



ATLANTA
PUBLIC
SCHOOLS

PROCUREMENT SERVICES PROCEDURES MANUAL

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SECTION 2

ETHICS

The Procurement Services Department provides a centralized and uniform system for the acquisition of goods and services. The Department ensures that all goods and services are of appropriate quality and value and are acquired in a timely and cost effective manner from the lowest responsible vendors and service providers while maintaining compliance with applicable laws and board policies. Activities and procedures related to the purchase of goods and services for the district must comply with the following Atlanta Board of Education policies and regulations:

1. BH, Board Code of Ethics
2. DJEA, Purchasing Authority
3. DJEA-R(1), Purchasing Authority – Local Preference in Procurement
4. DJEBB, Debarment
5. GAG, Staff Conflict of Interest
6. GAGC, Employee Ethics
7. GAK(1), Criminal Background Check

Mission

The Procurement Services Department is devoted to creating a diverse selection of high-quality goods, services, and reputable suppliers tailored for the benefit of APS students and staff. This commitment is upheld through diligent purchasing practices that ensure optimal value at competitive prices, foster transparency throughout the procurement process, and champion equal and fair competition. All operations are conducted in strict compliance with board policies and state and federal regulations, reflecting our dedication to integrity and excellence in service.

Introduction

The Procurement Services Department plays a vital role in meeting our schools' and departments' diverse and dynamic needs. We recognize that our responsiveness to the requirements of principals, teachers, and students significantly shapes the educational environment, directly influencing how educators teach, and learners engage. This manual aims to provide comprehensive clarity on the established policies and procedures for acquiring goods and services that align with APS's Vision and educational goals.

These procedures are essential for all purchases made with APS funds, encompassing a wide range of financial sources, including but not limited to General Funds, Federal, State, and Local funding, and various grants. By ensuring that our procurement processes are both efficient and transparent, we uphold our commitment to fostering an enriching educational experience for our students and supporting our teaching staff.

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ETHICS

Atlanta Public Schools has zero tolerance for ethics violations and expects every employee to adhere to the highest standards of ethics and accountability. All employees shall procure goods and services and maintain vendor/supplier relationships in an ethical manner. The following expectations are provided with the full knowledge that the good judgment of each employee is essential and that no list of rules or guidelines can provide direction for all circumstances that arise. Employees with questions about a potential ethical concern must discuss the situation with their immediate supervisor, the Office of Internal Compliance, and/or the Ethics Officer in the Legal Department. Employees who violate procurement ethics expectations shall be subject to disciplinary action, up to and including termination.

Expectations of employees involved in the procurement process are as follows.

1. All employees are expected to adhere to Board Policy, GAG, Staff Conflict of Interest, and GAGC, Employee Ethics, this includes but is not limited to the following:
 - a. No employee shall do business directly with the District.
 - b. No employee shall do business indirectly with the District without full disclosure.
 - c. No employees will accept any gifts from vendors or suppliers except in the following situations:
 - i. Gifts of nominal value (less than \$50.00) with disclosure to immediate supervisor.
 - ii. Advertising items and instructions products that are widely distributed (i.e. at a meeting or conference)
 - iii. Goods that are divisible among employees or otherwise shared in the office environment. Examples of such gifts are as follows: flowers, food/gift baskets.
 - d. Employees who are members of an Evaluation Committee for an active solicitation (including planning stages) shall not accept gifts from vendors or suppliers.
2. Employees may not change the published weightings or criteria after receiving RFP responses.
3. Records that contain cost estimates and/or pending, rejected, or deferred bids or proposals are not released until the final award of the contract is made or for one year of the anticipated re-release of a solicitation or the project is terminated or abandoned. If a solicitation has been completed and records are requested which are not already published on the Procurement website, the requestor should be directed to the Open Records office at openrecords@atlanta.k12.ga.us.
4. Employees must disclose and recuse themselves from participating in evaluating any solicitation for goods or services where they own stock in the company for any responding vendors or suppliers.
5. Employees must disclose and recuse themselves from participating in evaluating any solicitation for goods or services that a member of his/her immediate family owns, manages, or sells for a vendor/supplier.

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ETHICS

6. If an employee has additional employment outside of APS, it must not conflict with, or appear to conflict with the interest of the district.
7. APS seeks to ensure the effective and efficient operation of the school system by doing business exclusively with companies and individuals who are ethical, honest, and responsible. Vendor contracts will be terminated if the vendor, subcontractors, or vendor subsidiaries are involved in unethical behavior with any APS employee. The Board may exclude any individual or company from contracting with the Atlanta Independent School System for a period of five years, who is debarred pursuant to this policy or who appears on any suspended, excluded or debarment list issued by an agency of the federal, state or local government (i.e. is listed as a party on Substitute for System Award Management (www.sam.gov)).

In addition to the Board Policies, O.G.C.A., and laws related to standards for ethical conduct, the Procurement Services department has adopted the [NIGP: The Institute of Public Procurement Code of Ethics](#).

SECTION 3

PROCUREMENT PROCESS

Quick Reference

Competition Thresholds

The procurement process initiates when the necessity to acquire specific goods or services is identified. This comprehensive procedure encompasses all aspects related to acquisition, including the development of requirements, the competitive solicitation process, contract negotiation and award, as well as all phases of contract administration.

The first action a requestor must undertake is to ascertain whether a District-wide contract is already in place for the desired goods or services. If such a contract exists, the requestor can proceed to create a requisition within their respective school or department through the Lawson enterprise system.

A requisition serves as the mechanism through which the district allocates and encumbers funds for a particular purchase. Prior to the creation (or release) of the requisition, the Lawson system diligently verifies that the relevant school or department possesses sufficient funds to complete the purchase of the specified goods or services. Once the requisition is created, the allocated funds are then considered "encumbered," indicating that they are committed and restricted exclusively for that specific purchase.

The requisition is routed for approval based on its value. Requisitions valued at \$2,000 or less require level one approval, which is usually a principal, department head, and/or Budget Center Manager. If the funds being utilized are from another department's budget, then the Program Manager must also approve the request.

Requisitions that exceed \$2,000 but do not exceed \$100,000 require level two approval, which is typically an Executive Director's approval in addition to level one approval. Again, the Program Manager must approve if the funds being utilized are from a source other than the department's requested budget.

Requisitions that exceed \$100,000 require level three approvals, which typically include a Senior Cabinet Member and the Chief Financial Officer's approval, in addition to level one and two approvals. Once a requisition has been created and approved at the required levels, it is routed to Procurement.

Once a requisition has been routed and approved, Procurement will:

- Procurement staff will check if the request is under an existing district-wide contract. If so, a purchase order will be processed and sent to the vendor.
- They will also use the Open Requisition Report to verify who ordered the item, its description, unit of measure (e.g., case, carton), the requisition date, and the vendor's name.

If Procurement finds that the district lacks a contract for an item; quotes or a formal solicitation may be needed based on the cost. Refer to purchasing thresholds for required quotes and approval levels.

All APS funds must comply with APS Procurement Procedures and Board policies, including Federal, State, Local, grant, and other sources.

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PROCUREMENT PROCESS
Quick Reference
Competition Thresholds

What is my purchasing authority? How do I purchase goods and services?

Purchasing Card (P-Card)

P-Card Utilization: \$2,000 per transaction limit; exception: \$3,000 per transaction limit (Title)

Requisitions

Requisitions are entered into Lawson by the school/department requestor.

Customers enter requisitions into Lawson

All requisitions are electronically released and approved in Lawson. The approval workflow begins with the Principal/Department Head/Budget Center Manager. Once the requisition completes approval workflow, it is routed to the Procurement Department queue.

Procurement generates purchase orders (PO) in accordance with the following:

Purchases valued less than
\$10,000

Purchases valued
\$10,000.00 - \$49,999.99

Purchases over \$50,000

Requesting school or
department receives one
(1) written quote and
enters requisition into
Lawson

Requesting school or department
obtains at least three (3) written
quotes. Quotes are sent to the
Procurement Department.
Requisition is entered into Lawson

Procurement issues formal
solicitation. Contracts for \$50,000 or
more for consulting services and
\$100,000 other goods and services
require Board approval.

PO normally created &
electronically transmitted to
vendor within 48 hours of
Procurement's receipt

PO is normally created &
electronically transmitted to the
vendor after verification of
other required documentation.

Allow 2 – 6 months from the date the
request is received in Procurement for
processing request.

Allow 30 days for vendor delivery for all levels unless otherwise specified on the contract or quote.

Once goods are received, requestor enters goods receipt
in Lawson

If delivery is not made within 30 days; requestor
contacts vendor for status.

Vendor invoices and Payments is made for all levels

Note Policy DJEA applies to all budgeted funds, including student activity funds.

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Competitive Solicitation.

In pursuit of transparency and fairness in the procurement process, competitive solicitations are mandated for the procurement of commodities and contractual services when the estimated costs exceed the thresholds established in Board Policy DJEA. This practice is crucial for upholding an equitable system and prohibits the fragmentation of contracts to circumvent these monetary limits.

Furthermore, all solicitations must explicitly indicate that the Board will not consider a vendor's social, political, or ideological beliefs, thus ensuring that the evaluation process is focused solely on the qualifications and merits of the proposals. By adhering to these principles, we strive to foster a competitive and fair procurement landscape, thereby enhancing the integrity of our practices.

A. Invitation to Bid (ITB)

- i. The invitation to bid (ITB) is used when the district is capable of specifically defining the scope of work for which the commodity, group of commodities, or contractual service is required or when the district is capable of establishing precise specifications defining the actual commodity or group of commodities required.
- ii. The award is given to the responsive, responsible bidder(s) as defined in the solicitation document.
- iii. The requesting site will submit a procurement request with the scope of work or specifications. Procurement shall develop the ITB document in collaboration with the requesting school/department. It is vital that the requesting school or department communicate their requirements to Procurement by providing clear, detailed, and open specifications that promote maximum and fair competition, obtaining the best value, and ensuring good stewardship of taxpayer funds. The bid shall contain all applicable terms and conditions prescribed by Federal, State, and School Board rules and regulations. A comprehensive solicitation template has been developed for internal use.
- iv. The ITB document is posted to Bonfire, the School District's electronic procurement system, and the Georgia Procurement Registry (GPR). A notice is sent to all registered firms to receive notification of the specified commodity or service. In addition, a supplemental list of firms that are not registered can be added to Bonfire's notification system. All ITB responses are submitted electronically through Bonfire. All bids are due at a specific date and time; Procurement will not accept bids received after the established date and time. Procurement, often with the aid of the requesting school/department, will evaluate the bids to determine the lowest, responsive, responsible bidder(s) that meet all specifications, terms, and conditions.

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Note: It takes a minimum of 3 – 4 weeks from the time Procurement receives a contract to obtain the required signatures.

All purchases and contracts for goods and services, except those identified as exempt in Board policy DJEA shall be subject to the following competitive procedures:

Purchases \$9,999.99 and under*

- Purchases may be made with (1) one written quote, forwarded to procurement with requisition.
- Requester should use good judgment when making the purchase.
- Requester is encouraged to pay with a P-card if within P-card program guidelines.

Purchases from \$10,000.00 to \$49,999.99 *

- Requires at least three (3) written quotes; documentation must be sent to the Procurement Department and kept by the Budget Center Manager.
- Price quotes can be obtained via fax, e-mail, internet, or from catalogs.
- Requester may enter a requisition, which, once completed, generates a purchase order.
- Requestors may also pay for the items with a P-card if they are within the P-card program guidelines.

Purchases Exceeding \$50,000.00

Requires a formal solicitation (IFB, RFP, RFQ) conducted by Procurement Services.

- Board approval is required for all resulting contracts \$100,000 and above.
- Contracts for services are required for the awarded vendor(s).

Board Approval

- All consultant contracts with a total value of \$50,000.00 or greater require board approval.
- All other contracts with a total value of \$100,000.00 or greater require board approval.
- All capital project contracts with a total value of \$200,000.00 or greater require board approval.

Vendors should not provide goods or services until a contract (if applicable) has been executed and a purchase order is issued (unless paying with a P-card).

If purchasing from an existing APS contract, the thresholds shown above are not applicable. Goods or services may be purchased within the authorized contract amount by referencing the contract name.

APS employees shall not engage a vendor to provide goods or services until after a contract has been executed by both parties, and a Purchase Order has been issued. APS employees who do not follow this procedure may be held personally and financially liable for any expenses incurred without a Purchase Order.

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CHANGE REQUESTS

- All requests to change Purchase Orders (Change Request) must be made in writing via email or through a Lawson Requisition per the requirements listed below.
- All Change Requests to INCREASE the dollar amount of a Purchase Order or to INCREASE the quantity of goods or services ordered must be made via a requisition in the Lawson system.
- Change Requests for the following situations may be made via email:
 - * Decrease a line item dollar amount or quantity
 - * Close a PO
 - * Cancel an outstanding balance
- A Change Request is NOT needed to add shipping charges to a Purchase Order

Board Approval for Change Requests is required for the following:

1. The terms/conditions or Scope of Work of the Contract/Agreement is substantially changed
2. The dollar amount of the original Contract/Agreement or Purchase Order is raised by more than 5% of the last approved contract or Purchase Order total
3. Authorization to process a Change Request that raises the original Contract/Agreement or Purchase Order amount over the Board Approval threshold

Quotes – purchases \$10,000 - \$49,999.99

Purchases from \$10,000.00 to \$49,999.99 require the requestor to obtain at least three (3) written quotes. Documentation must be provided to Procurement Services and maintained in the Budget Center Manager's files. If the district has a contract for the goods or services required, you may utilize the contract without getting quotes.

1. End-User identifies a need for goods or services.
2. End-User should determine if funds are available for the goods or services.
3. End-User will develop a request for quote that should include the following:
 - a. For goods, include specifications, quantity, brand/model number if applicable, unit price, and date required.
 - b. For services, include the scope of work, deliverables, pricing (hourly rate or flat fee), and date required.
 - c. Include the date the quote should be submitted and to whom it should be sent.
 - d. Contact Procurement Services if assistance is required.
4. Quotes may be obtained by fax, e-mail, internet, or catalog.
5. Develop a list of vendors and send the request for a quote to each.
6. Compare all responses received to determine the lowest responsive (meeting all requirements) and responsible (having the required financial and technical capabilities) vendor.
7. All vendor quotes must be sent to Procurement Services as well as kept on file at the school or department.

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8. Enter a requisition in Lawson for the goods or services or pay with a P-card if allowable.

Formal Solicitations – purchases greater than \$50,000.00

Under the board policy of the DJEA, the purchasing authority, formal solicitation is required for all purchases and contracts that exceed \$50,000. The Procurement Service Department must conduct all formal solicitations over \$50K. All contracts with a total value of over \$100,000 and all consultant contracts with a total value over \$50,000 require board approval. Board meetings are held on the first Monday of each month.

There are four (4) types of formal solicitations used by APS:

- a. Invitation for Bid (IFB);
- b. Request for Proposal (RFP);
- c. Request for Qualifications (RFQ); and
- d. Request for Information (RFI)

An Invitation for Bid (IFB) is used to obtain pricing on specific goods or services. Specifications are provided by the APS owner's representative to be used in the solicitation. The award is made to the lowest responsive responsible bidder. This type of solicitation is most commonly used to purchase goods when the specifications are easily identified.

A Request for Proposal (RFP) is used to obtain goods or services based on a scope of work provided by the APS owners' representative. An evaluation committee will review and evaluate the proposals based on pre-determined evaluation criteria to determine which vendor offers the "best value" to the District. Price is usually not the primary evaluation factor. The evaluation criteria are included in the RFP. The RFP process allows the negotiation of all terms, including price, prior to contract award. This type of solicitation is most commonly used to purchase services or a combination of goods and services.

A Request for Qualifications (RFQ) is used to determine the qualifications of potential responders to gauge potential competition in the marketplace. Responses are reviewed and evaluated by an evaluation committee to determine if the vendor is qualified. The evaluation criteria are determined by the APS owner's representative. The evaluation criteria are included in the RFQ. This type of solicitation is most commonly used to qualify a group of vendors for services or a combination of goods and services. Negotiations may be conducted with qualified responders to arrive at a price list.

A Request for Information (RFI) is used to obtain information only from potential vendors, such as best practices, industry standards, technology requirements, etc., prior to issuing a formal solicitation. The information submitted may be used to develop specifications or the scope of work for a formal solicitation (IFB or RFP). Awards cannot be issued from this type of solicitation.

Formal solicitations may be done for the following:

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- New Solicitation for one-time purchase;
- New Solicitation for recurring purchases made by an individual school/department or multiple schools/departments;
- Re-solicit if the current contract is expiring with no more renewal options; or
- Re-solicit if the requestor's needs have changed or the awarded vendor does not meet the district's needs on an existing contract.

The Procurement Services Department must conduct all formal solicitations.

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There are six (6) stages in the procurement process required to complete a formal solicitation. The time to complete each stage may vary by solicitation. The following is a list of the estimated number of days required to complete each stage:

Stage	Estimated Number of Days to Complete
1. Discovery	7 - 14
2. Development	14 - 21
3. Release	14 – 28
4. Evaluation	7 – 21
5. Recommendation for Award	10 – 60
6. Contract Administration	30 – 60

Typically, IFBs are released for a minimum of fourteen (14) days while RFP's and RFQs are released for a minimum of twenty-one (21) calendar days, a minimum of twenty-eight (28) days for construction projects. These dates may vary depending on the project's complexity, deadlines, or funding requirements. For example, some state/federal funds may require a longer release period; e-rate funds require that solicitations be posted for a minimum of 28 days. Requesting departments are encouraged to plan accordingly for a formal solicitation to allow sufficient time to complete the process.

Stage 1 – Discovery

1. The requesting department identifies a need for goods or services that are estimated to cost more than \$50,000.
2. The requesting department should complete and submit a Formal Solicitation Request Form to Procurement Services to begin the process.
3. If the goods or services were previously solicited for by Procurement, the Procurement staff will review the previous solicitation. The final solicitation document and addendums (if applicable) will be provided to the requesting department for use as a guide for developing the new solicitations. Conducting market research to determine any new trends and/or requirements is best practice.
4. Upon receipt of the written request, the Procurement Staff will meet with the owner's representative to develop an acquisition schedule.

Stage 2 - Development

1. The following will need to be determined by the Owner's Representative and Procurement Services:
 - Tentative timeline
 - Specifications or scope of work
 - Submission requirements

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- Evaluation criteria (for RFP or RFQ)
 - Names of candidates to serve on the evaluation committee (for RFP or RFQ), typically 3-5 people
 - Name and contact information for potential vendors
 - The Owner's Representative from the requesting department will be responsible for answering vendor questions about the solicitation.
2. Non-Restrictive Specifications and Procedures – Procurement Services endeavors to use non-restrictive specifications and procedures that conform to accepted public procurement practices whenever possible. Vendors are invited to inform the Executive Director of Procurement Services whenever specifications or procedures appear not to be fair and open. Such information should be supplied as early as possible in the procurement process to allow time for necessary corrections prior to the scheduled opening date. Information received less than five days before the scheduled bid opening/proposal closing will not be acted upon unless the Executive Director rules it is in the best interest of APS.
 3. The assigned Procurement Services staff member will create a draft solicitation using the information the Owner's Representative provided.
 4. The Owner's Representative will review the draft and suggest changes or approve it.
 5. The evaluation criteria should be finalized and approved by the Owner's Representative before releasing the solicitation. Note that while the Requesting Department is responsible for determining the evaluation criterion, the Procurement Department must ensure the integrity of the process and may recommend changes to the criteria. Once the evaluation criteria are determined, the Requesting Department must establish the relative importance for each item. Each criterion should be weighted according to its relative importance.
 6. The evaluation committee members should be identified before releasing the solicitation. The Evaluation Committee should include members from different functional areas related to the solicitation subject who are free of bias or conflict of interest. Those members must sign a confidentiality agreement prior to starting their evaluation which will limit them from discussing any part of the process with internal staff or with any vendor that has submitted a proposal. They must also be prepared to be part of the process through completion of the evaluation process. This may include vendor presentations, where applicable.
 7. Once the Owner's Representative signs off on the solicitation document, a peer review is completed by another Procurement staff member and then it forwarded to the Executive Director of Purchasing and Warehouse Operations for approval.

Stage 3 – Release

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1. Procurement Services will post the solicitation on Bonfire, the district's eProcurement Solution, its website, and the Georgia Procurement Registry. In addition, Procurement may elect to seek additional advertisement options, such as advertising in a newspaper or publication with statewide/nationwide circulation.
2. The assigned Procurement Staff will send an Outlook invitation to the involved Procurement Services staff and the owner's representative with the time and date the solicitation is due.
3. If a list of potential vendors is identified, Procurement Services will notify potential vendors when the solicitation is released via e-mail.
4. If the goods or services have been previously solicited, an attempt will be made to notify all vendors who have previously responded previously.
5. If applicable, the Procurement Staff may conduct a pre-bid or pre-proposal conference. The requesting department must have a representative at the conference. If a conference is going to be held, an Outlook invitation will be sent to involved Procurement Services staff and the Owner's Representative.
6. All vendors and APS employees who attend the pre-bid or pre-proposal conference must sign in on the form provided by Procurement Services.
7. Vendors must submit written questions regarding the solicitation through the Bonfire System by the deadline listed in the solicitation document.
8. Procurement staff will forward technical/specification related questions to the owner's representative who will review and provide answers. The Procurement staff will address any procedural questions.
9. Procurement staff will create an addendum with all questions and answers submitted by vendors which will be posted on the APS web site.
10. Vendors must submit responses by the date and time specified in the solicitation and in the manner specified in the solicitation documents.
11. Bid Opening - All bids received in response to a solicitation shall be opened electronically online at the scheduled date and time shown in the solicitation.

Stage 4 - Evaluation

Administrative Review

The administrative review should identify the following:

- a. Any bids/proposals which are missing required documents or information; and
- b. Any bid/proposal submitted by a vendor that is currently debarred by APS according to the vendor's response on the offeror information form.

Procurement staff will review each bid/proposal response to ensure that the vendors did not make any obvious mistakes in their submission, e.g., the sum of individual line items does not equal the total price or the extended cost is incorrect. If a vendor appears to have made a mistake, the Procurement Staff should immediately notify the bidder in writing of any apparent mistake in his/her submission and request verification. The bidder must submit the verification in writing; a copy of the verification should be placed in the solicitation binder.

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If the extended cost (unit cost x quantity) is incorrect, the unit cost will be the accepted cost rather than the extended cost. The vendor will be notified as specified in the preceding paragraph.

Each bid/proposal will be declared responsive or non-responsive. A Responsive bid/proposal fully confirms all material respects of the solicitation document requirements. The procurement staff and Owner's Representative will evaluate responsive bids. The evaluation committee will not evaluate non-responsive proposals.

Evaluating a Request for Proposal (RFP) Request for Qualifications (RFQ), or Request for Information (RFI)

1. All vendor proposals that pass the administrative review will be evaluated based on the criteria listed in the solicitation document.
2. The Executive Director of Procurement Services is authorized to waive informalities, technicalities, irregularities, and administrative mistakes in proposals.
3. The evaluation will be done by a committee of evaluators varying by solicitation. Evaluation Committee members will be identified prior to the start of the evaluation. Each evaluation committee comprises a cross-functional team of district employees appointed by the purchasing and owner departments. The Executive Director of Procurement Services may make replacements or additions to the evaluation committee.
4. All evaluation committee members must complete conflict of interest and non-disclosure declarations before reviewing and evaluating proposals.
5. Procurement Services staff facilitates the evaluation committee meetings, trains new members on their responsibilities, and ensures that the evaluation process is conducted in a fair and equitable manner. The Procurement staff will work with the Owner's Representative and Evaluation Committee members to facilitate the evaluation process.
6. After receiving the responses, the Procurement representative reviews the responses for compliance.
7. The evaluation committee electronically evaluates the proposals in accordance with the evaluation criteria outlined in the RFP. The firms are ranked and the short-listed firms may be invited to give oral presentations or informal interviews with the evaluation committee. After the presentations/interviews, the evaluation committee electronically evaluates the firms in accordance with the evaluation system or ranking process outlined in the RFP. The evaluation committee reaches consensus upon the choice of the top-ranked firm(s). Once all proposals have been evaluated, a best and final offer (BAFO) may be requested from each vendor.
8. A Solicitation Award Recommendation will be made to the responsive and responsible vendor(s) whose proposal is determined in writing to be in the best interest of (best value to) the District, considering price and the evaluation factors set forth in the RFP document. The RFP file will contain the basis on which the award

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recommendation was made.

9. The Evaluation Summary will be sent to the Owner's Representative for review. Pricing and copies of vendor proposals (if requested) should also be sent to the Owner's Representative for review.
10. The Owner's Representative must sign off on the Solicitation Award Recommendation.
11. The Evaluation Summary will be sent to the Executive Director, Purchasing and Warehouse Operations for review and approval.

Evaluating an Invitation to Bid (IFB)

1. All vendor bids that pass the administrative review will be evaluated.
2. Bids are not evaluated by a committee. The Procurement staff will create a bid tab using information submitted on bid forms and review with the Owner's Representative once it has been certified.
3. Award will be made to the lowest responsive and responsible vendor
4. When an item is the low bid (price) but does not meet specifications, it will be indicated on the bid tab along with why it does not meet specifications.
5. When all bid responses are unreasonable or unacceptable as to terms and conditions, are non-competitive, or the low bid exceeds available funds and it is determined in writing by Procurement Services that time or other circumstances will not permit the delay required to re-solicit competitive bids, a contract may be negotiated provided that each responsible vendor who submitted such a bid under the original solicitation is notified of the determination and is given a reasonable opportunity to negotiate. In cases where the bids received are non-competitive or the low bid exceeds available funds, the negotiated price shall be lower than the lowest rejected bid of any responsible vendor under the original solicitation.
6. The Executive Director of Procurement Services is authorized to waive informalities, technicalities, irregularities and administrative mistakes in bids.
7. The Owner's Representative must sign-off on the Solicitation Award Recommendation.
8. A tabulation and evaluation of proposals shall be prepared and made available for public inspection after award of contract.

Resolving Tie Bids

A tie bid exists when two (2) or more bidders offer, at identical prices, products that meet all specifications, terms, and conditions. In such a situation, APS will use the following to determine award in the order listed below:

1. Preference for goods or services provided by Offeror whose home office is located within Fulton County Georgia;
2. Preference for goods or services by Offeror whose home office is located within the State of Georgia;

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3. Earliest delivery date, if applicable; or
4. Flip of a coin conducted by the APS Procurement Services Department.

Awarding a Contract to Multiple Vendors

If awarding contracts to more than one vendor, the Owner's Representative should determine the number of vendors that will be required to meet the needs of the District.

Stage 5 – Recommendation for Award

1. Recommendation for Award - Under \$100k

- a. Requesting department signs off on recommendation for award.
- b. Letter(s) of intent are sent to recommended vendor(s).
- c. Vendor(s) submit certificate of insurance.
- d. Typically takes 7 - 10 days to process.

2. Recommendation for Award - Over \$100k

- a. Requesting department signs off on recommendation for award.
- b. Procurement Services creates a board action item with input from the requesting department and submits to the board for approval.
- c. Board action items must be submitted based upon Procurement Services published board request and processing calendar, .
- d. If approved by the board, letter(s) of intent are sent to recommended vendor(s),
- e. Vendor(s) submit certificate of insurance.
- f. Typically takes 30 – 60 days.

Award Notices

Awards will posted on the APS web site at:

- <http://www.atlanta.k12.ga.us>
- Departments and Services
- Procurement
- Contracted Vendors

Notice of Non-Award

A notice of non-award will be sent to all vendors who responded to a formal solicitation.

Single Bid or Proposal

If only one bid or proposal is received in response to an IFB, RFP, or RFQ, an award may be made to the single offeror if the Executive Director of Procurement Services determines that the price submitted is fair and reasonable and the proposal meets the solicitation's specifications.

Stage 6 - Contract Administration

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1. Once an award recommendation is made, a contract between APS and the recommended vendor(s) will be drafted and sent to the vendor for signature. Exception: awards that will be purchase via purchase order only.
2. The contract is forwarded to APS legal for review.
3. Legal counsel approves or recommends changes to the contract.
4. The approved contract is forwarded to the vendor and superintendent's office for signatures.
5. A contract between APS and the vendor must be executed before goods or services can be provided.
6. Many contracts include renewal options that can be exercised at the direction of the owner's representative. If a contract contains a renewal option, the owner's representative will be contacted by a Contract Administration 30 - 90 days of the renewal date to determine whether or not the department wishes to renew the contract.
7. Please note that options years are exercised for the same specifications or scope of work that was included in the solicitation.

Post Award Conference

It is typically recommended that a post award conference be held with the awarded vendor(s). Procurement staff will schedule the meeting and prepare an agenda. A representative from the user department should attend the meeting in order to review and discuss APS business practices, terms and conditions of the contract, and APS' responsibilities and the vendor.

In cases when a vendor is unable or unwilling to perform after a contract has already been approved by the board, the superintendent or his/her designee may proceed to engage the next-highest rated vendor without repeating the board approval process so long as the total value of the contract does not exceed the amount approved by the board.

SECTION 6

EXCPTIONS TO FULL AND OPEN COMPETITION

APS has adopted four (4) exceptions to the requirements to provide quotes or to formally solicit for goods or services.

1. NIGP Exempt Purchases
2. Single/Sole Source Purchases
3. Emergency Purchases
4. Purchases from a piggy-back or cooperative purchase

NIGP Exempt Purchases

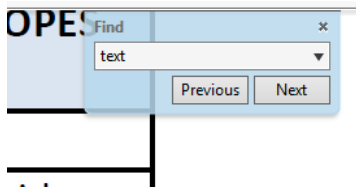
APS has adopted the State of Georgia's NIGP Exempt List for the purchase of goods or services that are deemed by the state of Georgia to be difficult or impractical to bid following the steps below.

1. The end user will be responsible for reviewing the Georgia NIGP Exempt List to determine if the intended goods or services are on the list. The list is updated twice a year, and the most recent list can be found here:

<http://doas.ga.gov/assets/State%20Purchasing/NEADocumentLibrary/NIGPExemptList.pdf>.

2. Using the command "Control F" can assist with searching the list.

Search:



Results:

715	PUBLICATIONS, AUDIOVISUAL MATERIALS, BOOKS, TEXTBOOKS, PREPARED MATERIALS ONLY
71545	Laboratory Books, Research and Related Materials, DNA, Genomic, etc.
71583	Textbooks, Adult Education
71584	Textbooks, Special Education
71585	Textbooks, Pre-Kindergarten thru 5th Grade, Including Student and Teacher Editions
71586	Textbooks, 6th thru 8th Grade, Including Student and Teacher Editions
71587	Textbooks, 9th thru 12th Grade, Including Student and Teacher Editions
71588	Textbooks, College Level, Including Student and Teacher Editions
71590	Video Cassettes, Disks, Tapes, etc., For Computer and TV, Prerecorded
71595	Recycled Publications and Audio-Visual Materials

SECTION 6

EXCPTIONS TO FULL AND OPEN COMPETITION

3. Enter the requisition into Lawson and in the Requisition Description section state the NIGP Exempt Code you are using. Procurement staff will review the code to ensure it is appropriate and will review the requisition for approval.

4.

Lawson Requisition: 239338

Find / Shop ▾ Inquire Profile

Basic Detail Profile Accounting User Fields Comments

Requester	llewis Lynn Lewis
Requisition	239338
Creation Date	10/08/2019
Requisition Status	Draft

Reference Number	
Requisition Description	Code 95221 Counseling
Company	0761 Atlanta Public Schools USD
Requesting Location	16040 Purchasing and Supply S
Requested Delivery Date	mm/dd/yyyy
Priority	
Deliver To	
Commodity Code	

5. If the Procurement staff does not feel the use of an NIGP Exempt Code is appropriate for the requisition, they will contact the end user to discuss the approval and determine if an alternate sourcing method (quotes/bid/RFP) is required.

Single/Sole Source Purchase Request

Sole Source Purchases – Sole source purchases are defined as those purchases of goods or services that can only be obtained from one source in the marketplace. Such goods or services will usually be of a unique nature and have performance characteristics and/or other attributes that can only be obtained from that source.

Single Source Purchases – Single source purchases are defined as those purchases of goods or services that, for a justifiable reason such as compatibility or standardization, are obtained from one source among others in a competitive marketplace. Single source purchases may include contracted services or academic materials required from a specific source to meet an academic or professional learning program priority at the discretion of the superintendent.

SECTION 6 EXCPTIONS TO FULL AND OPEN COMPETITION

Approval of Single/Sole Source Purchases

1. A Single/Sole Source Purchase Request must be completed and submitted to Procurement Services for any purchase exceeding \$49,999.99 that has not been competitively bid or does not meet the exemption criteria as stated in Section 6A above. For single/sole source purchases between \$10,000.00 – 49,999.99, the requestor must maintain documentation supporting their decision.
2. A single or sole source procurement must be based on the requestor's investigation and evaluation of the requested product or service.
3. If Procurement approves the request, the form will be sent to the Superintendent for review and signature.
4. If the total cost of the goods or services is over \$100k it will require board approval.
5. If the single/sole source is for consulting services and is over \$50k it will require board approval.
6. If the request is not approved by Procurement Services or the Superintendent, it will be returned to the requesting school or department with reason for denial.

Emergency Purchase Request

Emergency purchases of supplies or contracted services may be made when the superintendent or her/his designee determines that an emergency exists that threatens the health, welfare or safety of students, staff members, the district or the public. Such emergency procurements shall be made with as much competition as is practicable under the circumstances. At the regular legislative meeting the next month following an emergency purchase, the board shall receive a written report of all emergency procurements including the basis for the emergency, the selection process for the provider, the name of the provider, the amount and type of the contract or purchase, and a listing of the goods or services procured under the contract or purchase.

Reporting of an Emergency Purchase

1. The requesting school or department should find an appropriate source.
2. This does not relieve the school or department from seeking competition to the maximum extent practicable, negotiating a fair and reasonable price, and documenting the purchase action.
3. If possible the requesting school or department should inquire to Procurement Services to ascertain if there are contracts in place for the goods or services.
4. The school or department should also check the vendor's availability, qualifications, insurance coverage, warranties or other data pertinent to the purchase.
5. An Emergency Purchase Request must be completed and submitted to Procurement Services.
6. If the Executive Director of Procurement and Warehouse Services approves the request, the requesting school or department will be notified.

SECTION 6 EXCPTIONS TO FULL AND OPEN COMPETITION

7. Approved Emergency Purchases are reported to the Board at the next regularly scheduled board meeting.
8. If the request is not approved, it will be returned to the requesting school or department with reason for denial.

Cooperative or Piggy-Back Purchases

Board Policy DJEA allows for purchases to be made through existing contracts or bids that have been established through a competitive selection process by another local, state or federal governmental agency or a purchasing cooperative. This is often referred to as “piggybacking” on an existing contract.

1. If a department has an interest in piggybacking on an existing contract they must submit the following documentation to Procurement Services:
 2. Copy of award letter
 3. Copy of executed agreement / contract
 4. Procurement Services will review the documentation then contact the sponsoring agency and awarded vendor to determine if APS can utilize the contract. If APS is required to sign a contract or contract amendment it will be forwarded to APS Legal for their review and final approval. Once Legal has completed their review, the requesting department will be notified of the next steps in regards to approval or another sourcing alternative.
5. Guidelines for utilizing a cooperative and/or piggyback contract(s) are as follows:
 - a. If the contract has any IT components, the request must also be review by the APS IT department.
 - b. If federal funds are the source of funding, the cooperative contract award must comply with required federal procurement requirements.
 - c. The contract must have been competitively solicited/negotiated, comply with State of Georgia Laws, and permission be granted by all contracting parties for utilization by APS.
 - d. Procurement Services and the requesting department should determine that the goods or services meet the requirements of APS.
 - e. Procurement Services and the requesting department should determine that pricing is fair and reasonable.
 - f. If the piggyback is approved and the annual spend is over \$100,000, board approval is required.
 - g. Once a cooperative contract is approved and board approved (if applicable) a Letter of Intent should be sent to the vendor.

SECTION 6 EXCPTIONS TO FULL AND OPEN COMPETITION

Listed below are some state and cooperative contracts that APS has utilized:

- State of Georgia
<http://statepurchasing.doas.ga.gov>
- Sourcwell (Formerly National Joint Powers Alliance – NJPA)
<https://www.sourcwell-mn.gov/>
- National Intergovernmental Purchasing Alliance (formerly The Cooperative Purchasing Network)
www.nationalipa.org
- Omnia Partners (formerly U.S. Communities)
www.omniapartners.com NASPO ValuePoint Cooperative Purchasing Organization (formerly WSCA- NASPO)
www.aboutwsca.org

SOME OF THESE HAVE CHANGED

SECTION 7 Local Preference

In order to encourage and promote Atlanta Public Schools contracting opportunities with local businesses, formal solicitation processes may give preference to proposals and bids from local businesses based on the following rules. Local preferences are prohibited when federal funds are the source of funding.

Local Area

The chart below shows the counties and cities considered local for preference purposes. A business must have been registered in one of the below jurisdictions for at least 12 months to receive local preference.



County	Cities
Clayton	College Park, Forest Park, Jonesboro, Lake City, Lovejoy, Morrow, Riverdale
Cobb	Acworth, Austell, Kennesaw, Mableton, Marietta, Powder Springs, Smyrna, Vinings
DeKalb	Atlanta, Avondale Estates, Brookhaven, Chamblee, Clarkston, Decatur, Doraville, Dunwoody, Lithonia, Pine Lake, Stonecrest, Stone Mountain, Tucker
Fulton	Alpharetta, Atlanta, Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Johns Creek, Milton, Mountain Park, Palmetto, Roswell, Sandy Springs, South Fulton, Union City
Gwinnett	Berkeley Lake, Buford, Dacula, Duluth, Grayson, Lawrenceville, Lilburn, Loganville, Norcross, Snellville, Peachtree Corners, Sugar Hill, Suwanee

Certification

Local businesses that wish to receive preferential consideration shall submit a copy of one or more valid Occupational Tax Registration Certificate(s) issued by Clayton, Cobb, DeKalb, Fulton or Gwinnett counties or by a city government located within the five-county metro area (e.g. Atlanta, Decatur, Marietta) covering the last 12 month period to certify qualification for the preference as part of each proposal or response.

Procedures for local preference

Request for Proposals (RFP) – If a local business meets the quality standards established for the RFP process, the local business shall be awarded five (5) additional points in the total evaluation. The evaluation and scoring of all proposals shall be conducted in accordance with departmental procedures issued by the Chief Financial Officer or his/her designee.

Invitations to Bid (IFB) – In general, price is the deciding factor in APS invitation to bid processes. In cases when two or more responses offer the same price to the district, local preference will be used as a tiebreaker.

SECTION 8

Unauthorized Purchases

Unauthorized Purchase Definition

Purchases that commit the District financially made by an individual or individuals who lack the authority to do so or are made without following established District purchasing policies and procedures.

Unauthorized purchases have a negative impact in many areas and result in claims by vendors that require investigation and delayed payment. In turn, this could result in a credit hold and damage to the District's reputation. Further, disciplinary actions may be taken against the individual or individuals involved as it is considered a breach of duty to make any purchase or contract to lease or purchase or to aid and abet in making the same, other than through the approved procurement procedures or with the written authorization of the Superintendent.

Ratification

An unauthorized purchase may be ratified for payment if the following parameters are met:

1. APS has or will receive the full benefit of the unauthorized purchase
2. Funds are available for payment
3. The price paid was reasonable

Processing an Unauthorized Purchase Ratification Procedures

1. An unauthorized purchase ratification request form must be completed and submitted to Procurement Services for any unauthorized purchase.
2. Procurement Services will review the request and notify the requesting department of their findings.

Approximately five (5) business days are required to evaluate and process an unauthorized purchase ratification request.

SECTION 9

Vendors

In order to do business with Atlanta Public Schools a vendor must first register with the Procurement Services Department. The vendor must complete and submit an application to Procurement Services. The application is available on the APS Procurement Services web site at: <http://www.atlantapublicschools.us>

The application takes 3-5 business days to process. Once the application has been processed the vendor will be assigned a vendor number. Vendors are responsible for notifying Procurement Services of any changes in contact information.

There are two (2) categories of vendors recognized by APS:

- a. Registered
- b. Awarded

A **registered vendor** is one who has submitted a vendor application to Procurement Services and been assigned a vendor number. This allows the vendor to participate in the procurement process. Once the vendor has received a Lawson ID, they should be notified that they are an APS registered vendor.

An **awarded vendor** is one who has been determined to be the lowest responsive responsible bidder or offers the best value to the District as the result of a formal or informal solicitation. An awarded vendor must also be a registered vendor.

Debarment

The Atlanta Board of Education seeks to ensure the effective and efficient operation of the school system by doing business exclusively with companies and individuals who are ethical, honest, and responsible. The Board may exclude any individual or company from contracting with the Atlanta Independent School System for a period of five years, who is debarred pursuant to this policy or who appears on any suspended, excluded or debarment list issued by the agency of the Federal, State or local government (i.e. is listed as a party on the Excluded Party List System (EPLS) of the United States Government.)

The entire DJEBB policy can be found on Atlanta Public Schools Board Docs:
<https://www.boarddocs.com/ga/aps/Board.nsf/goto?open&id=9DGK564F8144#>

SECTION 9

Vendors

Approved Vendor List

The award of formal solicitations or adoption of piggyback contracts results in contracts being awarded to one or more vendors to provide the goods or services identified in the solicitation. Only approved vendors should be used to purchase the goods or services specified in the formal solicitation / piggyback contract.

If a Request for Qualifications (RFQ) is used, then a pool of qualified vendors is identified. As many of the qualified vendors as is practical for a particular project should be given an opportunity to submit quotes for goods or services required by the district. At least two vendors should be contacted for each project.

The requesting department should develop a request for quote including the following:

1. Detailed scope of work for the project
2. Project deliverables
3. Term, duration of project and/or project timeline
4. Vendor requirements (experience, qualifications, etc.)
5. Payment (how/when payment will be made)
6. Pricing (hourly rate, lump sum, flat fee, etc.)
7. Background check requirements
8. Submission requirements including due date and time, name of the person to submit the RFQ to, method of submission (e-mail, fax) and what information the vendor should submit with their RFQ.

A request for quote (RFQ) should only be sent to vendors in the approved pool.

The requesting department shall determine the criteria that will be used for evaluating the RFQs.

All vendor responses shall be evaluated by the requesting department using the pre-determined criteria.

The vendor(s) shall be selected once the evaluation process has been completed.

The requesting department shall enter a requisition in Lawson and reference the formal solicitation name and number or piggyback name and contract number.

The requesting department should maintain the following records:

1. A copy of all vendor quotes submitted.
2. The criteria that was used to evaluate the quotes.

A statement of justification for selecting the recommended vendor (i.e. lowest prices, availability, other)

SECTION 10

Contracts

This section describes the Procurement Department's procedures for submission and approval of a contract. Please refer to your Department's leadership for any additional internal policies that must be followed before contracts are submitted to Procurement

Only the Superintendent or her designee is authorized to execute a contract or create a financial obligation for the District. Unauthorized persons who execute contracts that obligate the District may be held personally liable for any associated costs and subject to disciplinary action up to and including termination.

All contracts must be sent to Procurement Services for review and confirmation that the goods or services were procured in accordance with Board Policy. If the Procurement procedures were followed the contract will be reviewed and approved by the Procurement Department, and if necessary, the contract will be sent to the Legal Department for final review.

If the procurement requirements have not been met, the contract will be returned to the requesting department with reason for denial.

Contracts Requiring Board Approval (Per Board Policy DJEA/DO)

The following contracts may not be awarded without Board approval:

- Consultant contracts when a consultant is to be paid more than \$50,000 in a single contract or more than \$50,000 cumulatively in separate contracts in any fiscal year.
- All capital project contracts with a total annual value of \$200,000 or greater.
- All other contracts for goods and/or services with an annual total value of \$100,000 or greater.
- Lease or lease-purchase agreements that are more than one year in duration for the purpose of leasing real property owned by APS.

Types of Contracts

There are four (4) commonly used types* of contracts utilized by APS:

- Standard Agreement for Goods and Services
- Software Products and Services Agreement
- Independent Contractor Agreement
- Memorandum of Understanding

* On occasion APS may utilize other types of contracts or agreements such as vendor provided contracts.



Standard Agreement for Goods and Services

The standard agreement for goods and services is used primarily for companies that will be providing goods or services to the District. The term is typically for one (1) year or less and may have optional renewal terms.

SECTION 10

Contracts

It is APS policy to use its standard agreement for goods and services when making an award from a formal solicitation. The APS Legal Department may allow a contract form submitted by an awarded vendor to be used when it is determined to be in the District's best interest.

Software Products and Services Agreement

The Software Products and Services Agreement is utilized for the purchase of any product containing a digital component which may involve the exchange of student data, or may have other FERPA considerations. The term is typically for one (1) year and may have renewal options. This agreement does not obligate the vendor or APS to pricing or quantities. It will obligate both parties to the terms and conditions as set forth in the Agreement only. Pricing and quantity information will be secured through an approved purchasing method and will be agreed to by the issuance of a Purchase Order.

Independent Contractor Agreement

The Independent Contractor Agreement is used primarily for individuals working on discrete and specialized projects on a short or long-term basis. The term of the contract will vary depending on the project. Independent contractors are not on the APS payroll, taxes are not withheld from their payments, and contractors typically employ their own tools and set their own hours.

This process must be completed PRIOR to the person beginning work for APS. Due to the need for approval from various departments and external agencies, please allow up to twelve (12) weeks for an Independent Contractor Agreement to be approved prior to engaging the individual to begin work.

General Information Regarding Independent Contractors

1. APS cannot contract with current APS employees.
2. The independent contractor must be registered as a vendor with APS.
3. Teachers' Retirement System (TRS) retirees cannot receive payment from APS totaling more than the threshold amount established by TRS based on an individual's retirement benefits.
4. City of Atlanta General Pension Fund retirees can only work for one (1) year as an independent contractor for APS.
5. The requesting department must submit the following to Procurement Services:
 - a. Independent Contractor Agreement form including attachment "A", Scope of Service. The Scope of Service must contain a list of **clear deliverables** the contractor will provide to APS and must be populated with the relevant information.
 - b. Copies of either the competitive quotes obtained or the single/sole source justification form (if applicable) for the services should be maintained by the requesting department in the event of an audit.
6. The independent contractor **cannot begin work** until a purchase order has been issued by Procurement Services.



SECTION 10

Contracts

Procurement Services will review all ICAs for:

- Relevancy and clarity of the deliverables in the Scope of Services
- Previous contract history with the particular independent contractor
- The appropriate number of quotes received
- The appropriate signatures on the agreement
- Classification as a Contractor (instead of an Employee)

For retirees, TRS or the City of Atlanta Pension Board will review and send a letter to APS Human Resources notifying Human Resources of the retiree's eligibility to work as an independent contractor. Human Resources will forward a copy of the letter to Procurement Services. Procurement Services will then forward the agreement to the APS Legal Department for review and approval. After the legal department approves an agreement, it is forwarded to the Superintendent to sign. Once signed, the Independent Contractor Agreement will be returned to Procurement Services.

SECTION 11

Board Approval

Under board policy DJEA, Purchasing Authority, the following must be approved by the board:

1. Capital project contracts with a total annual value of \$200,000 or greater
2. Consultant contracts with a total annual value of \$50,000 or greater
3. All other contracts with a total annual value of \$100,000 or greater

Board action items may be created for the following:

4. A formal solicitation conducted by Procurement Services
5. A single/sole source purchase request
6. Authorization to purchase goods or services off the NIGP Exempt List.
7. Authorization to piggyback off an existing contract
8. To amend a previous board action item when the terms/conditions or Scope of Work of the Contract/Agreement is substantially changed, OR the dollar amount is raised by more than 5% of the last approved contract or Purchase Order total.
9. Authorization to process a change order that surpasses the original Contract/Agreement or Purchase Order amount over the Board Approval threshold.

SECTION 12

Protests

Written protests relative to the specifications or the solicitation document shall be filed not later than five (5) working days prior to the scheduled due date and time of the solicitation.

Other written protests shall be filed not later than five (5) working days after the solicitation due date and time, or if the written protest is based on subsequent action of the APS, not later than five (5) working days after the aggrieved person knows or should have knowledge, of the facts giving rise to the protest.

Written protests are considered filed when received by the Executive Director of Procurement Services. Protests which are not filed in a timely manner (as set forth above) will not be considered. All protest shall be handled in an expeditious manner ensuring that all relevant facts are gathered and considered before reaching a decision on the validity of the protest. APS will only consider protests from Vendors who submitted a timely response to an APS issued competitive solicitation or those who were prevented from doing so due to an alleged irregularity.

Procedures

1. Protests must be submitted in writing via U.S. mail, overnight delivery, or hand delivery to:
Executive Director of Procurement Services
Atlanta Public Schools
130 Trinity Ave., SW
Atlanta, GA 30303-3624
2. At a minimum, the protest must include the following:
 - Name, number, and related section number of the solicitation/contract;
 - Reason for protest;
 - Documentation supporting the protest and/or allegations;
 - Statement of the specific relief requested, and
 - Signed by a company officer authorized to sign contracts on behalf of the protestor.
3. APS will review the protest and determine if any APS policies or procedures were violated.
4. A written response detailing APS' decision will be provided by the Executive Director of Procurement Services within thirty days after receipt of the Protest. The Executive Director of Procurement's decision shall be final.