

Morrow County School District

Code: **DJ**
Adopted: 10/12/98;
Readopted: 5/12/03
Orig. Code(s): 6021; 6022; 6040, 6065

District Purchasing

The purchasing, receiving, storing and distribution of necessary supplies, equipment and services for use in the educational program and for the various auxiliary services represent a significant expenditure in the school budget. These items must be procured efficiently and economically. The measure of efficient, economical purchasing is the degree to which the right items are provided in the right quantity to the right place at the right time. District purchasing shall be subject to the following:

1. The function of the purchasing agent is to serve the educational and support program by providing the necessary supplies, equipment and services;
2. The acquisition of services, equipment and supplies is centralized in the district office, which functions under the supervision of the superintendent, designated by the Board as purchasing agent and through whose office all purchasing transactions must eventually proceed. The superintendent shall be responsible for developing and administering the purchasing program of the district;
3. Competitive bids or quotations shall be solicited in connection with all purchasing whenever possible. Contracts shall be awarded to the lowest responsible bidder complying with specifications and with other stipulated bidding conditions;
4. The superintendent is authorized to issue purchase orders without prior approval of the Board where formal bidding procedures are not required by law and when budget appropriations are adequate to cover such obligations;
5. The Board declares its intention to purchase competitively without prejudice and to seek maximum educational value for every dollar expended. All purchases, lease or sale of personal property, public improvements or services other than agreements for personal service shall be based upon competitive bids or quotes on proposals except:
 - a. Contracts made with other public agencies or the federal government;
 - b. Contracts made with qualified nonprofit agencies providing employment opportunities for disabled individuals;
 - c. Contracts excepted by the Local Contract Review Board following approval of findings that such exemption will result in substantial cost savings and it is unlikely that the exemption will encourage favoritism or substantially diminish competition;
 - d. A contract for products, services or supplies if the value is less than \$5,000;
 - e. Insurance and service contracts as provided by law;
 - f. Contracts between public agencies utilizing an existing solicitation or current requirement contract of one of the public agencies that is a party to the contract as provided by law.
6. The superintendent or designee is authorized to enter into and approve payment on contracts obligating district funds not to exceed \$75,000 for products, materials, supplies, capital outlay and services that are within current budget appropriations. The Board shall approve all contracts that are

collective bargaining agreements or service contracts that include the provision of labor performed by district employees, such as custodial, food service and transportation services. All contracts which require public advertising and competitive bidding shall be awarded by the Board. Recommendations for the award of all such contracts shall be submitted to the Board by the superintendent;

7. Residence or place of business of local bidders may be a consideration only in cases where identical bids have been submitted;
8. Items commonly used in the various schools or units thereof shall be standardized whenever consistent with educational goals and in the interest of efficiency or economy;
9. Petty cash funds shall be established annually for each school building and for the central administrative office, following procedures approved by the district's auditor. Such funds shall be used for the payment of properly itemized bills of nominal amounts and under conditions calling for immediate payment. Allowances, responsibility, security and accounting of petty cash funds shall be in accordance with the recommendation of the district auditors;
10. The purchasing procedures employed shall comply with all applicable law and regulations of the state;
11. Opportunity shall be provided to all responsible suppliers to do business with the district. To this end the superintendent shall develop and maintain lists of potential bidders for the various types of materials, equipment and supplies. Such bidder lists shall be used in the development of a mailing list for distribution of specifications and invitations to bid. Any supplier may be included in the list upon request;
12. A person shall not be automatically disqualified because of his/her position as Board member, officer or employee of this school district or family of such person, from entering into a contract with the Morrow County School District. Any such person who becomes or may become interested financially in any contract entered into by the Board is in an actual conflict of interest situation and is subject to the requirements of ORS 244.120 et seq.; such person shall announce publicly the nature of the conflict and shall refrain from participating in discussion, debate or vote, on the issue out of which the actual conflict arises, except as set forth in ORS 244.120. Such person shall be subject to all other policies relating to such contracts. No Board member, officer or employee of the school district or his/her family shall accept any gratuities, financial or otherwise, from any supplier of materials or services to the district;
13. Public contracts, if awarded, will be awarded to the lowest, responsive and responsible bidder or the best, responsive and responsible proposer consistent with solicitation document provisions. The Board may reject in whole or in part, any bid or proposal not in compliance with all prescribed procedures and requirements and may reject for good cause any bid or proposal upon a written finding that it is in the public interest to do so. Such findings shall conform with criteria as specified by the Oregon Attorney General's Model Contract Rules Manual;
14. Records of bids, proposals and specifications will be kept in the district administration office and will conform with Oregon Revised Statutes and applicable provisions of the Oregon Attorney General's Model Contract Rules Manual;

15. The Board adopts the Oregon Attorney General’s Model Public Contract Rules, OAR Chapter 137, Division 030, Public Procurement Rules, Division 035, Architectural and Engineering Rules and Division 040, Public Improvement Contracts in effect at the time this policy is adopted. These rules govern purchasing procedures, advertisements, awarding of contracts, retainage, claims, liens, bid security, payment, performance bonds and other matters subject to competitive procurement provisions of law. The Board may modify such rules as deemed appropriate. New rules, as necessary, will be adopted by the Board. In the event it is unnecessary to adopt new rules, Board minutes will reflect that the review process was completed as required. The Board recognizes that a public contracting agency that has not established its own rules of procedure as required by ORS 279.049 (5) is subject to the model rules adopted by the Attorney General, including all modifications to the model rules that the Attorney General may adopt;
16. The Board adopts as part of its rules, portions of the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 030, 300-360 in effect at the time this policy is adopted, and, where necessary, has made the written findings required by law for exemptions from competitive bidding.

Such findings shall be maintained by the district and made available on request.

17. The district will follow its adopted budget as closely as possible in expenditure of funds. To this end, the Board shall require that it approve in advance:
 - a. All expenditures of funds identified as the Contingency Fund;
 - b. All transfers of funds from one fund to another as provided by Board policy DBK - Budget Transfer Authority.
18. School letterhead paper shall not be used in ordering supplies and equipment for personal use. The home address, and not the school name or address, should be listed as the delivery place for articles ordered for personal use;
19. By resolution dated May 17, 1993, the Board of Education was designated the Local Public Contract Review Board for Morrow County School District. A copy of the resolution shall be filed with the Morrow County Court.

END OF POLICY

Legal Reference(s):

[ORS 244.040](#)

[ORS Chapter 279](#)

[ORS 294.311](#)

[ORS 328.441 - 328.470](#)

[ORS 332.075](#)

[OAR 125-065-0040](#)

Cross Reference(s):

BBA - Board Powers and Duties

BBFA - Board Member Conflicts of Interest