

**Board File: DJ**

## **DISTRIC PURCHASING**

~~The Board shall ensure fiscally responsible spending to promote open and fair competition through the use of competitive purchasing processes where appropriate. The primary purpose for using the bidding process is to secure best value to the district while being a good steward of the taxpayers' dollars and ensuring transparency throughout the process.~~

~~The Board shall approve all single contractual purchase obligations of \$500,000 or greater, and all purchases with an aggregated annual amount payable to a single vendor of \$500,000 or greater.~~

~~The superintendent or designee is authorized to make purchases on behalf of the district for any amount less than the above Board approval thresholds and as is required or permitted within the limits of the budget in accordance with the below guidance as is required or permitted within the limits of the budget.~~

~~Purchases, purchase orders or contracts shall not be divided, split or manipulated by any employee or department for the purposes of circumventing the required competitive process, district purchasing policies, or Board approval thresholds.~~

~~Any purchase of goods and services shall be made consistent with the competitive purchasing requirements outlined below unless such purchase is considered an "emergency purchase" or the purchase has been authorized by the Director of Strategic Sourcing and Management (SSCM) as a "sole source" purchase consistent with District policy and procedures.~~

### **General Competitive purchasing**

~~The Board shall ensure fiscally responsible spending to promote open and fair competition through the use of competitive purchasing processes where appropriate. The primary purpose for using the bidding process is to secure best value to the district while being a good steward of the taxpayers' dollars and ensuring transparency throughout the process.~~

~~Up to \$5,000 - Small purchases up to \$5,000 shall be made in a commercially prudent manner but do not require a competitive process. These purchases may be made via a purchasing card.~~

~~\$5,001 to \$10,000 - Purchases in which the estimated total of goods or services falls within this range shall require one written quote. Travel purchases may be made via a purchasing card.~~

~~\$10,001 to \$50,000 - Purchases in which the estimated total of goods or services falls within this range shall require three written quotes.~~

~~\$50,001 to \$500,000 - Purchases in which the estimated total cost of the goods or services falls within this range shall require a formal competitive process (RFQ or RFP).~~

~~\$500,000 and greater - In addition to the formal competitive process (RFQ or RFP), the Board~~

Douglas County School District RE-1, Castle Rock, Colorado

shall approve all single contractual purchase obligations of \$500,000 or greater, and all purchases with an aggregated annual amount payable to a single vendor of \$500,000 or greater.

Small purchases of \$2,500 or less shall be made in a commercially prudent manner but do not require a competitive process. These purchases may be made via a purchasing card. Purchases in which the estimated total of goods or services is over \$2,500 and up to \$4,999 shall be made using procedures established by the superintendent. Purchases in which the estimated total cost of the goods is greater than \$5,000 and up to \$49,999 shall require three written quotes. Purchases in which the estimated total cost of the goods or services is \$50,000 or greater shall require a formal competitive process (RFQ or RFP).

Purchases, purchase orders or contracts shall not be divided, split or manipulated by any employee or department for the purposes of circumventing the required competitive process, district purchasing policies, or Board approval thresholds.

### **Construction/Operation and Maintenance purchasing**

Up to \$5,000 - Small purchases up to \$5,000 shall be made in a commercially prudent manner but do not require a competitive process. These purchases may be made via a purchasing card.

\$5,001 to \$10,000 - Purchases in which the estimated total of goods or services falls within this range shall require one written quote.

\$10,001 to \$100,000 - Purchases in which the estimated total of goods or services falls within this range shall require three written quotes.

\$100,001 to \$500,000 - Purchases in which the estimated total cost of the goods or services falls within this range shall require a formal competitive process (RFQ or RFP).

\$500,000 and greater - In addition to the formal competitive process (RFQ or RFP), the Board shall approve all single contractual purchase obligations of \$500,000 or greater, and all purchases with an aggregated annual amount payable to a single vendor of \$500,000 or greater.

In the event that construction or operation and maintenance purchases are made using Federal Funds the General Competitive Purchasing guideline ranges above will apply.

### **Bidding Guidance**

The Director of Strategic Sourcing and Contract Management (SSCM) shall establish bid/proposal terms and conditions that govern all procurement transactions. Unsolicited bids/proposals and bids/proposals from unapproved or non- prequalified vendors shall not be considered unless it is determined by the Director of SSCM that it is in the best interest of the district to accept such bids or proposals.

### **Competitive Bids/Proposals**

Bids are defined as quotes where detailed specifications which describe the materials, equipment, and/or service are available.

Proposals are defined as instances when the products, services or projects are of a complex nature or when the expertise of the marketplace is required.

Award is made to the responsible bid or the proposal determined to be the most advantageous to the district, taking into consideration price and other evaluation factors set forth in the request for proposal.

### **Sole Source**

On occasion, because of the need to maintain uniformity or to satisfy certain technical requirements, it may be appropriate to seek a product or service from a single source. Any deviation from competitive purchasing requirements must be authorized by the SSCM Director. Appropriate substantiating documentation is required. The following guidelines will be considered:

1. If a competitive process will result in higher cost or otherwise adversely affect the district as determined by the superintendent or designee.
2. If the service is a professional service that requires a high degree of professional skill such as engineering and architectural services, professional management or educational consulting, legal services, medical services, technology services or other services as determined by the superintendent or designee.
3. If a particular product or service is required to standardize or maintain standardization, reduce financial investment or simplify administration.
4. If a particular product or service is required to maintain interchangeability or compatibility as part of an existing system.
5. If purchases are made in cooperation with federal, state, other local government units, other school districts or other approved cooperative purchasing organizations when it is in the best economic interest of the district as determined by the superintendent or designee.
6. If the product or service is the subject of an insurance claim or a change order.

### **Emergency purchases**

Emergency situations shall be defined as those instances which may adversely affect the health, welfare or safety of students, employees or the general public, when any delays would place an excessive financial burden on the district, or when delays would cause significant harm to the district. In the case of an emergency requiring the immediate purchase of goods or services, the employee managing the emergency shall have the authority to authorize the purchase of necessary goods or services in the open market regardless of the amount of the expenditure. Any department or school shall advise the SSCM department of any such emergency purchase.

### **Dispute Resolution**

The Superintendent or designee is authorized to settle and resolve questions regarding any protest concerning the solicitation, consideration, or award of a bid/proposal, or controversies arising between the district and a vendor with regard to contracts. If deemed necessary, district counsel shall be consulted.

**Public Access**

After the bids have been opened, tabulated, and awarded, they shall be available for those interested. Responses to requests for proposals are not subject to public inspection until a recommendation of award is made.

**Specifications**

Specifications will be written in such a manner to stimulate competition among all levels of sales, manufacturing, and service organizations such as vendors who handle the lines, or vendors who handle competitive lines. All specifications shall be written by the district's ~~Strategic Sourcing & Contract Management~~ SSCM department and conflicts of interest shall be avoided.

**Award of bid**

The award of a bid shall, barring extenuating circumstances, be made to the lowest responsible bidder who meets the qualifications for quality, price, terms, and service. However, the district reserves the right to reject any and all bids/proposals in part or in whole and to accept that bid/proposal which appears to be in the best interests of the district. If two or more bidding firms are equal in price and other factors and one firm is located within the boundaries of the district, the local firm will receive the order.

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### **Dispute resolution**

~~The superintendent or designee is authorized to settle and resolve questions regarding any protest concerning the solicitation, consideration, or award of a bid/proposal, or controversies arising between the district and a vendor with regard to contracts. If deemed necessary, district counsel shall be consulted.~~

### **Public information on bids**

~~After the bids have been opened, tabulated, and awarded, they shall be available for those interested. Responses to requests for proposals are not subject to public inspection until a recommendation of award is made.~~

### **Noncompetitive/sole source purchases**

~~Purchases are to be made competitively as described above with the exception of the following:~~

- ~~1. If a competitive process will result in higher cost or otherwise adversely affect the district as determined by the superintendent or designee.~~
- ~~2. If the service is a professional service that requires a high degree of professional skill such as engineering and architectural services, professional management or educational consulting, legal services, medical services, technology services or other services as determined by the superintendent or designee.~~
- ~~3. If a particular product or service is required to standardize or maintain standardization, reduce financial investment or simplify administration.~~
- ~~4. If a particular product or service is required to maintain interchangeability or compatibility as part of an existing system.~~
- ~~5. If purchases are made in cooperation with federal, state, other local government units, other school districts or other approved cooperative purchasing organizations when it is in the best economic interest of the district as determined by the superintendent or designee.~~
- ~~6. If the product or service is the subject of an insurance claim or a change order.~~
- ~~7. Sole source purchases are characterized as the one and only source, regardless of the marketplace. The superintendent or designee is responsible for approval of requests for sole source purchases. Appropriate substantiating documentation is required.~~

### **Emergency purchases**

~~Emergency situations shall be defined as those instances which may adversely affect the health, welfare or safety of students, employees or the general public, when any delays would place an excessive financial burden on the district, or when delays would cause significant harm to the district. In the case of an emergency requiring the immediate purchase of goods or services, the employee managing the emergency shall have the authority to authorize the purchase of necessary goods or services in the open market regardless of the~~

*Board File: DJ*

~~amount of the expenditure.~~

~~The superintendent is authorized to issue administrative policies detailing purchasing and bidding procedures, including policies governing the use of purchasing cards for purchases under \$2,500.~~

Adopted: October 3, 1978

Revised: November 15, 1994

Revised: December 3, 2002

Repealed by the Board and re-enacted and revised by the Superintendent: March 20, 2006

Adopted by the Board: July 15, 2014 (replaces Board File:DJE-R)

Revised: March 20, 2018

Revised: April 2, 2019

Revised by the Board: August 20, 2019

REF:

C.R.S. 22-32-109(1)(b) (Board required to adopt bidding procedures)

CROSS REFS:

EL 1.6, Fiscal Management and Controls DJA, Purchasing Authority