

## SECTION 200 – FISCAL MANAGEMENT

### PURCHASING

### POLICY 205

#### ARTICLE 1 GENERAL PURCHASING PROVISIONS

- A. All purchases for which payment is from tax funds shall be made in accordance with the policies of the Board of Education and the laws of the State of Colorado.
- B. The Board of Education authorizes the administration to purchase and supervise the purchasing of all goods, materials, supplies, equipment and furniture for the District within the parameters of adopted budgets. The administrator is to seek at least three quotes for purchases exceeding \$5,000 (excluding instructional materials and purchases to replace) unless the item is only available from one vendor. Each vendor is to be provided a listing of minimal specifications for the item(s). The item(s) shall be purchased from the vendor submitting the low quote that meets specifications. A record of all quotes received shall be kept.
- C. The Board of Education authorizes the administration to purchase professional services. Such services shall be in the best interests of the District but competitive bidding shall not be required.
- D. Purchases of property (land), buildings, or vehicles shall require approval of the Board of Education.
- E. Purchases of services from a contractor for repair or improvement of facilities, installation of equipment, or provision of utilities shall be competitively bid through a formal bidding process (see Article 3 and 4) except when:
1. The total cost of the project, equipment or service is less than \$25,000 or
  2. Only one contractor or vendor is able or available to provide the equipment, complete the project or perform the service to specifications or
  3. Such purchases are replacement parts or additions, expansions or extensions to previously purchased equipment or systems or
  4. An emergency or other exigent circumstance renders competitive bidding impossible or impractical.

The District may not enter into or renew a contract for services with a contractor or subcontractor who knowingly employs or contracts with an illegal alien to perform work under the contract.

- F. Purchase orders, duly executed contracts, or approved petty cash vouchers are required for all expenditures. Verbal orders, telephone orders, and internet orders may only be made with the approval of the Director of Accounting or Superintendent. Credit card purchases may only be made with the approval of the authorized Distributed Accounting Center (DAC) Administrator. Such purchases shall be on a limited basis for situations not allowing for the processing of a purchase order.
- G. No employee shall incur any debt against the District without adhering to provisions of this policy. The District shall not be responsible for bills incurred by individual employees not authorized to act on behalf of the District.
- H. District personnel shall not extend favoritism to any vendors. Each order shall be placed on the basis of quality, suitability, price, terms, delivery and service.

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#### References:

C.R.S. 22-32-110 Board of Education Specific Powers

C.R.S. 24-91-102 through 114

Adopted: 1/12/00; Revised:11/02/05, 5/7/07

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- I. Solicitation by any salesperson of any District employee is prohibited except by prior approval of the Principal, Director or Superintendent.

#### **ARTICLE 2 PURCHASING PROCEDURES**

- A. Purchases shall be processed through the District's electronic purchasing system (Infinite Visions). Requisitions shall be completed electronically on the system, approved by the authorized Distributed Accounting Center (DAC) Administrator and forwarded to the District's Purchasing Agent. Exception 1: Authorized credit cards may be used for purchases by DAC Administrators in lieu of a requisition on a limited basis. Resulting invoices shall be processed by the District's Purchasing Agent for payment. Exception 2: School Activity Fund purchases shall be processed, and records maintained, at each school. Expenditures from School Activity Funds shall be subject to financial audit each school year by the independent auditor who audits District funds.
- B. The District's Purchasing Agent shall cause a purchase order to be generated for each approved requisition.
- C. Upon notification of receipt of goods purchased or completion of services rendered, the Purchasing Agent shall make payment.
- D. At the time of purchase, capital improvement items shall be given an inventory number and added to the District's inventory.

#### **ARTICLE 3 CONSTRUCTION CONTRACTS**

- A. Except as otherwise specifically provided in this policy, all contracts for District construction projects (excluding contracts with design professionals for architectural, engineering, construction management and other professional services) shall be awarded based on competitive bids from at least three contractors. Such contracts shall be awarded without favor or prejudice to the lowest responsive, responsible bidder based on the best interests of the District. Preference shall be given to contractors with businesses located within the District when all other considerations are equal.
- B. Construction contractors doing business with the District shall be required to provide the District with such bonds or other acceptable securities as the law and/or the Board may require. Such bonds shall be conditioned upon the faithful performance of the contract and shall also provide that if the contractor or his subcontractor fails to pay for labor, materials or other supplies used in performance of the work, the surety will pay for the same in an amount not exceeding the sum specified together with interest as provided by law.
- B. All construction contracts of \$50,000 or more shall be bonded (C.R.S. 38-26-105) and the certificate of bonding shall be filed in the District office.
- C. All construction contracts shall provide for adequate retention of payments to protect the District's interests consistent with the law pending completion of the project or projects involved on such terms and conditions as approved by the Board.

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#### ARTICLE 4 COMPETITIVE BIDDING PROCEDURES

- A. Specifications for construction projects must be completed prior to opening the bidding process. These specifications may be developed by appropriate District staff or by a specialist or consultant contracted to prepare the documents.
- B. Notice of the District's intent to call for bids shall be advertised to contractors via local newspapers, posted notices, and advertising in appropriate trade journals. The notice shall invite contractors to have their names placed on mailing lists to receive invitations to bid and may require them to submit company information and references for pre-qualification.
- C. The District reserves the right to pre-qualify contractors that will be invited to bid. Criteria for pre-qualifying contractors shall include, but not be limited to, the following:
  - 1. Previous District experience with the contractor
  - 2. Contractor's previous experience on similar projects including type of project and size of project
  - 3. Contractor's financial status and resources
  - 4. Contractor's ability to bond similar construction projects and bonding capacity as required by C.R.S. 38-26-105 and 106
  - 5. Contractor's length of time in business and previous customer satisfaction
  - 6. Contractor's history related to lawsuits and legal actions
  - 7. Contractor's reputation.
- D. Bids are to be received in sealed envelopes that will be opened at a specified date, time and location. All bidders shall be invited to attend. The bid opening shall also be open to the public. The Superintendent or designee or Board appointed representative shall conduct the session and open the bids.
- E. The District shall normally award the low bid that meets all requirements of the bid specifications. However, the Board of Education may reject any or all bids, waive irregularities or technicalities in the bidding process, and accept the bid that appears to be in the best interest of the District. Bid awards may be conditional upon confirmation of bonding and/or other requirements in the bid specification. The following criteria shall be considered in determining whether the project should be re-bid or abandoned:
  - 1. Low bid price versus amount budgeted for the project
  - 2. Conceptual/engineering or design problems with the project
  - 3. Changed needs of the District

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- F. Following the bid opening, and prior to awarding of the bid, District representatives and the low bidder shall meet to:
1. Identify and deal with any concerns or problems the low bidder may have
  2. Confirm any alternates that will be incorporated into the project
  3. Negotiate adjustments to the project and bid price if over budget
  4. Identify and approve or reject subcontractors and major suppliers. If any subcontractors or suppliers are rejected, the low bidder may either make acceptable substitutions and maintain its bid price or withdraw its bid entirely.
- G. Bid awards shall be made by the Board of Education at the next regularly scheduled meeting or at a special meeting called for this purpose.

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