

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 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.

In order to ensure that the district avails itself of advantageous purchasing opportunities, the Board authorizes the Purchasing Agent to represent the District in applying for federal programs designed to discount prices for goods and services. Specifically, the Purchasing Agent will abide by the rules and regulations associated with applying for telecommunications service discounts through the Universal Service Fund (E-Rate), in addition to complying with the local purchasing policies set forth by the Board. As with all purchasing activity, appropriate documentation of the application and purchase through any federal program will be maintained by the business office.

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 county contract;
2. under a State contract;
3. under a federal contract;
4. under a contract of another political subdivision;
5. of articles manufactured in State correctional institutions;
6. from agencies for the blind and severely disabled; or
7. when the solicitations of proposals are not in the best interest of the district.

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 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 interest of the district and otherwise furthers the purposes of section 104-b of the General Municipal Law.

The Board authorizes that purchase contracts of more than twenty thousand (\$20,000)

dollars may be awarded on the basis of best value, as that term is defined in State Finance Law §163. The Board further authorizes that shared purchase contracts for apparatus, materials, equipment, supplies and related services that have been let or competitively offered by the United States or any agency thereof, any state or any other county, political subdivision or district therein, may be awarded by the Board on the basis of best value, as defined in State Finance Law §163, subject to receipt of documentation to be reviewed by the Board's attorneys that: (1) such contract has been publicly solicited by competitive bid or offer; (2) such contract has been awarded following submission of sealed bids or offers, or analogous procedures to secure and preserve the integrity of the process and confidentiality of the bids or offers submitted; (3) specifications or some other similar document providing a common standard for bidders or offerors have been prepared; and (4) such contract has been awarded to the lowest responsible bidder who materially or substantially meets the bid specifications and is determined to be a responsible bidder, or in the case of a best value process, such contract has been awarded to the responsive and responsible offeror which optimizes quality, cost and efficiency, reflecting objective and quantifiable analysis whenever possible.

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 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.

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.

No Board member, officer or employee of the 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 Purchasing Agent shall meet with the Board annually to review the District's procurement procedures including this purchasing policy and regulation.

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 or give rise to a cause of action against the District or any officer or employee of the District.

Ref: Education Law §§305(14); 1604(29-a); 1709(4-a)(9)(14)(22); 2503(7-a); 2554(7-a)
General Municipal Law §§102; 103; 103-g; 104-b; 109-a; 800 et seq.

Adoption date: November 12, 2002
(replacing 6740, Purchasing Procedures, adopted 11/9/92)
Revised: February 13, 2006
Revised: May 10, 2010
Revised: August 30, 2010
Revised: December 10, 2012
Revised: May 11, 2015
Reviewed: August 28, 2017