

PURCHASING REGULATION

Principals of Purchasing

The District's purchasing activity will strive to meet the following objectives:

1. To effectively supply all administrative and instructional departments in the school system with needed materials, supplies, and contracted services;
2. To obtain materials, supplies and contracted services at the lowest prices possible consistent with the quality and standards needed as determined by the requisitioning authority. *The educational welfare of the students is the foremost consideration in making any purchase;*
3. To ensure that all purchases fall within the framework of budgetary limitations and that they are consistent with the educational goals and programs of the district;
4. To maintain an appropriate and comprehensive accounting and reporting system to record and document all purchasing transactions; and
5. To ensure, through the use of proper internal controls, that loss and/or diversion of district property is prevented
6. To ensure the prudent and economical use of public money
7. To comply with all applicable Federal, State, local laws, rules and regulations that prohibit unlawful discrimination because of race, creed, color, national origin, sex, sexual orientation, age, disability, or marital status, and to encourage the participation of Minority and Women-owned Businesses (M/WBE) and contractors who have demonstrated a commitment to working with M/WBEs.

Quoting Requirements

Competitive bids or quotations shall be solicited in connection with purchases pursuant to the General Municipal Law and applicable Federal and New York State rules and regulations pertaining to the use of grant funds including M/WBE requirements and/or vendors that are specifically identified for use in a grant awards notice as applicable.

Goods and services which are not required by law to be procured pursuant to competitive bidding must be procured in a manner so as to assure the prudent and economical use of public monies, in the best interest of the taxpayers to facilitate the acquisition of goods and services of maximum quality at the lowest possible cost under the circumstances, and to guard against favoritism, improvidence, extravagance, fraud and corruption.

To further these objectives, alternative proposals or quotations will be secured by requests for proposals (RFPs), written or verbal quotations or any other appropriate method of procurement, as follows:

Guidelines for Purchasing Supplies and Equipment when Competitive Bidding is Not Required by Law

In accordance with City of Syracuse Ordinance No. 141-2012, amended Schedule A, effective May 16, 2012:

Estimated Amount of Purchase	Procedure/Requirements
Up to \$1,500	No quotes required
\$1,501 - \$3,000	3 informal vendor quotes required
\$3,001 - \$20,000	3 written formal vendor quotes required
Over \$20,000 in a one year period	Competitive bidding required

Guidelines for Purchasing Public Works or Services when Competitive Bidding is Not Required by Law

In accordance with City of Syracuse Ordinance No. 141-2012, amended Schedule A, effective May 16, 2012:

Estimated Amount of Purchase	Procedure/Requirements
Up to \$1,500	No quotes required (open market purchase)
\$1,501 - \$3,000	3 informal vendor quotes required
\$3,001 - \$35,000	3 written formal vendor quotes required
Over \$35,000 in a one year period	Competitive bidding required

Procedures for the Award of Quotes

1. Quotes will be awarded to the lowest responsible and responsive vendor who meets the specifications.
2. Whenever an award is made to other than the lowest quote, this shall be indicated in writing and maintained in the requisition file.
3. When the specified number of quotations cannot or will not be secured, the reason for this shall be indicated in writing and maintained in the requisition file.

The District will provide justification and documentation of any contract awarded to a vendor other than the lowest responsible dollar vendor, setting forth the reasons why such award is in the best interests of the District and otherwise furthers the purposes of section 104-b of the General Municipal Law.

Exceptions to Quoting Requirements

The District will not be required to secure alternative proposals or quotations for procurements:

1. Under any county contract;
2. Under any state contract;

3. Under a federal contract;
4. Under the contract of another political subdivision or municipality;
5. Of articles manufactured in state correctional institutions;
6. From agencies for the blind and severely disabled; or
7. Under an authorized BOCES contract.

Purchases will be made through available State contracts of the Office of General Services, City, County, Federal, BOCES, or other allowable state, district of any state, political subdivision or municipal contracts whenever such purchases are in the best interests of the District. In addition, the District will make purchases from correctional institutions and severely disabled persons through charitable or non-profit-making agencies, as provided by law.

The District is also not required to secure alternative proposals or quotations for:

1. Emergencies where time or the safety of District students or employees are crucial factors;
2. Procurements for which there is only one possible supplier (sole source) of goods or services;
3. Very small procurements when solicitations of competition would not be cost-effective;
- or,**
4. Where purchases are exempt by local law.

Explanations of Other Methods of Competition to Be Used for Non-Bid Procurements

1. Emergencies: Informal solicitation of quotes or otherwise, to the extent practicable under the circumstances as directed by City of Syracuse policies and procedures.
2. Leases of Personal Property: Section 1725 of the Education Law requires that a district will be subject to competitive bidding requirements for purchase contracts when it enters into a lease of personal property.
3. Second-Hand Equipment from Federal and State Governments: Section 103(6) of the General Municipal Law provides a statutory exception to the competitive bidding requirement by permitting the purchase of surplus and second-hand supplies, materials or equipment without competitive bidding from the federal or state governments or from any other political subdivision or public benefit corporation with the state.
4. Certain Food and Milk Purchases: Section 103 (9) and (10) of the General Municipal Law provides a statutory exception to the competitive bidding requirement by permitting a Board of Education to separately purchase eggs, livestock, fish and dairy products (including milk), fresh fruits and vegetables directly from producers, growers or certain processors without bidding.
5. Certain Municipal Hospital Purchases: Section 103(8) of the General Municipal Law provides a statutory exception to the competitive bidding requirement by permitting the purchase of goods, supplies and services from municipal hospitals under joint contracts and arrangements

entered into pursuant to section 2803-a of the Public Health Law.

6. Sole Source: Section 103 of the General Municipal Law provides a statutory exception to the competitive bidding requirement with respect to contracts for professional services requiring special skill or training, legal services, medical services, property appraisals, or insurance and or limited situations where there is only one possible source from which to procure goods or services required in the public interest (such as in the case of certain patented goods or services or public utility services).
7. Districts may also extend contracts for the transportation of students, or for leasing mobile instructional units, for four or five years without using competitive bidding requirements. ((§305(14))
8. Preferred Sources: “Commodities and services produced by...
 - a) ...the Department of Correctional Services’ Correctional Industries Program in State correctional institutions pursuant to Correction Law §184;
 - b) ...qualified charitable non-profit-making agencies for the blind approved for such purposes by the Commissioner of Social Services;
 - c) ...special employment programs serving mentally ill persons operated by facilities within the Office of Mental Health and approved by the Commissioner of Health;
 - d) ...qualified charitable non-profit-making agencies for other severely disabled persons approved by the Commissioner of Education; and,
 - e) ...qualified veterans’ workshops providing job and employment skills training to veterans where the workshop is operated by the U.S. Department of Veterans Affairs, is manufacturing products or performing services with the State, and is approved by the Commissioner of Education.”
9. Professional Services: The following criteria may be used in order to meet this exemption from competitive bidding:
 - a) “Generally, professional services involve specialized expertise, use of professional judgment and/or a high degree of creativity.”
 - b) Examples include: insurance, telephone, electricity, water, or services performed by engineers, architects, land surveyors, attorneys, and physicians.
 - c) Professional Services will be procured in accordance with City of Syracuse Ordinance No. 141-2012 and Schedule B.
10. Council Ordinance: Waiver of competitive bidding requirements authorized by the City of Syracuse Common Council through approval of an ordinance.

The Superintendent of Schools, with the assistance of the appropriate school business official, shall be responsible for the establishment and implementation of the procedures and standard forms for use in all purchasing and related activities in the District. Such procedures shall comply with all applicable laws and regulations of the state, city and the State Commissioner of Education.

No local Commissioner of Education, officer or employee of the School District shall have an

interest in any contract entered into by the Board or the District, as provided in Article 18 of the General Municipal Law.

The unintentional failure to fully comply with the provisions of Section 104-b of the General Municipal Law or the District's policies regarding procurement will not be grounds to void action taken nor give rise to a cause of action against the District or any officer or employee of the District.

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