item inventoried in the warehouse, click the drop-down list in the Item Number field to display the available items. Click to select the item. The system adds the item to the Add Requisition Lines screen; you can revise quantities.
3. In the Description field, type a description of the item to be purchased. Your description can be as long as you need it to be. To display a zoom box you can type in, locate the cursor in the Description field, right-click to display the right-click menu, and select the Zoom... option. The system will display a zoom box for you type the description.
4. In the Part No. field, type the vendor's part number for the item if you have it.
5. In the Unit field, either type or use the drop-down list to select the appropriate unit of measure for the item.
6. In the Qty field, type the quantity of the item you want to purchase.
7. In the Account field, either type, select, or use the alias for the account you are expensing the line item to.
8. If you select a funding account that has been assigned to a grant or project record, you must select a grant or project from the menu before the transaction can be saved.

When you are in the account field, you can press the Ctrl and B keys to display budget balance for the selected account.

1. If you are using the Grant/Project module, use the dropdown list to select the applicable grant project.
2. The system automatically calculates the tax, freight and extended price and moves the total up to the Total field.

3. If you have more of the same item to order under a different account number ("splitting" the line item), you can enter the quantity and select the account.

   If you have more items to add that use the same account distribution, select the Hold Account Distribution option. The system will use all of the same information (except the description) on the next line you add.

   Or if you have completed the entry for the line item, select the Close this dialog after update? option and click OK.
4. Click OK to save the requisition. The system clears the requisition fields so that you can add another requisition.
5. To return to the Control Panel, select the Close this dialog after update and click OK.

To submit the requisition for approval:

"Approve" the requisition as the originator to start the requisition into the approval process. Select the Submit for Approval option to have the requisition begin the approval process. Once approvals are complete, the purchase order will revert back to the originator's queue for printing/processing.

Purchasing and Payables | Purchasing | Print Purchase Orders

1. Review the purchase orders displayed and click in the Select field to select the one(s) you want to print. You can also use the Select All or Deselect All options in the Actions menu to select the requisitions to print. To have the grid display only requisitions that have been turned into purchase orders, select the Show POs option and click Apply Selection.
2. In the Copies fields, type the number of copies you want to print for the file and the requester. The default is 1.
3. In the Options fields, choose whether you want the system to collate the copies of the requisitions.
4. Click OK.

X. VENDORS

A. NEW VENDOR REQUESTS

Prior to Purchase Orders being issued or payments being issued to a vendor in the District's accounting system, the vendor must be entered into the vendor database.

1. PROCEDURES

   (a) If vendor is not in system, please request a completed W-9 form as well request the Vendor Information Sheet to be completed by the vendor, detailing the following information:

- Contact Person
- Phone Number (toll-free if available)
- Fax Number
- Email address
- Remit to address, if applicable
- Are they a SC Certified Minority Business? If yes, what is their certification number?

(b) Completed W-9 and information sheet should be sent to Procurement for entry into IVisions.

(c) Procurement will check Federal Disbarment status in the SAM.gov database and attach a copy of the verification page to the vendor record.

(d) Procurement will send notification once vendor has been entered into Infinite Visions.

XI. ACCEPTANCE OF GOODS AND SERVICES

The Uniform Commercial Code states, "The Buyer has the right before payment or acceptance to inspect goods at any reasonable place or time."

Departments/Schools of the District are delegated the authority and responsibility to inspect and accept goods and services on behalf of the District. It is imperative that the individuals exercising this responsibility assure that the quality and quantity received are the same as called for in the contract or purchase order. Goods and services must be delivered on time, as specified and in the proper quantity and quality.

A. INSPECTION OF GOODS

1. Verify quantity of packages delivered against PO. Inspect all containers and packages for external damage. Any unusual discrepancies, "rattles" or signs of leakage should be noted prior to signing the freight bill.
2. <u>Do not</u> accept overage of a shipment unless the purchase order allows acceptance of a specified overage.
3. If external damage is noted, the package should be opened immediately and the driver/deliverer along with the receiver should make a joint examination of the contents.
4. A full, detailed report of the examination should be endorsed on the carrier's delivery ticket as well as the department/school copy. Carrier should sign the department/school copy.

5. Once merchandise is signed for, the carrier's liability has technically ended, unless concealed damage is discovered within a reasonable time (usually within 10 days of delivery).
6. Inspect the labels to ensure the merchandise is being delivered to the proper location.
7. ***Within three (3) days***, inspect the contents for concealed damage.
8. Verify the packing slip with the delivery. Note date the supplies/services were received and sign the packing slip.
9. Inspect the goods for compliance with the purchase order. Note any changes in quantity received and/or any information relating to damage or rejection on a valid copy of the PO.
10. Move shipment to proper location from the receiving area as soon as possible and protect packages from weather and improper storage and handling procedures.

B. RECEIVING GOODS

1. After inspection and verification that goods were received in good order, the receiving copy of the PO in Infinite Visions needs to be signed and forwarded to Accounts Payable or a Goods Receipt transaction is done electronically in IVisions by the appropriate purchaser.

C. CLAIMS

1. If damage is such that the value of the goods is destroyed, the goods may be refused.
2. If goods are accepted, steps should be taken to minimize damage and a claim filed with the vendor. While vendor is awaiting the carrier's investigation of the claims, the goods should be left in the original container and moved only if absolutely necessary.
3. *File Claims Immediately:* If the vendor is responsible for filing claims, it is imperative that the receiving department/school notify the vendor immediately and provide evidence to be used in the claim process. Digital pictures of the damaged goods are great documentation to support claims.

   NOTE: Most District deliveries are made FOB Destination, which means the seller is responsible for filing claims for damaged goods. The seller must be notified immediately of the necessity for a claim and provided documentation and evidence to support the claim.

   ***When the District is responsible for filing a claim*: complete the claim form, supported by the original bill of lading, evidence of the freight charges and original invoice. Keep copies of all documentation for department/school records.**

XII. PAYMENT METHODS

A. PURCHASE ORDERS

The Accounts Payable Department is responsible for processing payments. This is accomplished by matching Purchase Orders, vendor invoices, and receiving report or corresponding online goods receipt. If all three documents match within established tolerances, payment is made. The acceptable tolerance for overpayment of a PO is no more than 10% to account for variances in shipping, tax, etc. If mismatches occur, accounts payable must research and resolve the mismatch before processing the payment. If any of the three documents are missing, they must be obtained prior to payment being processed.

Exceptions: There are certain recurring expenses that do not require a purchase order that include but are not limited to:

- Utilities
- Fuel
- Large Construction Projects
- Attorney Fees
- Choreography – cheer, dance, band, etc.
- Food for Cafeterias, Bread, Milk, Produce
- Contract Service Providers – Special Services
- Workers' Compensation
- Insurance
- Taxes

Signed invoices by appropriate approver or signed Check Request form is an acceptable method of approval for payment.

B. PROCUREMENT CARDS

FMSD Procurement Cards are issued through Procurement Services and is a credit card used to provide an additional mechanism for enabling employees to acquire needed materials and services. All cardholders and bookkeepers/secretaries are provided training, as well as written guidelines and procedures, for use of a District procurement card.

The Procurement Card is a simplified and cost-effective method of purchasing and remitting payment for approved departmental/school expenditures. The Procurement Card can be used for retail purchases as well as mail, telephone, fax or internet orders. For proper Procurement Card procedures, see FMSD's

Procurement Card Policies and Procedures Manual. Procurement Cards are issued at the request of a District Administrator.

Transactions greater than $10,00.00 may be requested and approved as long as the appropriate general procurement procedures are followed. The following steps/procedures must be followed for those transactions:

1. Contact the Procurement Department (Procurement Officer or Procurement Specialist) via email with information regarding request. Provide as much information as possible including quotes, exemptions, etc. to allow the Procurement Department to make the determination of whether or not the request is valid.
2. If the purchase is approved by the Procurement Department, they will add the transaction to the Bank of America (BOA) Raised Limits file and increase the card limit in BOA Works.

    a. Note – General Procurement Policies must be followed including:
        i. Threshold limits - any purchases over $10,000.00 but under $25,000.00 must have three written quotes associated with them. Any purchases over $25,000.00 must also be advertised.
        ii. Emergency or Sole Source Procurements must still follow the same procedures emergency and sole source procedures currently in place; i.e. Forms submitted to the Procurement Department which will then be forwarded for appropriate sign-offs prior to purchase.
        iii. Exemptions – must still be noted and approved by the Procurement Department prior to purchase.

C. CHECK REQUEST FORMS

There are two types of Check Request forms used by the District.

A "Request for Contracted Services" form is to be used for any persons doing a service for the District (these are typically 1099 vendors) where the spend is below $10,000. This form should be filled out completely, attach the invoice and sent to Accounts Payable.

A "Check Request Form" is to be used when a purchase order or P-card payment is not feasible. Check requests should not be used in place of a purchase order or P-card transaction.

NOTE: District employees cannot be reimbursed for payments made to non-employees for any services performed. The District is required to track all payments made to individuals providing a service to the District. Federal code requires the District to have an IRS Form 1099 on file for vendors/individuals paid for services.

D. TRAVEL REIMBURSEMENTS

Individuals may be reimbursed by appropriated funds for authorized travel expenses incurred during the function of their job.

XIII. VENDOR PERFORMANCE

All contracts and POs contain vendor performance requirements. These requirements typically include price, quantity, quality, delivery location, and delivery date. An important part of the procurement cycle is to ensure that the vendor's performance is consistent with the requirements.

Assuring proper performance by vendors requires open communication and cooperation between departments/schools and Procurement Services. Timely action on the part of the department/school and Procurement is a prerequisite for enforcing the terms of a purchase order and contracts.

A. VENDOR RELATIONS

Departments/Schools shall not extend favoritism to any vendor. Each order shall be placed on the basis of quality, price, and delivery, with past service being a factor if all other considerations are equal.

No employee shall endorse any product of any type or kind in a manner that will identify him in any was as an employee of the District.

B. VENDOR GRIEVANCES

Any bidder or offeror may protest the award or decision to award a District bid/contract, by submitting a letter of protest in accordance with Article 17, Section 4210 of the FMSD Procurement Code.

C. VENDOR DISBARMENT

Vendors may be debarred or suspended from submitting bids to the District in accordance with Article 17, Section 4220 of the District's Procurement Code.

D. NON-COMPLIANCE

Failure by vendors to deliver on time, in the proper quantities, or to meet specifications is serious discrepancies that must be handled in a prompt, uniform and fair manner.

When a non-compliant circumstance becomes apparent, the department/school should promptly contact the vendor to request correction to the situation. A complete record should be made of the contact to include the name, title and telephone number of the person contacted and any promises made.

If vendor continues to be non-compliant after the initial contact, Procurement Services shall be notified and provided complete background information and details surrounding the non-compliance issue. Upon receipt of the information,

Procurement Services will take the appropriate steps to ensure the problem is cured and maintain vendor concerns on file.

XIV. COOPERATIVE PURCHASING

Cooperative Purchasing is a process by which two or more jurisdictions cooperate to purchase items from the same vendor, under one contract. The form of Procurement has the benefits of reducing administrative costs, eliminating duplication of effort, lowering prices, sharing information and taking advantage of expertise and information that may be available in only one of the jurisdictions.

The Procurement Official shall have the authority to join with other School Districts, the State of South Carolina, or other governmental entities in cooperative purchasing efforts when it is in the best interest of the District. The District or the State of South Carolina must be named in the contract to make it valid for use.

The District has the right to procure goods and services from the Office of General Services, Materials Management Office and Information Technology Office State Contracts when such procurements will serve the best interest of the District. Competitive sealed bids or sealed proposals received by another governmental agency or School District shall be the equivalent of bids or proposals received by this District and will be the basis for contract utilization by this District.

XV. PROCUREMENT FUNDS MANAGEMENT

Public Procurement by school districts is complicated in the fact that not only are there different procurement mechanisms; there are also different funding sources. There are public funds, which are appropriated by the School Board, student activity funds (non-public) generated from various fund raising and income generated activities at the school level, and grants (both federal and state funded).

A. GENERAL FUNDS

Department/School Administrators are given the authority to conduct their Procurement activities when expending public and non-public funds, in accordance to FMSD guidelines and regulations.

B. NON-PUBLIC FUNDS

Procurements for equipment, construction, architect-engineer services, construction management, and land surveying services using non-public funds must follow the same methods and procedures of procurement required of appropriated funds. All other procurements using non-public funds are exempt from the solicitation requirements of the FMSD Procurement Code.

C. GRANTS

Prior to making a grant-related purchase, the School, Department Bookkeeper, or Procurement Staff (for new vendors), will check the selected vendor on **www.sam.gov** before entering a purchase requisition in IVisions, or initiating a purchasing card transaction. The Bookkeeper or Procurement employee will document the Suspension and Debarment verification by including a screen print of the Exclusions search in the grant file.

The use of Board Approved Exemptions is prohibited when using Federal Funds. Per Federal Procurement Guidelines 2 CFR 200.220 Methods of Procurement, Section C Noncompetitive Procurement: *There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:*

(1) The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold, the District threshold is $10,000;

(2) The item is available only from a single source;

(3) The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;

(4) The Federal awarding agency or pass-through entity expressly authorizes a noncompetitive procurement in response to a written request from the non-Federal entity; or

(5) After solicitation of a number of sources, competition is determined inadequate.

Any expenditure over $10,000 must follow the procurement process as outlined in section IV Procurement Methods.

XVI. DISPOSITION OF SURPLUS PROPERTY

The final step in the Procurement cycle is the disposition of surplus property – all District-owned supplies and equipment, not in actual public use, with remaining useful life and available for disposal.

A. PROCEDURES

District property may be declared surplus by the Director of Maintenance, a department/school administrator, or the Procurement Official when it is deemed unusable for District purposes, is obsolete, or the costs to repair or to refurbish the property in order to return it to public use would exceed the value of like used equipment with remaining useful life. Surplus property may be disposed of by public auction, competitive sealed bidding, or public sale. When an attempt is

made to dispose of surplus goods through one or more of these methods and the goods are not sold, the goods will be discarded in a means of disposal most advantageous to the District.

B. SALES TO EMPLOYEES

To ensure that there are no improprieties or appearances of impropriety, no item of District property shall be given to, leased, or sold to an employee of the District without there first having been a public announcement of the intended disposal of that property. No employee of the District shall receive any special or private consideration in the disposal of school property. Employees may acquire such property only as members of the general public.

C. TRADE-IN

The Procurement Officer, in conjunction with the department/school may determine it is advantageous to see bids on replacement items with a trade-in allowance. The Procurement Officer has authority to approve trade-ins for items whose original unit purchase price did not exceed $25,000.00. The trade-in value must be applied to the purchase or lease of new like items. When the original unit purchase price exceeds $25,000.00, the Procurement Official shall refer the matter to the Associate Superintendent of Finance and Operations for disposition. The Associate Superintendent of Finance and Operations shall have the authority to determine whether the property shall be traded in and the value applied to the purchase of new like items or classified as surplus and sold in accordance with the requirements of the Code for the disposal of surplus property. When the original purchase price exceeds $100,000.00, the Superintendent or his/her designee shall make a written determination as to its reasonableness and document such trade-in transaction.

D. HAZARDOUS MATERIALS

There are strict State and Federal requirements for the disposal of hazardous materials. Departments/Schools which generate hazardous materials shall work with the Operations Department to determine appropriate action.

E. SECURITY OF PROPERTY

Departments/Schools are responsible for the reasonable care and security of items declared surplus until the item(s) are either sold, or are transferred to another location within the District.

A continuous "paper trail" of accountability for all surplus items classified as fixed assets must be maintained. Fixed Asset records are located in the Finance Department under the direction of the Assistant Superintendent of Finance and Operations. This department is responsible for the development and maintenance of a fixed assets system to record and exercise reasonable control over all fixed assets owned by the District.

F. ALLOCATION OF PROCEEDS

The Associate Superintendent of Finance and Operations shall deposit the proceeds of surplus sales in an expense account of the general fund or capital fund budget of the District.

XVII. MINORITY BUSINESS

Contracts for supplies, services, equipment and construction may be negotiated with certified South Carolina minority firms in accordance with the provisions of the District's Procurement Code and Regulations.

A. MINORITY BUSINESS ENTERPRISE UTILIZATION PLAN

The South Carolina Consolidated Procurement Code contained in Sections 11-35-5210 et seq. of the Code of Laws of South Carolina (1976), as amended, requires that all State agencies that have adopted a procurement code that is substantially similar to the State code formulate a Minority Business Enterprise Utilization Plan ("MBE Plan"). The MBE Plan is designed to ensure that minority businesses are offered the opportunity to fully participate in the overall procurement process of the District.

B. DEFINITION

The term "minority business" means a business holding a Certificate of Eligibility issued by the South Carolina Office of Small and Minority Business Assistance (OSMBA)

C. MBE LIAISON OFFICER

The District's Procurement Officer shall be the Liaison Officer for the District. All matters pertaining to the use of minority contractors and subcontractors shall be directed to the Liaison Officer.

D. FISCAL YEAR REPORTING

Records shall be maintained to indicate the number of minority vendors solicited, the number of quotes or bids received and dollar value of contracts and/or purchases made from certified minority firms and reported in writing, to the Board bi-annually.

Glossary of Terms

"Board" - the Board of Trustees of The Fort Mill School District No. 4 of York County.

"Business" - any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture, or any other legal entity.

"Business day" - a day that is neither a Saturday, Sunday, nor a state or federal holiday.

"Change order" - any written alteration in specifications, delivery point, rate of delivery, period of performance, price, quantity, or other provisions of any contract accomplished by mutual agreement of the parties to the contract.

"Chief Business Official" - a District employee, above the level of procurement officer and reporting directly to the superintendent, designated in writing by the Superintendent as having primary management responsibility for District business operations or finance. Unless otherwise provided by the Superintendent, the "Chief Business Official" shall also serve as the "Chief Procurement Officer."

“Chief procurement officer” - a District employee, above the level of procurement officer, designated in writing by the Superintendent as having primary management responsibility for supervising procurement or disposal by the District. The Superintendent may provide for the division or sharing of duties and powers assigned by this code to the chief procurement officer to more than one person. Unless otherwise designated in writing by the Superintendent, the chief business official serves as the chief procurement officer.

“Construction" - the process of building, altering, repairing, remodeling, improving, or demolishing a public infrastructure facility, including any public structure, public building, or other public improvements of any kind to real property. It does not include the routine operation, routine repair, or routine maintenance of an existing public infrastructure facility, including structures, buildings, or real property.

“Contract” - all types of agreements, regardless of what they may be called, for the procurement or disposal of supplies, services, information technology, or construction.

“Contract modification” - a written order signed by the procurement officer, directing the contractor to make changes which the changes clause of the contract authorizes the procurement officer to order without the consent of the contractor.

“Contractor” - any person having a contract with the District.

“Cost effectiveness” - the ability of a particular product or service to efficiently provide goods or services to the District. “Data” means recorded information, regardless of form or characteristics.

“Days” - calendar days. In computing any period of time prescribed or allowed by this code or the regulations, or by any order of the Procurement Review Panel, the day of the act, event, or default from which the designated period of time begins to run is not to be included. The last day of the period computed is to be included, unless it is a Saturday, Sunday, or a legal holiday for the District or federal holiday, in which event the period runs to the end of the next day which is neither a Saturday, Sunday, nor such holiday.

“Debarment” - the disqualification of a person to receive invitations for bids, or requests for proposals, or the award of a contract by the District, for a specified period of time commensurate with the seriousness of the offense or the failure or inadequacy of performance.

“Designee” - a duly authorized representative of a person with formal responsibilities under the code

"District" means The Fort Mill School District 4.

“Employee” - an individual drawing a salary from the District, whether elected or not, and any non-salaried individual performing personal services for the District.

“Grant” - the furnishing by the District, State or the United States government of assistance, whether financial or otherwise, to a person to support a program authorized by law. It does not include an award, the primary purpose of which is to procure specified end products, whether in the form of supplies, services, information technology, or construction. A contract resulting from such an award must not be considered a grant but a procurement contract.

"Person" - any business, individual, union, committee, club, other organization, or group of individuals.

"Procurement” - buying, purchasing, renting, leasing, or otherwise acquiring any supplies, services, information technology, or construction. It also includes all functions that pertain to the obtaining of any supply, service, information technology, or construction, including description of requirements, selection, and solicitation of sources, preparation and award of contracts, and all phases of contract administration.

“Procurement officer” - any person duly authorized by the District, in accordance with procedures prescribed by regulation, to enter into and administer contracts and make written determinations and findings with respect thereto. The term also includes an authorized representative of the governmental body within the scope of his authority.

“Public funds” - any money or property owned by the State or a political subdivision thereof, regardless of form and whether in specie or otherwise.

“Real property” - any land, all things growing on or attached thereto, and all improvements made thereto including buildings and structures located thereon.

“Request for bid” - a written or published solicitation issued by an authorized procurement officer for bids to contract for the procurement or disposal of District supplies, services, information technology, or construction, which will ordinarily result in the award of the contract to the responsible bidder making the lowest responsive bid.

“Request for proposal (RFP)” - a written or published solicitation issued by an authorized procurement officer for proposals to provide supplies, services, information technology, or construction which ordinarily result in the award of the contract to the responsible offeror making the proposal determined to be most advantageous to the District. The award of the contract must be made on the basis of evaluation factors that must be stated in the RFP.

“Services” - the furnishing of labor, time, or effort by a contractor not required to deliver a specific end product, other than reports which are merely incidental to required performance. This term includes consultant services other than architectural, engineering, land surveying, construction management, and related services. This term does not include employment agreements or information services as defined above.

“Subcontractor” - any person having a contract to perform work or render service to a prime contractor as a part of the prime contractor’s agreement with the District.

“Supplies” - all personal property including, but not limited to, equipment, materials, printing, and insurance.

“State” - state government.

“State Engineer” - the person holding the position as head of the state engineer’s office.

"Superintendent" - the District's chief executive official, usually known as the Superintendent.

"Suspension" - the disqualification of a person to receive invitations for bids, requests for proposals, or the award of a contract by the District, for a temporary period pending the completion of an investigation and any legal proceedings that may ensue because a person is suspected upon probable cause of engaging in criminal, fraudulent, or seriously improper conduct or failure or inadequacy of performance which may lead to debarment.