



# Cumberland School Department Policy Manual

FISCAL MANAGEMENT

D

PURCHASING REQUIREMENTS AND AUTHORITY

D-5

## GENERAL AUTHORIZATION OF TOWN CHARTER REQUIREMENTS

The School Department procurement practices are the same procedures as outlined in the Town of Cumberland's Charter.

Thus certain exemptions such as sole suppliers, all competitive sealed bids exceed the budgeted amount allowed, or if under regulations adopted by the School Committee it is determined by the Superintendent of Schools or his/her designee that the use of competitive bidding is not practical manners set by state law shall be followed. In all other circumstances competitive sealed bids shall be solicited for any purchase of supplies, materials, equipment or services performed that will exceed \$5,000, or in the case of construction as defined in State law, in excess of \$7,500.

All contracts or purchases shall be awarded to the responsive and responsible bidder whose bid is either the lowest bid price, or lowest evaluated or responsive bid price. A performance bond shall be required of all successful bidders in such amount and with such surety as the School Department may specify or ordain.

All purchases must also be reviewed to ensure vendors have not been declared ineligible for participation in federal programs. The Business Manager or his/her designee shall check the SAM.GOV website in order to ensure potential vendors have not been disbarred from participating in programs that are funded with federal funds.

No Transaction which is essentially a unit shall be divided into a series of orders for the purpose of circumventing the competitive bidding process. Bids, specifications and all other factors being equal preference shall be given to the bidder whose place of business is in Town.

Purchases or contracts for between one thousand dollars (\$1,000) and five thousand dollars (\$5,000), or in the case of contracts for construction for between one thousand dollars (\$1,000 ) and seven thousand five hundred dollars (\$7,500), shall be made only after three (3) quotations, if available, have been obtained from competitors by the Business Office.

The Cumberland School Committee authorizes the Superintendent of Schools or his/her designee to approve expenditures in the amount of \$1,000 or less to cover any single purchase order or contract for services from the general operating budget which may be required to conduct efficient operations within the school district.

Conduct of efficient operations would include but not be limited to the following:

1. Any purchases or contract for services which would materially disrupt the instruction of students, i.e., boiler repair, repair of instructional equipment, purchase of textbook replacements or instructional supplies.
2. Any contract for services which would materially impact upon business delivery services of the school department.



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## **SPECIFIC CONSIDERATIONS**

The Business Manager or Chief Financial Officer is designated by the Committee to serve as Purchasing Agent. He/she shall be directly responsible for developing and administering the purchasing program of the school department and shall be responsible to the Superintendent of Schools and the Committee on such matters.

Competitive bids or quotations shall be solicited in connection with all purchasing whenever possible. Contracts shall be ordinarily awarded to the lowest, responsible, qualified, bidder complying with specifications and with other stipulated bidding requirements.

All bids must be in compliance with RIGL § 37-13-1 (Prevailing Wage provisions).

## **EMERGENCY AUTHORIZATION REQUIREMENTS**

The Committee recognizes that certain emergencies may arise which would affect the safety, health and welfare of students or staff which could result, if not immediately corrected, in a further deterioration to the school plant or equipment. In view of the foregoing, the Committee authorizes the Superintendent after obtaining two (2) quotations to award a purchase or contract for not more than \$20,000, for emergencies such as boiler breakdowns or other maintenance malfunctions and

The following procedures shall be followed in such emergencies by the Superintendent/Business Manager.

1. Obtain quotations from two (2) or more vendors.
2. Award to the lowest responsible and qualified bidder.
3. Apprise the School Committee Chairperson as soon as possible
4. Apprise the School Committee at the next scheduled meeting.
5. If the lowest responsible and qualified bidder exceeds \$20,000, the Superintendent will contact the Chairperson of the School Committee to arrange an emergency session of the Committee to review the emergency and bids in order to make the award.

## **REQUIREMENTS FOR APPROVAL OF PUBLIC BIDS**

All contracts and awards will customarily be awarded to the lowest responsible qualified bidder, provided, however, that the lowest quotation meets all the required specifications of model and design equivalencies or equal as listed in the invitation to bid.

When specifications are prepared, they will be made available to all those who have indicated interest in bidding, as well as advertised in a newspaper with statewide circulation.



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The Committee reserves the right to reject any or all bids, in total or in part and reserves the right to accept that bid which appears to be in the best interest of the Cumberland School Department. When the award is not given to the lowest bidder, a statement of the reasons for placing the order elsewhere shall be prepared by the Business Manager and submitted with the other papers relating to the transaction. Any bid may be withdrawn prior to the scheduled time for the opening of bids. Bids received after the time and date specified shall not be considered.

The following shall be submitted to the Fiscal Management Sub Committee and/or School Committee for public bid or emergency awards:

1. Copy of the bid advertisement which appeared in a newspaper or appropriate website with statewide circulation or subscribers.
2. Certification of bid openings signed by the responsible individual listing bids and those present at the opening.
3. Bid analysis prepared by the department head.
4. A fiscal note of all funds to be used to complete the project or purchase.
5. A fiscal note identifying which funds shall be drawn.
6. A recommendation of award by the engineering firm, architectural firm, or department head that created the bid specifications.
7. All of the above required information shall be submitted to the school committee with the resolution that is awarding such contract or purchase.

All purchasing contracts for materials, equipment or supplies involving an annual expenditure of over \$1,000 or more shall be awarded on the basis of sealed competitive bidding. The Business Manager/Chief Financial Officer and Superintendent/or designee are authorized to open bids and record the same pursuant to law and School Committee policy.

## Bid Opening Procedures

1. Sealed: Bids shall be submitted sealed to the Business Office, dated and time stamped, and shall be identified as bids on the enveloped.
2. Opening: Bids shall be opened in public at the time and place stated in the public notices.
3. Tabulation: The tabulation of all bids received shall be forwarded by the Business Manager to the Superintendent of Schools for action or for presentation to the School Committee.

All Contracts or awards over \$5,000 shall be made by a vote of the School Committee.

Surety bid bonds or performance bonds may be required at the discretion of the School Committee for all purchases and contracted services of \$5,000 or more.



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Purchases may be made through available state contracts of the Division of Standards and Purchases or through co-operative purchasing plans of other units of government whenever such purchases are in the best interest of the School Department.

Items commonly used in the various schools or units thereof shall be standardized whenever consistent with educational goals and in the interest of efficiency and economy.

No school committee members, administrator or employee of the Cumberland School Department shall be interested financially in any contract entered into by the Committee for purchases of materials, equipment and supplies or any other contract for services. Although this is limited to above specified personnel if members of their families have a financial interest in doing business with the school department, public disclosure shall be made before any contracts are entered into.

## **NON-EMERGENCY OR NON-PUBLIC BID REQUIREMENTS**

Except in the case of contracts for professional services, all purchases of supplies, materials, equipment and services in the amount of \$1,000 or more shall be based on quotes from at least three competitive bidders. All purchases and contracted services of less than \$1,000 may be made in the open market but shall when possible, be based on at least three competitive quotations or prices.

The Business Manager is authorized to issue purchase orders without prior approval of the Committee where formal bidding procedures are not required by law or School Committee policy and when budget appropriations are adequate to cover such cost.

*This policy supersedes policy DJA & DJC Approved: 3/28/1996*

*Amended Policy Approved by Policy & Procedures Sub-Committee: 10/22/2013*

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