

## PURCHASING

All purchasing for the school system to be paid from public funds shall be made by the Superintendent or his/her designee in conformance with existing regulations and procedures as outlined in the Orleans Parish School Board's *Purchasing Handbook*, and the laws pertinent to state and federal agencies. Budget allocations for specific purposes shall constitute advance School Board approval for all purchases except in such cases as state law or School Board policy may require. No debt shall be contracted in the name of the Orleans Parish School Board without action by the School Board, except those items which are provided for in the regular budget. Purchases shall be made at the lowest possible cost to the School Board consistent with specifications of quality and service.

Each principal shall assure that purchases by the individual school shall be made in accordance with administrative regulations and procedures developed by the Superintendent and staff, as contained in the *School Activity Fund Manual* and the laws pertinent to state and federal agencies.

No employee, officer or agent of the Orleans Parish School Board shall participate in the selection, award, or administration of a contract or purchase of supplies, materials and equipment if a conflict of interest, real or apparent, would be involved. Orleans Parish School Board employees shall neither solicit nor accept gratuities, favors or anything of monetary value from vendors, contractors, potential contractors, or parties to subagreements.

### VENDORS

The Orleans Parish School Board shall seek business and bids from all eligible vendors, regardless of race, creed, color, sex, national origin, age or handicap. No favoritism shall be extended to any vendor. Each order shall be placed on the basis of quality, price and delivery; past services being a factor if all other considerations are equal.

No person officially connected with or employed by the School Board shall be an agent for, or have any pecuniary or beneficial interest in or receive any compensation or reward from any vendor for the sale of supplies, materials, equipment, services or public works contracts.

To the extent possible, the School Board shall regularly purchase products manufactured, grown, produced or harvested from the state land or waters which are of equal quality to such items produced outside the state, provided the cost of state products does not exceed by more than the statutory percentage the cost of out-of-state products or as otherwise provided by state law. Such products shall be limited to those allowed by state law.

State preference shall be given to vendors, providing the cost of such products does not exceed five percent (5%) of the lowest quoted price. *State preference vendor* shall be

defined as any business with a physical facility located in the parish, out of which it either sells equipment or supplies or provides services to the customer.

The School Board shall also give preference to suppliers of material or equipment offered by Louisiana citizens, the cost and quality being equal. Tie bids shall be awarded as follows:

1. When a tie exists between local bidders, between intrastate bidders that are not local, or between out-of-state bidders, the bid shall be awarded by a flip of a coin.
2. When a tie exists between a local bidder and an out-of-town bidder, the bid shall be awarded to local bidder.
3. When a tie exists between an in-state bidder and out-of-state bidder the bid shall be awarded to the in-state bidder.

#### Disadvantaged Business Enterprise Program

It shall be the policy of the Orleans Parish School Board to ensure every opportunity is made available to include disadvantaged business concerns in its letting of contracts and purchases, by providing bidders for each contract or purchase being bid. At no time shall any School Board department, school or representative exclude any responsive bidder from participation in, deny any person the benefit of, or otherwise discriminate against anyone in connection with the award and performance of any contract or purchase on the basis of race, color, sex, or national origin.

The School Board shall provide or participate in programs and offer services to assist disadvantaged business concerns in the development and growth of their business. Each department and school shall take measures to evaluate and ensure optimum contracting and purchasing opportunities shall be made available.

The Superintendent shall be responsible for maintaining appropriate administrative regulations and procedures assigned to ensure participation of disadvantaged businesses in procurement and contracting opportunities with the School Board.

#### FINANCING PURCHASES

The School Board may finance the purchase of equipment or other movable property to be used by the School Board by entering into an installment sale, lease, or similar agreement with any lender or other person. Such agreement shall be subject to approval of the State Bond Commission in accordance with statutory provisions. No individual school or school employee shall obligate the School Board.

#### SCHOOL DISTRICT PURCHASING COOPERATIVE QUALIFIED GROUP PURCHASING ORGANIZATIONS

A qualified group purchasing organization means an organization, whether for profit or not for profit, of which two (2) or more public school districts are members and which solicits proposals or bids from vendors of services, materials, equipment, or supplies of the type and nature as may be purchased by a public school district or public school.

The School Board, as a member, may participate in a school district purchasing cooperative enter into an agreement with: (A) one or more School Boards to form a qualified group purchasing organization; or (B) one or more qualified group purchasing organizations for the purchase of services, materials, equipment, and supplies, including installation thereof. Any such agreement shall require that the qualified group purchasing organization submit a price list for those materials and supplies offered by it and that the prices quoted on the list remain in effect for a stated period of time of not less than three (3) months. Any such price list shall be considered, for all purposes, to be a valid and binding bid by the qualified group purchasing organization during the effective period of the agreement, and no additional bid by the qualified group purchasing organization is necessary.

In accordance with solicitations, bids, or proposals put forth by the school district purchasing cooperative, The School Board may purchase services, equipment, materials, and supplies at the prices selected by the cooperative from a qualified group purchasing organization if the price for such equipment is less than that for the same or substantially similar equipment on the state bid list.

### STATE CONTRACT

If equipment, materials or supplies are available from a State of Louisiana Contract, the Superintendent and/or his/her designee may approve the purchase without using one of the purchasing procedures outlined in statutory provisions, if advantageous to the School Board.

The School Board may also *piggyback*, or purchase materials and supplies on valid contracts of other political subdivisions. In doing so, the School Board shall obtain documentation from the other agency that clearly demonstrates the contract was previously bid and is a viable contract. The price paid by the School Board shall be the same as the contract's bid price.

### COMPETITIVE ONLINE SOLICITATION

The School Board may use a *reverse auction* or *competitive online solicitation process* on the Internet for the purchase of equipment, supplies, and other materials in lieu of the more formal bid process when the School Board's procurement officer determines that the electronic bidding is more advantageous and in the best interests of the School Board.

Prior to the use of a competitive online solicitation process, the School Board may require that:

1. Vendors register before opening dates and time, and as part of the registration, require that the vendors agree to any terms and conditions and other requirements of the solicitation.
2. Vendors be prequalified prior to placing bids and allow only bidders who are prequalified to submit bids.
3. The solicitation shall designate an opening date and time and the closing date and time. The closing date and time may be fixed or remain open depending on the structure of the item being bid.
4. At the opening date and time, the School Board shall begin accepting online bids and continue accepting bids until the bidding is officially closed. Registered bidders shall be allowed to lower the price of their bid below the lowest bid posted on the Internet until the closing date and time.
5. Bidders' identities shall not be revealed during the bidding process; only the successively lower prices, ranks, scores, and related bid details shall be revealed.
6. All bids shall be posted electronically and updated on a real-time basis.
7. The School Board shall retain the right to cancel the solicitation if it determines that it is in the School Board's best interest.
8. The School Board shall retain its existing authority to determine the criteria that will be used as a basis for making awards.

Adequate public notice for purchases using a reverse auction or competitive online solicitation process shall be given as follows:

1. The advertisement or notice shall be published two (2) times in a newspaper in the locality, the first advertisement to appear at least fifteen (15) days before the opening date of the reverse auction. In addition to the newspaper advertisement, the School Board may also publish an advertisement by electronic media available to the general public.
2. The first publication of the advertisement shall not occur on a Saturday, Sunday, or legal holiday.

### CREDIT CARDS

The Superintendent may authorize the use of credit cards or procurement cards by authorized personnel to facilitate the purchase of school district materials, supplies, employee travel and gas. Only personnel employed by the School Board and authorized by the Superintendent may be permitted to use any charge card in the name of the School Board. No personal usage of any card shall be permitted.

Each person authorized by the School Board shall be issued a credit card in the name of the School Board. Once received, the card(s) shall remain in the possession of the employee/cardholder and he/she shall be held accountable for the card's usage. Documentation (purchase order and/or itemized receipt) shall be required for all purchases, credits or transactions for which the card is used.

The usage of any card issued shall be in accordance with the administrative regulations and procedures outlined by the Superintendent and/or staff. ~~, which shall include at a minimum, the following:~~

- ~~1. An accounting code shall be assigned to each cardholder.~~
- ~~2. Each credit card shall be secured and in locked storage when not in use.~~
- ~~3. All purchases made with a credit card shall be restricted to limited amounts as set by the School Board. Itemized transactions receipts from the vendor must be obtained and submitted to the business office.~~
4. Designated School Board personnel shall be responsible for monitoring all charges, the number and amount of purchases, vendors used, as well as detailed transaction information.
- ~~5. State and local sales taxes shall not be charged on any card purchases.~~
6. Misuse of any School Board credit card may result in discipline and/or personal liability for dishonored, erroneous, or improper charges.

#### Gasoline or Fuel

Purchases of gasoline or fuel by credit cards shall be documented with receipt submitted to the Finance Department as soon as practicable following purchase. Documentation of the purchase shall include, at a minimum, vehicle description, number of gallons purchased, price per gallon, and signature of person filling vehicle.

Ref: La. Rev. Stat. Ann. §§33:4712.7, 38:2184, 38:2211, 38:2212, 38:2212.1, 38:2214, 38:2218, 38:2219, 38:2271, 39:1551, 39:1552, 39:1553, 39:1554, 39:1554.1, 39:1556, 39:1557, 39:1558, 39:1597, 39:1702, 39:1710.