



PURCHASING REGULATION

The following sets forth the procedures for the procurement of goods and services by the district:

I. Definitions

shall reflect, whenever possible, objective and quantifiable analysis, and may also take into consideration small businesses or certified minority- or women-owned businesses as defined in State Finance Law §163.

3. The district will also determine whether any exceptions to the competitive bidding requirements (as set forth below) exist.

required by General Municipal Law 103-g: "By submission of this bid, each bidder and each person signing on behalf of any bidder certifies, and in the case of a joint bid each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that each bidder is not on the list created pursuant to paragraph (b) of subdivision

B. Contract Combining Professional Services and Purchase

In the event that a contract combines the provision of professional services and a purchase, the district, in determining the appropriate monetary threshold criteria to apply to the contract, will determine whether the professional service or the purchase is the predominant part of the transaction.

C. Opening and Recording Bids; Awarding Contracts

unable to obtain the goods or services for which the contract is offered.

D. Documentation of Competitive Bids

The district will maintain proper written documentation which will set forth the method in which it determined whether the procurement is a purchase of a public work contract.

E. Purchase of Instructional Materials

In accordance with Education Law the district shall give a preference in the purchase of instructional materials to vendors who agree to provide materials in alternative formats (i.e., any medium or format for

the presentation of instructional materials, other than a traditional print textbook, that is needed as an accommodation for a disabled student enrolled in the district, including but not limited to Braille, large print, open and closed captioned, audio or an electronic file in an approved format.)

The district will establish and follow a plan to ensure that every student with a disability who needs his or her instructional materials in

IV. Exceptions to Competitive Bidding Requirements

The district will not be subject to competitive bidding requirements when the

District Board of Education determines that one of the following

1. emergency situations where:

school year multiplied by the total enrollment of the district or exceed the current market price.

Documentation: The district will maintain documentation consistent with section 114.4 of the Regulations of the Commissioner of Education;

5. when the district purchases goods, supplies and services from municipal hospitals under joint contracts and arrangements entered into pursuant to section 2803-a of the Public Health Law.

Documentation: The district will maintain the legal authorization, Board authorization and market price comparisons; or

6. when there is only one possible source from which to procure goods or

[REDACTED]

[REDACTED]

V. Quotes When Competitive Bidding Not Required

Goods and services which are not required by law to be procured by the district through competitive bidding will be procured in a manner so as to ensure the prudent and economical use of public monies in the best interest of the taxpayers. Alternative proposals or quotations will be secured by requests for proposals, written or verbal quotations or any other appropriate method of procurement, as set forth below.

A. Methods of Documentation

1. Verbal Quotations: the telephone log or other record will set forth, at a minimum, the name of vendor, item or service

name of person obtaining quote;
2. Written Quotations: vendors will provide at a minimum, the

name of vendor, item or service desired, quantity requested.

quotes (must be retained and submitted to the Purchasing Agent)

3. Public Work Contracts up to \$35,000

- a. Contracts from \$1,000 to \$10,000: Verbal or written quotes

Documentation will include notations of verbal quotes. All written quotations must be retained and submitted to the Purchasing Agent for review.

- b. Contracts in excess of \$10,000 to \$35,000: Written

Purchasing Agent)

VI. Quotes Not Required When Competitive Bidding Not Required

The district will not be required to secure alternative proposals or quotations for those procurements as permitted by state law:

Comments will be solicited from those administrators involved in the procurement process before enactment of the district's regulations regarding

adopted by Board resolution. All district regulations regarding the procurement processes will be reviewed by the Board at least annually.

The unintentional failure to fully comply with the provisions of section 104-b of the General Municipal Law or the district's regulations regarding procurement will not be grounds to void action taken or give rise to a cause of action against the district or any officer or employee of the district.

IX. Confirming Purchase Orders

~~A verbal order, subject to subsequent confirmation by a written purchase~~

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2. Contract files will document the significant history of the procurement, including the rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis of contract price.
3. The Bay Shore UFSD will utilize one of the five acceptable procurement methodologies detailed in §200.320 which include:
 - a. Micro purchases
 - b. Small purchase procedures;
 - c. Sealed bids;
 - d. Competitive proposals; and
 - e. Non-competitive proposals (sole source)

4. Procurements will provide for full and open competition as set forth in the Uniform Guidance and State and local procurement thresholds.

5. No employee, officer, or agent may participate in the selection, award or administration of a contract supported by a Federal award if he or she has a

real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in.

and the contract includes a ceiling price that the contractor exceeds at its own risk.

10. Vendors/Contractors that develop or draft specifications, requirements, statements of work, or invitation to bids or requests for proposals must be excluded from competing for such procurements.

11. The Bay Shore UFSD will make available, upon request of the Federal awarding agency or pass-through entity, technical specifications on proposed procurements where the Federal awarding agency or pass-through entity believes such review is needed.

12. Any person prohibited from contracting with or making sub-contracts

under covered transactions to parties that are suspended or debarred or whose principals are suspended or debarred. "Covered Transactions" include those

16. The Bay Shore UFSD will...
[REDACTED]

minority businesses, women's business enterprises, and labor area surplus firms are used when possible.

17. The Bay Shore UFSD will procure recovered materials in compliance with §200.322.

18. The Bay Shore UFSD will perform a cost or price analysis relating to every procurement more than the Simplified Acquisition Threshold (\$150,000).

19. The Bay Shore UFSD will require appropriate bonding requirements as per §200.325.

20. The Bay Shore UFSD will only award contracts to Responsible Vendors and
[REDACTED]

Explanations of Other Methods of Competition to Be Used

Emergencies: Informal solicitation of quotes or otherwise to the extent practicable