Operational Services

Purchases and Contracts

The CEO or designee shall manage the NKEC's purchases and contracts in accordance with State law, the standards set forth in this policy, and other applicable School Board policies.

Standards for Purchasing and Contracting

All purchases and contracts shall be entered into in accordance with applicable federal and state law. The Board Attorney shall be consulted as needed regarding the legal requirements for purchases or contracts. All contracts shall be approved or authorized by the Board.

All purchases and contracts should support a recognized school function or purpose as well as provide for good quality products and services at the lowest cost, with consideration for service, reliability, and delivery promptness, and in compliance with State law. No purchase or contract shall be made or entered into as a result of favoritism, extravagance, fraud, or corruption.

Adoption of the annual budget authorizes the CEO or designee to purchase budgeted supplies, equipment, and services, provided that State law is followed. Purchases of items outside budget parameters require prior Board approval, except in an emergency.

When presenting a contract or purchase for Board approval, the CEO or designee shall ensure that it complies with applicable federal and state law, including but not limited to, those specified below:

1. Supplies, materials, or work involving an expenditure in excess of $25,000 must comply with the State law bidding procedure, 105 ILCS 5/10-20.21, unless specifically exempted.

2. Construction, lease, or purchase of school buildings must comply with state law and Board policy 4:150, *Facility Management and Building Programs*.

3. Guaranteed energy savings must comply with 105 ILCS 5/19b-1 et seq.

4. Third-party non-instructional services must comply with 105 ILCS 5/10-22.34c.

5. Goods and services that are intended to generate revenue and other remunerations for the school in excess of $1,000, including without limitation vending machine contracts, sports, and other attire, class rings, and photographic services, must comply with 105 ILCS 5/10-20.21(b-5). The CEO or designee shall keep a record of (1) each vendor, product, or service provided, (2) the actual net revenue and non-monetary remuneration from each contract or agreement, and (3) how the revenue was used and to whom the non-monetary remuneration was distributed. The CEO or designee shall report this information to the Board by completing the necessary forms that must be attached to the NKEC's annual budget.

6. Any contract to purchase food with a bidder or offeror must comply with 105 ILCS 5/10-20.21(b-10).[2]

7. The purchase of paper and paper products must comply with 105 ILCS 5/10-20.19c

8. Each contractor with the NKEC is bound by each of the following:

a. In accordance with 105 ILCS 5/10-21.9(f): (1)prohibit any of its employees who is or was found guilty of a criminal offense listed in 105 ILCS 5/10-21.9(c) and5/21B-80(c) to have direct, daily contact at NKEC or school-related activity with one or more student(s);(2) prohibits any of the contractor's employees from having direct, daily contact with one or more students if the employee was found guilty of any offense in 5/21B-80(b) (certain drug offenses) until seven years following the end of the employee's sentence for the criminal offense; and (3) require each of its employees who will have direct, daily contact with the student(s) to cooperate during the school's fingerprint-based criminal history records check on him or her.

b. In accordance with 105ILCS 5/24-5: (1) concerning each new employee of a contractor that provides services to students or in schools, provide NKEC with evidence of physical fitness to perform the duties assigned and freedom from communicable disease if the employee will have direct, daily contact with one or more student(s); and (2) require any new or existing employee who has and will have direct, daily contact with one or more student(s) to complete additional health examinations as required by NKEC and be subject to additional health examinations, including tuberculosis screening, as required by the Illinois Department of Public Health rules or order of a local health official.

1. After 1-1-23, any pavement engineering project using a coal tar-based sealant product or high polycyclic aromatic hydrocarbon sealant product for pavement engineering-related use must comply with the Coal Tar Sealant Disclosure Act. [1]

2. Purchases made with federal or State awards must comply with 2 C.F.R. Part 200 and30 ILCS 708/, as applicable, and any terms of the award.[2]

The CEO or designee shall: (1) execute the reporting and website posting mandates in State law concerning NKEC contracts, and (2)monitor the discharge of contracts, contractors' performances, and the quality and value of services or products being provided.[3]

Legal Reference.: 2 C.F.R. Part 200.

105 ILCS 5/10-20.19c, 5/10-20.21, 5/10-21.9, 5/10-22.34c,5/19b-1 et seq., and 5/24-5.

30 ILCS 708/, Grant Accountability and Transparency Act.

410 ILCS 170/, Coal Tar Sealant Disclosure Act.

820 ILCS 130/, Prevailing Wage Act.

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