

Related Entries: (Not identified at this time)

### Purchasing and Bidding

The School Board of Lee County is committed to a fair and equitable process for purchasing goods and supplies to ensure maximum value is received for any money expended.

- (1) No person, unless authorized under Board policy, may make any purchase, rental, lease, or enter into any contract involving the use of District funds, including internal funds.
- (2) The Superintendent or designee shall determine that proper standards and specifications are established for any purchase subject to the provisions of law, State Board of Education Regulations and Board policy.
- (3) The Superintendent or designee shall see that all goods or services purchased conform to such standards and specifications and shall take such other steps as may be necessary to ensure that maximum value is received for any money expended.
- (4) Purchases Not Subject to Board Approval:
  - (a) When the amount purchased is less than 20% of the applicable formal bid threshold provided in State Board of Education Rule 6A-1.012(6) such purchases are not subject to the competitive award process.
  - (b) When purchases are to be made of any item or group of related items of goods or services costing at least 20%, but less than 70% of the applicable formal bid threshold, the school or department desiring to make such purchase(s) shall obtain three quotations and indicate such on the purchase requisition(s). The quotations may be verbal or written and may be received by mail, electronic mail, facsimile machine or other similar medium.
  - (c) When purchases are to be made of any item or group of related items of goods or services costing at least 70%, but less than 100% of the applicable formal bid threshold, the school or department desiring to make such purchase(s) shall request the Purchasing Department to obtain three or more written quotations, by mail, electronic mail, facsimile machine or other similar medium. The written quotations shall accompany the purchase requisition as a permanent part of the purchase record.

- 44 (5) Purchases Subject to Board Approval  
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46 (a) When purchases are to be made of any item or group of related items of  
47 goods or services costing 100% or more of the applicable formal bid  
48 threshold, the school or department desiring to make such purchase(s) shall  
49 request the Purchasing Department to obtain formal, sealed, written bids or  
50 proposals from three or more sources. An appropriate bid and/or  
51 performance bond shall be required when deemed necessary by the  
52 Superintendent or designee.  
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54 1. Any request for bids or proposals shall clearly state that the Board  
55 reserves the right to reject any and all bids or proposals.  
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57 2. The Purchasing Department, on behalf of the Superintendent, shall  
58 have the authority to create an "Invitation to Bid" document which shall  
59 be in the best interests of the District, and which may be modified as  
60 required.  
61  
62 (b) Formal, sealed, written bids and proposals are to be received at the  
63 designated place, date and time for the return. Any bid or proposal received  
64 after the designated deadline shall not be accepted or considered.  
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66 (c) All formal, sealed, written bids and proposals shall be opened publicly and  
67 the names of the bidders and the amounts of each read aloud by the  
68 Superintendent or designee.  
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70 (d) Formal bids and proposals shall be tabulated and evaluated by the  
71 Superintendent or designee and the requisitioner, and the Superintendent  
72 shall make written recommendations to the Board to award the lowest and  
73 best responses received from responsive and responsible bidders. The  
74 Superintendent will develop regulations for bid disputes.  
75  
76 (e) Upon receiving the Superintendent's recommendations for action on formal  
77 bids and proposals, the Board shall accept the lowest and best bids or  
78 proposals meeting specifications. The Board retains the right to accept or  
79 reject any and all bids or proposals in the best interests of the District or as  
80 otherwise provided by law or regulation.  
81  
82 (f) Emergency bids allowed by law or regulation, if approved by the  
83 Superintendent or designee, may be requested by telephone, facsimile  
84 machine, electronic mail, or some other similar medium, and returned as  
85 requested. All emergency bids shall be tabulated and presented to the  
86 Superintendent who shall submit the bids to the Board for action. The  
87 minutes of the Board Meeting shall reflect the nature of the emergency and  
88 shall state that to have followed the regular competitive award procedures  
89 would have caused a delay detrimental to the public interest.

- 90 (6) When a vendor wishes to withdraw a bid or proposal after the designated deadline  
91 for receiving the same, a written request must be submitted to the Director of  
92 Purchasing giving the reason(s) for the desired withdrawal. The Director of  
93 Purchasing is authorized to accept or reject any such request based upon what is in  
94 the best interest of the District.  
95
- 96 (7) If a vendor becomes unable to provide goods or services pursuant to the award of  
97 any contract, the Director of Purchasing is authorized to rescind the award(s) of  
98 specific line item(s). When the total monetary adjustment is less than the applicable  
99 formal bid threshold, the Director of Purchasing may re-award to the next lowest  
100 and best bidder(s).  
101
- 102 (8) The requirement for requesting quotations, bids or proposals from three or more  
103 sources does not apply to the purchase of certain goods or services allowed by law  
104 or regulation to be exempt from the competitive award process.  
105
- 106 (9) The School Board shall receive and give consideration to the prices available to it  
107 under rules of the Department of Management Services, Division of Purchasing,  
108 including the use of the program for on-line procurement of commodities and  
109 contractual services under Section 287.057(23)(a).  
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- 111 (10) Internal Funds Purchases  
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- 113 (a) Internal Funds are defined as all monies collected and disbursed by school  
114 personnel within a school, for the benefit of the school, or a school-  
115 sponsored activity.  
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- 117 (b) When purchasing items from internal funds, the requirements for requesting  
118 quotations, bids or proposals shall not apply if the following conditions are  
119 met:  
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- 121 1. Items are acquired for resale to students in the school store or  
122 purchased for fund-raising activities.  
123
- 124 2. The purchase amount is less than the applicable formal bid threshold  
125 as provided by law and regulation.  
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- 127 (c) Internal funds held in trust for individuals such as purchases of class jewelry,  
128 school annuals, cards and invitations, insignias, caps and gowns, etc., shall be  
129 exempt from the requirements for requesting quotations, bids or proposals.  
130
- 131 (11) All purchase orders shall be encumbered to the proper budget records prior to  
132 issuance. Emergency confirming purchases must have prior approval of the Director  
133 of Purchasing, or designee, and a letter of explanation must accompany the  
134 purchase order as a permanent part of the purchase record.

- 135 (12) Item(s) proposed to be purchased which are identical or similar to item(s) already  
136 stocked in the District's warehouse shall be obtained from the warehouse. Goods or  
137 services to be purchased, which are of an identical or similar nature to those  
138 currently being provided by an approved vendor, shall be purchased from that  
139 vendor. Any deviation from this provision shall be fully justified and documented by  
140 the principal or department head as to the reason for the exception, pre-approved  
141 by the Director of Purchasing, and maintained for audit purposes. This provision  
142 applies to both budgeted funds and internal funds purchases, except items  
143 purchased for resale.  
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- 145 (13) The Board grants authority to the Superintendent or designee to sign routine  
146 maintenance/service agreements for office equipment and software site license  
147 agreements that have been pre-approved as to form by the Board Attorney.  
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- 149 (14) The School Board reserves the right to exercise any right or privilege accruing from  
150 law or regulation not addressed directly by this Policy.  
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153 **STATUTORY AUTHORITY:** 212.0821, 1001.41, 1001.42, 1001.43, 1010.04, 1011.06,  
154 1011.07, F.S; and SBER 6A-1.012  
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156 Adopted: 2/27/07

157 Formerly: Policy 4.44