

**Operational Services**

**Administrative Procedure - Purchases**

All purchases of goods, services, and equipment, except purchases made from the petty cash fund or as otherwise specifically authorized by the Superintendent, shall be made through the use of purchase orders. The School Board Attorney should be consulted, as needed, regarding the legal requirements presented by this administrative procedure as well as before a contract is presented to the Board. These procedures must be followed for all District purchases:

A. The following govern awarding contracts for the purchase of supplies, materials or work, and/or contracts with private carriers for transporting students:

1. Illinois Use Tax compliance:
  - a. Persons bidding for and awarded a contract, and all affiliates of the person, must collect and remit Illinois Use Tax on all sales of tangible personal property into the State of Illinois in accordance with the provision of the Illinois Use Tax Act.
  - b. All bids and contracts must include: (1) a certification that the bidder or contractor is not barred from bidding for or entering into a contract, and (2) an acknowledgment that the Board may declare the contract void if the certification is false.
2. All entities seeking to enter into a contract with the District must provide written certification to the District that it will provide a drug free workplace by complying with the Illinois Drug Free Workplace Act, 30 ILCS 580. All contractors must comply with the notification mandates and other requirements in the Illinois Drug Free Workplace Act, 30 ILCS 580.
3. Before soliciting bids or awarding a contract for supplies, materials, equipment, or services, a certified education purchasing contract that is already available through a State education purchasing entity (as defined in the Education Purchasing Program, Article 28A of The School Code), may be considered as a bid.
4. All contracts in excess of \$25,000 and all contracts with an exclusive bargaining representative must be listed on the District's website.

B. The following govern purchasing, and/or awarding contracts for the purchase of, supplies, materials or work, and/or contracts with private carriers for transporting pupils involving: (a) an expenditure of \$25,000 or less, or (b) in an emergency, expenditures in excess of \$25,000, provided such expenditure is approved by three-quarters of the Board.

1. Telephone quotations, verbal quotations, or catalog prices are used to purchase materials that are needed urgently, or small quantity orders.
  2. Written quotations are used to purchase materials or services when time requirements allow. Whenever possible, quotations should be received from at least 2 competitors. The Superintendent or designee may negotiate with vendors at any time, including after receiving quotations.
- C. The following govern purchasing and/or awarding contracts involving an expenditure in excess of \$25,000 for purchase of supplies, materials or work, and/or contracts with private carriers for transporting pupils.
1. Contracts are awarded to the lowest responsible bidder, considering conformity with specifications, terms of delivery, quality and serviceability, except contracts or purchases for:
    - a. Services of individuals possessing a high degree of professional skill where the ability or fitness of the individual plays an important part;
    - b. Printing of finance committee reports and departmental reports;
    - c. Printing or engraving of bonds, tax warrants, and other evidences of indebtedness;
    - d. Purchase of perishable foods and perishable beverages;
    - e. Materials and work that have been awarded to the lowest responsible bidder after due advertisement, but due to unforeseen revisions, not the fault of the contractor for materials and work, must be revised causing expenditures not in excess of 10% of the contract price;
    - f. Maintenance or servicing of, or provision of repair parts for, equipment that are made with the manufacturer or authorized service agent of that equipment where the provision of parts, maintenance, or servicing can best be performed by the manufacturer or authorized service agent;
    - g. Use, purchase, delivery, movement, or installation of data processing equipment, software, or services and telecommunications and interconnect equipment, software, and services;
    - h. Duplicating machines and supplies;
    - i. Natural gas when the cost is less than that offered by a public utility;
    - j. Equipment previously owned by some entity other than the District itself;

- k. Repair, maintenance, remodeling, renovation, or construction, or single project involving an expenditure not to exceed \$50,000 and not involving a change or increase in the size, type, or extent of an existing facility;
  - l. Goods or services procured from another governmental agency;
  - m. Goods or services that are economically procurable from only one source, such as for the purchase of magazines, books, periodicals, pamphlets and reports, and for utility services such as water, light, heat, telephone, or telegraph;
  - n. Emergency expenditures when such an emergency expenditure is approved by three-quarters of the members of the Board; and
  - o. Goods procured through an education master contract, as defined in the Education Purchasing Program, Article 28A of the The School Code.
2. Competitive bidding process:
- a. An invitation for bids is advertised, where possible, by public notice at least 10 days before the bid date in a newspaper published in the District, or if not newspaper is published in the District, in a newspaper of general circulation in the area of the District.
  - b. The following information should be included in the advertisement for bids:
    - 1) A description of the materials, supplies or work involved;
    - 2) Competition or delivery date requirements;
    - 3) Requirements for bid bonds or deposits;
    - 4) Requirements for performance, labor, and material payment bonds;
    - 5) Date, time, and place of the bid opening;
    - 6) The approximate time period between the opening of bids and the award of the contract, and
    - 7) Any other useful information.
  - c. If specifications are available, the advertisement for bids describes where they may be obtained and/or inspected.
  - d. All bids must be sealed by the bidder. A Board member or District employee opens the bids at a public bid opening at which the contents are announced.
  - e. Each bidder is given at least 3 days' notice of the time and place of the bid opening.
3. Following the opening of bids, the Superintendent and Board Attorney determine the lowest responsible bidder and verify the bidders' qualifications. Contracts are

awarded at a properly called open meeting of the Board. If the Superintendent recommends a bidder other than the lowest bidder, the Superintendent must provide the Board with the factual basis for the recommendation in writing. The Board, if it accepts a bid from a bidder other than the lowest, records the factual basis for its decision in its minutes. A contract arises only when the Board votes to accept a bid, although written notice of the award will later be given to the successful bidder.

4. Notwithstanding the foregoing, the District is relieved from bidding when making joint purchases with other public entities in compliance with the Governmental Joint Purchasing Act (30 ILCS 525/0.01).

LEGAL REF.: 105 ILCS 5/10-20.21.

ADOPTED: