

## **AUTHORIZATION AND CONTROL**

It is the policy of St. Maries Joint School District No. 41 to conduct its purchasing program in a manner to ensure optimum use of District funds. The Board, or its designee, reserves the right to determine what is in the best interest of the District.

The Superintendent is authorized to direct expenditures and purchases within the limits of the detailed annual budget for the school year and pursuant to State purchasing and federal procurement requirements. Board approval for purchase of capital outlay items is required when the aggregate total of a requisition exceeds Twenty-five Thousand Dollars (\$25,000), except the Superintendent shall have the authority to make capital outlay purchases without advance approval when it is necessary to protect the interests of the District or the health and safety of the staff or students.

The Superintendent shall establish requisition and purchase order procedures as a means of controlling and maintaining proper accounting of the expenditure of funds that align with State purchasing and federal procurement requirements.

Staff members shall not obligate the District without express authority. Staff members who obligate the District without proper authorization may be held personally responsible for payment of such obligations.

Requisitions are to originate at the building, department, or program level and are approved by the appropriate supervisor prior to purchase. Building principals and program coordinators are responsible for the monitoring of their budget allocation balances and confirm each requisition falls within their budget allocation.

An approved purchase order is required for all District purchases. Issuance of purchase orders for all purchases for the District shall be carried out by the authorized purchasing agent. No purchase order shall be approved and released unless it is ascertained that appropriate funds are available for the purchase. In cases where the budgetary allotments would be exceeded as the result of a proposed purchase, the Superintendent or his or her designee may authorize such purchase when it is deemed to be in the best interest of the District.

All bills must be approved by the St. Maries Joint School District No. 41 Board of Trustees.

## **QUOTES**

Written quotations shall be secured for purchases in amounts ranging from Twenty-five Thousand Dollars (\$25,000) up to Fifty Thousand Dollars (\$50,000). An attempt shall be made to obtain quotations from at least three (3) vendors dealing in the products specified. In cases where less than three (3) quotations are received because of the lack of interest on the part of vendors, or the number of vendors dealing in the product is

limited, the Board of Trustees shall have the discretion to award the order based on the best quote from the quotations that have been received.

### **BIDS AND CONTRACTS**

With the exception of the purchase of curricular materials, and in accordance with the requirements of Idaho Code, whenever the cost of any construction, repair, or improvement; or the acquisition, purchase, or repair of any equipment; or other personal property necessary for the effective operation of the District exceeds Fifty Thousand Dollars (\$50,000), formal bids shall be called for by issuing public notice as specified in statute as well as following federal procurement requirements. Specifications shall be prepared and be made available to all vendors interested in submitting a bid. The contract shall be awarded to the lowest responsible bidder, except that the Board may reject any bid, reject all bids, or public notice to rebid the project. If after calling for bids a second time, no satisfactory bid is received, the Board may proceed under its own direction, subject to the approval of the State Board of Education.

When purchasing goods and services pursuant to Idaho Code, and determining the most qualified bidder for award of the contract, the District, at its sole discretion, may consider not only the amount of the bids, but may also consider additional factors including but not limited to the relative experience, ability, references and integrity of the bidders to do faithful and conscientious work and promptly fulfill the contract according to contract requirements.

In the event that there is an advertised Request for Proposals (RFP), the District may award a contract to a bidder other than the lowest responsive bidder. If so, the Board shall declare its reason or reasons on the record and shall communicate such reason or reasons in writing to all who have submitted a competing bid. The disappointed bidders shall have the right to submit a timely written objection, at which time the District shall stop all work on the project, and shall review its decision and determine whether to affirm its prior award, modify the award, or choose to re-bid, setting forth its reason or reasons therefor. After completion of the review process, the political subdivision may proceed as it deems to be in the public interest.

The Superintendent shall establish bidding and contract awarding procedures that align with State purchasing and federal procurement requirements.

### **COOPERATIVE PURCHASING**

The District may cooperatively enter into contracts with one (1) or more districts to purchase materials necessary or desirable for the conduct of the business of the District provided that the purchasing cooperative follows State purchasing and federal procurement requirements.

### **PERSONNEL CONFLICTS OF INTEREST**

No employee will make any purchase or incur any obligations for or on behalf of the District from any private business, contractor, or vendor in which or with which the employee has a direct or indirect financial or ownership interest.

Quote comparisons will be completed for purchases or contracted services from any private business or venture in which any employee of St. Maries Joint School District No. 41 has a direct or indirect financial or ownership interest in accordance with the following procedures:

1. The interested employee, the business, the contractor, or the vendor will fully disclose, in writing, the employee's exact relationship to the business, the contractor, or the vendor;
2. The affected business, the contractor, or the vendor may submit a quote in compliance with the specifications outlined by the District;
3. This Policy will apply to any organization, fund, agency, or other activity maintained or operated by the District.

No employee will solicit gifts, gratuities, favors, prizes, awards, merchandise, or commissions as a result of ordering any items or as a result of placing any purchase order with a business, contractor, or vendor on behalf of the District nor accept anything of monetary value from a business, contractor, or vendor except for unsolicited gifts of Fifty Dollars (\$50.00) or less in value.

### **PROCUREMENT UNDER A FEDERAL AWARD**

In addition to the conflicts of interest outlined above, no employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such conflicts of interest include instances where any of the following has a financial or other interest in or a tangible personal benefit from a firm considered for a contract:

1. The employee, officer, or agent;
2. Any member of his or her immediate family, including spouses, children, and parents;
3. His or her partner. For the purposes of this Policy, "partner" shall mean an adult of the same sex or different sex with whom the employee, officer, or agent shares a non-marital intimate relationship and a common residence and with whom they mutually affirm that they share responsibility for each other's common welfare; or

4. An organization which employs or is about to employ any of the parties listed above.

The following activities are prohibited:

- 1. The purchase of any food or service from a District contractor or vendor for individual use;
- 2. The removal of any food, supplies, equipment, or school property without proper authorization;
- 3. Individual sales by District personnel of any school property, including used items.

**VIOLATIONS**

Any District officer, employee, or agent who violates this Policy may be subject to disciplinary action, including but not limited to a fine, suspension, or termination. Violations of law will be referred to local, State, or federal authority having proper jurisdiction.

**Policy Cross Reference:**

**Legal Reference:**

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| Idaho Code §18-1351        | Bribery and Corrupt Practices – Definitions                                     |
| Idaho Code §33-316         | Cooperative Contracts to Employ Specialized Personnel and/or Purchase Materials |
| Idaho Code §33-402         | Notice Requirements   |
| Idaho Code §33-601         | Real and Personal Property – Acquisition, Use or Disposal of Same               |
| Idaho Code §67-2805        | Procurement of Public Works Construction  |
| Idaho Code §67-2806        | Procuring Services or Personal Property   |
| Idaho Code §67-2806A       | Request for Proposal  |
| Idaho Code §74-401 et seq. | Ethics in Government  |
| 2 C.F.R. §200.317          | Procurement by States   |
| 2 C.F.R. §200.318          | General Procurement Standards   |
| 2 C.F.R. §200.320          | Methods of Procurement to be Followed   |

**Policy History:**

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