

PURCHASES

Upon adoption by the Board of an annual appropriation resolution, the Board, by general resolution, may dispense with the adoption of resolutions authorizing the purchase or sale of property, except real estate.

Solicitation of Bids or Quotations

For those instances in which Ohio law does not establish a specific bid procedure, and the purchase item is not through a cooperative purchasing program, the originator of the purchase order should, when possible, seek at least three (3) price quotations on the item or items before the purchase.

When the Board determines to build, repair, enlarge, improve, or demolish any school building, the cost of which will exceed \$50,000.00, the Board shall follow the competitive bidding procedure set forth in O.R.C. §3313.46. Such procedure shall be followed except in cases of urgent necessity, or for the security and protection of school property, or as otherwise provided by law. In awarding the bid, the Board shall accept the bid which is the lowest responsive and responsible.

[IN CIRCUMSTANCES REQUIRING COMPETITIVE BIDDING, OHIO LAW PERMITS THE BOARD TO ESTABLISH PRIOR TO THE COMPETITIVE BIDDING THAT IT WILL ACCEPT EITHER THE LOWEST RESPONSIBLE BID UNDER 3313.46 OR THE LOWEST RESPONSIVE AND RESPONSIBLE BID UNDER 9.312. THEREFORE, THE CRITERIA SHOULD BE DETERMINED BY THE DISTRICT.

IF THE BOARD CHOOSES LOWEST RESPONSIVE AND RESPONSIBLE PURSUANT TO O.R.C. SECTION 9.312, THE FOLLOWING LANGUAGE IS ADDED TO THE POLICY:

All orders or contracts are to be awarded to the lowest responsive and responsible bidder in accordance with O.R.C. §9.312. For a bidder to be deemed responsive, the bidder's proposal should respond to bid specifications in all material aspects and contain no irregularities or deviations from the specifications which would affect the amount of the bid or otherwise give the bidder a competitive advantage. In determining whether a bidder may be deemed responsible, the Board shall request evidence from the bidder concerning:

- A. The experience of the bidder with the service or material being bid;
- B. The financial condition of the bidder;
- C. The conduct and performance of the bidder on previous contracts (with the district or other agencies);

- D. The facilities of the bidder;
- E. The management skills of the bidder; and
- F. The ability of the bidder to execute the contract properly.

In situations in which the Board has resolved to award a bid to the lowest responsive and responsible bidder, and the apparent low bidder(s) do/does not meet the considerations specified above, the Board shall so notify the bidder(s) in writing, by certified mail, prior to awarding the contract to the next lowest bidder.

IF THE BOARD CHOOSES LOWEST RESPONSIBLE THE CRITERIA FOR DETERMINING THE LOWEST RESPONSIBLE HAS BEEN ESTABLISHED BY CASE LAW AND IS NOT DEFINED BY STATUTE. IF THE BOARD DOES NOT CHOOSE, THEN BY DEFAULT THE BIDS ARE AWARDED TO THE LOWEST RESPONSIBLE PURSUANT TO O.R.C SECTION 3313.46.]

School Bus Purchases

Contracts for the purchase of all school buses and other equipment used in transporting children to and from school must be by competitive bid, pursuant to O.R.C. §3327.08. All bids shall state: “The buses, prior to delivery, will comply with the safety rules of the department of public safety adopted pursuant to O.R.C. §4511.76 and all other pertinent provisions of law.”

Cooperative Purchasing

The Board hereby authorizes the administration to participate in cooperative purchasing programs with other public entities or national or state associations of political subdivisions, when authorized by law. All cooperative buying ventures must be submitted to the Board for approval and authorization.

Purchase from the State or Federal Government

The Board may determine to purchase some of the same supplies and services as are purchased by or for agencies of the state or federal government in accordance with O.R.C. §§9.48 and 125.04. If the Board desires to participate in such purchases it will comply with the applicable requirements of the government agencies.

Rejection of Bids or Quotations

The Board reserves the right to reject any or all bids and if it desires to subsequently re-bid the contract.

The bid procedures set forth in this Policy do not apply to the following situations:

1. The acquisition of educational materials used in teaching;
2. If the Board determines and declares by resolution adopted by two-thirds of all its members that any item is available and can be acquired only from a single source;
3. If the Board declares by resolution adopted by two-thirds of all its members that these procedures do not apply to any installation, modification, or remodeling involved in any energy conservation measure undertaken through an installment payment contract pursuant to O.R.C. §§3313.372 or 133.06;
4. The acquisition of computer software for instructional purposes and computer hardware for instructional purposes pursuant to O.R.C. §3313.37; or
5. Other situations allowed by the Ohio Revised Code.

Purchase Order Procedures For District Managed Funds

Requests for purchase orders from those outside of the Administrative staff must be submitted to their principal or supervisor for pre-approval. Administrators and supervisors submit requests for a purchase order to the Treasurer's office.

The person receiving the purchase order shall review it. If it is approved, it shall be forwarded to the Treasurer or other authorized administrator.

The Treasurer or designee approves and completes the purchase order electronically. All purchase orders are processed through the district's electronic purchase order software.

The Treasurer certifies and encumbers the funds, posts the purchase order and distributes the document.

The originator of the purchase order verifies receipt, compares it with the purchase order, and submits itemized shipping invoices to the Treasurer or designee as correct and proper for payment.

The Treasurer or designee compares the billing and shipping invoices to the purchase order for costs and adjustments.

The Treasurer issues a check for payment. All disbursements made by check require at least the Treasurer's signature.

In the interests of economy, fairness, and efficiency in its business dealings, the Board requires that items commonly used in the various schools or units thereof, be standardized where consistency with educational goals can be maintained.

Purchase Order Procedures for Student Managed Student Activity Funds

The procedures for managing purchase orders for student managed student activity funds is dictated in student activity guidelines.

LEGAL REFS.: O.R.C. §§9.312; 9.48; 125.04; 3313.46; 3327.08

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