

PURCHASING

The Board of Education views purchasing as serving the educational program by providing necessary supplies, equipment and related services. Purchasing will be centralized in the business office under the authority of the Purchasing Agent designated by the Board.

It is the goal of the Board to purchase competitively, without prejudice or favoritism, and to seek the maximum educational value for every dollar expended. Competitive bids or quotations shall be solicited in connection with purchases pursuant to law. The General Municipal Law requires that purchase contracts for materials, equipment and supplies involving an estimated annual expenditure exceeding \$20,000 and public work contracts involving an expenditure of more than \$35,000 will be awarded only after responsible bids have been received in response to a public advertisement soliciting formal bids. Similar procurements to be made in a fiscal year will be grouped together for the purpose of determining whether a particular item must be bid.

In accordance with law, the District shall generally give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats. The term "alternative format" shall mean any medium or format for the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a disabled student enrolled in the District (or program of a BOCES), including but not limited to Braille, large print, open and closed captioned, audio, or an electronic file in a format compatible with alternative format conversion software that is appropriate to meet the needs of the individual student. The District shall purchase goods from the Department of Corrections, Industries of the Blind and Industries of the Handicapped when those organizations have goods available for sale which are needed by the District and when the goods offered for sale by those entities conform to both the needs and the quality requirements of the District. Such purchases are not subject to competitive bidding.

Purchases through the alternate methods as described below should be utilized when it is in the best interest of the District. Goods and services which are not required by law to be procured by the District through competitive bidding will be procured in a manner so as to ensure the prudent and economical use of public monies, in the best interests of the taxpayers, to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, except as permitted by state law for procurements:

1. under a BOCES contract;
2. under a county contract
3. under a state contract;
4. under a federal contract
5. under a contract of another political subdivision
6. of articles manufactured in state correctional institutions; or
7. from agencies for the blind and severely disabled.

Purchase contracts and public works contracts subject to competitive bidding will be awarded to the lowest responsible bidder; however, the Board authorizes that purchase contracts may be awarded on the basis of best value, as defined in State Finance Law §163.

PURCHASING, Con't.

The District shall comply with the requirements of General Municipal Law §103-g, which prohibits, with few exceptions, competitive bidding contracts with entities that invest significantly in the Iranian energy sector, as outlined in the accompanying regulation.

The District's purchasing activity will strive to meet the following objectives:

- 1 to effectively supply all administrative units in the school system with needed materials, supplies, and contracted services;
- 2 to obtain materials, supplies and contracted services at the lowest prices possible consistent with the quality and standards needed as determined by the Purchasing Agent in conformance with state law and regulation and in cooperation with the requisitioning authority. The educational welfare of the students is the foremost consideration in making any purchase;
- 3 to ensure that all purchases fall within the framework of budgetary limitations and that they are consistent with the educational goals and programs of the District;
- 4 to maintain an appropriate and comprehensive accounting and reporting system to record and document all purchasing transactions; and
- 5 to ensure, through the use of proper internal controls, that loss and/or diversion of District property is prevented.

Opportunities shall be provided to all responsible suppliers to do business with the School District. Suppliers whose place of business is situated within the District may be given preferential consideration only when bids or quotations on an item or service are identical as to price, quality and other factors. Purchases will be made through available cooperative BOCES bids, bids let by other political subdivisions, state contracts of the Office of General Services, county contracts, or agreements entered into by School Districts for joint purchasing whenever such purchases are in the best interests of the District. In addition, the District will make purchases from correctional institutions and severely disabled persons through charitable or non-profit-making agencies, as provided by law.

The District will provide justification and documentation of any contract awarded to an offeror other than the lowest responsible dollar offeror, setting forth the reasons why such award is in the best interests of the District and otherwise furthers the purposes of section 104-b of the General Municipal Law.

The district shall comply with the requirements of General Municipal Law §103-g, which prohibits, with few exceptions, competitive bidding contracts with entities that invest significantly in the Iranian energy sector, as outlined in the accompanying regulation.

The Purchasing Agent will not be required to secure alternative proposals or quotations for:

- 1 emergencies where time is a crucial factor;
- 2 procurements for which there is no possibility of competition (sole source items); or
- 3 very small procurements, up to \$1,000, when solicitations of competition would not be cost-effective.

The Board authorizes the Superintendent of Schools, with the assistance of the Purchasing Agent and the Treasurer, to establish and maintain an internal control structure to ensure, to the best of their ability, that the District's assets will be safeguarded against loss from unauthorized use or disposition, that transactions will be executed in accordance with the law and District policies and regulations, and recorded properly in the financial records of the District.

The Purchasing Agent shall be responsible for the establishment and implementation of the procedures and standard forms for use in all purchasing and related activities in the District. Such procedures shall comply with all applicable laws and regulations of the state and the Commissioner of Education.

PURCHASING, Con't.

No Board member, officer or administrator of the School District shall have an interest in any contract entered into by the Board or the District, as provided in Article 18 of the General Municipal Law.

The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the District's policies regarding procurement will not be grounds to void action taken nor give rise to a cause of action against the District or any officer or employee of the District.

Ref: ***Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195)***
Education Law §§305(14); ***409-i; 1604(29-a); 1709(4-a)(9)(14)(22); 1709(4-a)(9)(14)(22); 2503(7-a); 2554(7-a)***
General Municipal Law §§102; 103; *103-g; (expires 08/01/2017) 104; 104-b; 109-a; 800 et seq.*
State Finance Law §§97-g(3), (4), (5); 163; 163-b; 165-a

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