| MERCHANTVILLE BOARD OF EDUCATION<br>130 South Centre Street<br>Merchantville, New Jersey 08109 | File Code: 3327<br>Proposed: 04/25/00<br>Adopted: 05/09/00<br>Revised: 05/15/23<br>Reviewed: 04/08/2024 |
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# Relations With Vendors

The board of education wishes to maintain good working relations with vendors who supply materials and services to the school system. Constructive efforts by the administration to seek the advice and counsel of vendors about how to improve such relationships are encouraged.

In the schools, vendors shall be seen by appointment only. Vendors who call upon a school shall be governed by policy #1250. Teachers or supervisors of instruction who have invited vendors to call should notify the chief school administrator's office in advance so that proper courtesies may be extended.

No agents, canvassers, or vendors shall have access to teachers during their classes. No business concern which solicits or gains business through the school system shall use school facilities for this purpose.

## Nondiscrimination

All vendors shall supply assurances that they do not practice discrimination as described in the administrative code. All vendors shall be informed that harassment of any kind of district pupils or employees by their representatives is prohibited.

## Honest and Ethical Relations with Vendors; Pay-to-Play Restrictions

The district shall maintain honest and ethical relations with vendors and shall guard against favoritism, improvidence, extravagance and corruption in its contracting processes and practices. The school board will not vote upon or award a contract in the amount of $17,500 or greater to any business entity which has made a reportable contribution to a member of the district board of education during the previous one-year period. Such contributions, to any member of the school board, from any entity doing business with the district are prohibited during the term of the contract, including contributions by a vendor's spouse or child, or contributions by any person having an interest in the business entity. Disclosure of contributions shall be made when contracts are required by law to be publicly bid. However, these limitations do not apply when a district emergency requires the immediate delivery of goods or services.

## Disbarred Vendors Will Not Be Used

When acquiring goods and services under federally sponsored programs, the district /charter school will not contract with a vendor who is currently either debarred or suspended from doing business with the Federal government. Prior to contract award, and in accordance with Federal requirements, the district /charter school contracting specialist will check the System for Award Management (SAM) to ensure that the prospective contractor is not found in the SAM. Results from the SAM search shall be made part of the purchase order/contract documentation. Should a prospective vendor be found to be debarred or suspended by the Federal government, the business administrator's office will notify the chief school

administrator of this finding and will place a hold on the supplier's registration within the district/charter school financial system.

Strategies to Avoid Excessive Professional Services Expenditures

The board will seek to avoid excessive professional services expenditures, such as by:

A. establishing a maximum dollar limit, for budgetary purposes,

B. following state legal requirements and procedures to obtain the highest quality services at a fair and competitive price; and

C. limiting professional services contracts to non-recurring or specialized work for which the district does not possess adequate in-house resources or expertise.

Prudent Use of Legal Services

All contracts for legal services must comply with the payment requirements and restrictions set forth in N.J.S.A. 18A:19-1 as follows:

A. Advance payments for legal services are prohibited;

B. Services to be provided shall be described in detail in the contract;

C. Invoices for payment shall itemize the services provided for billing period; and

D. Payment shall only be for services actually provided.

If at any time the district's legal costs exceed 130 percent of the Statewide average per pupil amount, the procedures set forth in N.J.A.C. 6A:23A-5.2(a)3 will be implemented, unless evidence can be provided that such procedures would not result in a reduction of cost.

These procedures require the district to:

A. Limit and designate the persons with the authority to request services or advice from contracted legal counsel;

B. Legal counsel will not be used unnecessarily to make management decisions or to obtain readily available information such as district policies;

C. Requests for legal advice shall be made in writing; and

D. Contact logs and records shall be kept and reviewed to determine that the requests for legal advice are necessary.

Key Words

Vendors, Sexual Harassment, Harassment, Nondiscrimination, Affirmative Action

**Legal References:**

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| N.J.S.A. 10:5-1 et seq. | Law Against Discrimination |
| See particularly: | |
| N.J.S.A. 10:5-31 through -35 | |
| N.J.S.A. 18A:6-8 | Interest of school officers, etc., in sale of textbooks or supplies, royalties |
| N.J.S.A. 18A:11-1 | General mandatory powers and duties |
| N.J.S.A. 18A:12-2 | Inconsistent interests or office prohibited |
| N.J.S.A. 18A:12-21 et seq. | School Ethics Act |
| N.J.S.A. 18A:18A-1 et seq. | Public Schools Contracts Law |
| N.J.S.A. 18A:54-20 | Powers of board (county vocational schools) |
| N.J.S.A. 52:32-44 | Business registration for providers of goods and services |
| N.J.A.C. 6A:7-1.8 | Equality in employment and contract practices |
| N.J.A.C. 6A:23A-6.3 | Accountability regulations |
| N.J.A.C. 6A:28-1.1 et seq. | School Ethics Commission |
| N.J.A.C. 6A:30-1.1 et seq. | Evaluation of the Performance of School Districts |
| N.J.A.C. 6A:32-14.1 | Review of mandated programs and services |

Manual for the Evaluation of Local School Districts

Comprehensive Equity Plan, New Jersey State Department of Education

**Possible Cross References:**

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| *1250 | Visitors |
| 1313 | Gifts to district employees |
| *1330 | Use of school facilities |
| *2224 | Nondiscrimination/affirmative action |
| *3320 | Purchasing procedures |
| *4119.21 | Conflict of interest |
| *4219.21 | Conflict of interest |
| *9270 | Conflict of interest |

*Indicates policy is included in the Critical Policy Reference Manual.

NJSBA Date: 09/08