

Bartlett City Board of Education		2015
Descriptor Term: PURCHASING	Descriptor Code: Fiscal Management	Issue Date: 02/27/2014
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1 **Purchasing Authority**

2 Bartlett City Schools will purchase competitively without prejudice and seek maximum educational
3 value for every dollar expended. The Superintendent shall serve as purchasing agent for District-
4 wide purchasing,¹ and Principals shall serve as purchasing agents for individual schools. The
5 acquisition of services, equipment, and supplies shall be centralized in the Purchasing
6 Department with the approval of the Superintendent. All purchases of supplies, furniture, fixtures,
7 and material of every kind that are subject to competitive bid requirements shall be approved by
8 the Superintendent.

9 Routine purchases including supplies, furniture, fixtures, materials, equipment, and salaries
10 required for the operation of the school system shall be anticipated and provided for in the budget
11 and shall be authorized by the Board each fiscal year. The Superintendent or his/her designee
12 through the Purchasing Department shall make all routine purchases without further Board
13 authorization. However, no purchase shall exceed the function's budgeted authorization without
14 Board approval.

15 Purchases which are not routine and which may or may not be specifically identified by line item
16 in the budget shall require Board approval on an item-by-item basis. Such special purchases
17 include, but are not limited to, all capital expenditures such as vehicles, buildings, major
18 equipment, long-term use equipment, major contracts, and supplies of an unusual quantity or
19 nature.

20 The Superintendent and his/her designee shall be authorized to acquire federal surplus property
21 through the Tennessee General Services Department and to enter into agreements, certifications,
22 and covenants of compliance concerning the use of federal surplus property.

23 The Superintendent is further empowered to waive normal purchasing requirements and to
24 authorize procurement in the event of an operational emergency as defined below. However, if
25 the emergency purchase is of such significant magnitude as to impact the integrity of the budget,
26 then whenever possible the Chairman shall call a special or emergency meeting of the Board to
27 deal with the matter. A report of the circumstances of any emergency purchase shall be presented
28 to the Board and entered into the minutes of the next Board of Education meeting.

¹ T.C.A. §49-2-206(3); T.C.A. §6-36-115

The Board recognizes that online purchasing may provide savings opportunities that serve the best interest of the District, but caution should be used to ensure that procurement procedures are followed. Online purchasing shall be permitted consistent with the purchasing procedures described herein.

Competitive Bid Requirements

All purchases of supplies, furniture, fixtures, materials, equipment, and services in excess of Twenty-Five Thousand Dollars (\$25,000) shall be made based on competitive bids and must be approved by the Superintendent.²

Bids shall be solicited by advertisement through a comprehensive list of vendors or through a newspaper of general circulation in Shelby County. A comprehensive list of vendors may be used, provided that vendors on the list are given notice to bid, and provided further, that the Purchasing Department shall annually solicit for prospective vendors in a newspaper of general circulation in Shelby County and by publication on a news and information website in accordance with state law³ and update the comprehensive vendor list accordingly. If a comprehensive vendor list is not used, then an advertisement shall be circulated by newspaper as indicated above.

All purchases of supplies, furniture, fixtures, materials, equipment, and services totaling Twenty-Five Thousand Dollars (\$25,000) or less shall be made in the open market without public advertisement. However, whenever possible, such purchases totaling between Two Thousand, Five Hundred Dollars (\$2,500) and Twenty-Five Thousand Dollars (\$25,000) shall be based on at least three (3) competitive quotations or justification as to why three (3) quotations were not obtained.⁴ Individual school purchases totaling between One Thousand Dollars (\$1,000) and Twenty-Five Thousand Dollars (\$25,000) shall also be based on at least three (3) competitive quotations.

Separating or splitting an order to avoid the use of competitive bidding or other procurement requirements is strictly prohibited. Employees found in violation of this provision may be subject to discipline, up to and including dismissal.

Exceptions to Competitive Bidding

The following are exceptions to the competitive bidding requirement:⁵

1. Professional Services Contracts. Professional services are defined as services provided by an individual or group with specialized training or expertise and shall be awarded on the basis of recognized competence and integrity.⁶ Professional services include, but are not limited to, financial advisory services, educational consulting services, legal services,

² T.C.A. §49-2-203(a)(3); T.C.A. §12-3-1212; T.C.A. §12-3-1204(b)

³ T.C.A. §1-3-120(f)

⁴ T.C.A. §49-2-203(a)(3)(A)-(B); T.C.A. §49-2-206(b)(2);
T.C.A. §12-3-1212; Public Acts of 2024, Chapter No. 513

⁵ T.C.A. §49-2-203(a)(3)(A)-(B); T.C.A. §49-2-206(b)(2);
T.C.A. §12-3-1212; Public Acts of 2024, Chapter No. 513

⁶ T.C.A. §12-3-1209; T.C.A. §12-4-107; T.C.A. §29-20-407

1 construction management services that are provided for a fee and that involve
2 preconstruction and construction administration and management services, insurance
3 services, auditing services, engineering services, professional development services, and
4 energy-related services that include both engineering services and equipment, and have
5 as their purpose the reduction of energy costs in public schools.

- 6 2. Liability Insurance purchased through a plan authorized and approved by any organization
7 of governmental entities representing cities and counties.
- 8 3. Purchases of goods or contracts for services from sole source and single source
9 providers. Sole source providers are defined as suppliers of goods and services exempt
10 from competitive bidding requirements due to the absence of another supplier capable of
11 providing the product or performing the service. Single source provider is defined as one
12 of a number of suppliers of goods and services which, for an acceptable reason, is
13 uniquely qualified to meet the District's procurement goals due to specific qualifications or
14 attributes. Such qualifications or attributes include, but are not limited to, availability of
15 product, compatibility with existing District products, standardization of the product with
16 existing District products, and grant or contract requirements.
- 17 4. Cooperative Purchasing. Cooperative purchasing is defined as purchases of supplies,
18 equipment, and services under a competitive bid issued by any municipality, county, utility
19 district, the State of Tennessee, or other local governmental unit of the State.
- 20 5. Emergency Purchases. Emergency purchases are defined as purchases of any parts,
21 supplies, or services in the event of an operational emergency. Operational emergencies
22 include major disruptions to educational activities or unforeseen dangers to life, health,
23 safety, or property that create an immediate purchasing need that cannot be met through
24 normal purchasing methods. A report of the circumstances of any emergency purchase
25 shall be presented to the Board and entered into the minutes of the next Board of
26 Education meeting.
- 27 6. Purchases of fuel in bulk amounts that would exceed the bid limits may be made in the
28 open market without public advertisement or competitive bidding. Whenever possible,
29 however, at least three (3) documented quotes shall be obtained.⁷

30 All purchases in this category exceeding One Hundred Thousand Dollars (\$100,000) must be
31 approved by the Board.

32 **Purchasing Procedures**

33 All requisitions shall be approved by the Principal for school purchases or the appropriate
34 Department head for Central Office purchases and submitted to the Superintendent on forms
35 provided by the Purchasing Department. Requisitions shall include the following:

- 36 1. Department making request
- 37 2. Items requested
- 38 3. Reason for request
- 39 4. Line-item expense code
- 40 5. Assurance of funds availability
- 41 6. Three (3) bids or justification as to why three (3) bids were not obtained; and
- 42 7. Authorized signature of Department head (or approved budget manager)

⁷ T.C.A. §12-3-12(a)

1 All District purchases shall be made by purchase order or formal contract, and no purchase shall
2 be made nor payment approved unless covered by an approved purchase order. The
3 Superintendent shall approve all District purchase orders for payment.

4 Principals may approve purchase orders of up to Twenty-Five Thousand Dollars (\$25,000) for
5 supplies, equipment, or services when such expenditures do not exceed the school budget and
6 will be completed in the current fiscal year. Notwithstanding the foregoing, the Superintendent
7 shall approve the following school purchases:

- 8 1. A single piece of equipment costing more than Five Thousand Dollars (\$ 5,000.00);
- 9 2. One that is to be attached to or one that requires alteration of the building; or
- 10 3. One that will become a permanent fixture.

11 Online purchasing shall be permitted with the following requirements:

- 12 1. Prior authorization must be obtained from the Superintendent before setting up new online
13 accounts, and schools shall maintain a list of all accounts.
- 14 2. Online purchases must be for school purposes and made in accordance with established
15 policies and procedures. School employees are prohibited from making personal
16 purchases even with the intent of reimbursing the school system. School employees are
17 prohibited from using a school's tax-exempt status for personal purchases of any kind.⁸
- 18 3. The availability of money for the fund/account in question should be determined through
19 the requisition process before purchase orders are approved.
- 20 4. All purchase orders must be properly filled out and approved prior to a purchase.
- 21 5. Necessary price quotes should be obtained where possible and/or practical and retained
22 with other purchase documentation.

23 **Disclaimers and Restrictions**

24 Purchases made by unauthorized individuals or made in an unauthorized manner shall become
25 the personal responsibility of the persons making the purchase agreement. Employees
26 authorizing or contracting for such purchases may be subject to discipline, up to and including
27 dismissal. The Board shall not, under any circumstances, be responsible for payment for any
28 services, equipment, fixtures, materials, or supplies, purchased by unauthorized individuals or in
29 an unprescribed manner.

30 Private contacts between all District officers, employees, and suppliers shall be minimized upon
31 the accepted premises that contact other than discussion in an open public forum compromises
32 the District in its responsibility to deal openly and fairly with all persons. If engaged, such contacts
33 should be made equally available to all suppliers. Further, consistent with Policy 5024: Ethics, all
34 BCS employees shall avoid any conflict of interest or appearance of impropriety between their
35 personal interest, financial or otherwise, and the interests of the District. In cases of uncertainty,
36 an employee should request a ruling from the Superintendent.

⁸ T.C.A. §49-2-608(1)