

Procurement Policy and Procedures

GRAY COLLEGIATE ACADEMY (“GCA” or the “School”) RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS POLICY, IN WHOLE OR IN PART.

POLICY:

It is the responsibility of the Principal and the Business Manager to assure that purchases are made in a legal, ethical, and professional manner, and that they follow policies, rules, statutes, and regulations governing GCA.

PROCEDURES:

Objectives

GCA adheres to the following objectives:

- Procurements will be completely impartial based strictly on the merits of supplier and contractor proposals and applicable related considerations such as delivery, quantity, etc.
- Make all purchases in the best interests of GCA and its funding sources.
- Obtain quality supplies/services needed for delivery at the time and place required.
- Buy from responsible and dependable sources of supply.
- Obtain maximum value for all expenditures.
- Deal fairly and impartially with all vendors.
- Be above suspicion of unethical behavior at all times; avoid any conflict of interest, related parties or even the appearance of a conflict of interest in the School’s supplier relationships.

Conflict of Interest

It is the responsibility of each employee and Board Member to take all appropriate steps to ensure that GCA does not knowingly enter any purchase commitment which could result in a conflict of interest. Employees and Board Members will immediately bring any questionable situations to the attention of the appropriate supervisor and/or authorities. In addition, all Board Members will annually sign a Conflict of Interest Agreement to be kept by the Board’s Secretary.

Purchases

Small purchases not exceeding ten thousand dollars (\$10,000.00) in total value may be accomplished without quotes, if the price is fair and reasonable.

For purchase above \$10,000.01 but less than \$25,000.00, written quotes from three (3) qualified sources of supply are required. Price and other factors will be considered including administrative costs of the purchase. Goods or services purchased from a vendor with a state contract are exempt from this process.

For all major projects (such as renovations, new installation, or improvement to GCA classified of substantial scope) and all purchases above \$25,000.01, must be accomplished with a written Request for Proposal and/or a Competitive Sealed Bid. The Board or a designated subcommittee will review a minimum of three (3) detailed proposals in conjunction with the Principal and recommend the expenditure for approval by the Board. All bids will consider pricing and quality of service and the overall benefit to GCA.

Under no circumstances, shall the Board delegate its responsibilities to third party.

Exceptions to the Procurement Code (non-Federal Funds only)

- a. Books, periodicals, newspapers, technical pamphlets, standardized tests and other testing materials, copyrighted educational materials, filmstrips, slides and transparencies.
- b. Public Utilities, such as electricity, water or sewer
- c. Travel
- d. Workshops, seminars, and conferences

- e. Professional journals
- f. Taxes, social security, annuities, and credit unions
- g. Life insurance or supplemental insurance
- h. Clergy
- i. Court reporters
- j. Professional dues, registration and membership fees

Federal Fund Procurement

Any purchases exceeding two thousand five hundred and 1/100 dollars (\$2,500.01) in total value must be accomplished by written quotes from a minimum of three qualified sources (Request for Proposal if the amount exceeds \$10,000.01 in total value) of supply is made and it is documented that the procurement is to the advantage of the School, price and other factors considered, including administrative costs of the purchase. Such documentation shall be attached to the purchase requisition. The purchase must be approved by the Principal, operations director, and Business Manager. The recommendation must be brought to the Board for approval.

GCA will follow the Federal Fund Procurement process unless the specific federal funding source has a more restrictive procurement policy involving expenditures. GCA will also comply with all federal laws and regulations that are mandatory and that are not otherwise contained herein.

Exceptions to the Procurement Code

GCA may exempt specific supplies or services from this Policy. The following supplies and services are exempted from this Policy:

- a. Books, periodicals, newspapers, technical pamphlets, standardized tests, and other testing materials copyrighted educational materials, filmstrips, slides and transparencies.
- b. Public utilities, such as electricity, water, or sewer
- c. Travel
- d. Workshops, seminars, and conferences
- e. Professional journals
- f. Taxes, social security, annuities, and credit unions
- g. Life insurance or supplemental insurance
- h. Refunds on health insurance
- i. Clergy
- j. Court reporters
- k. Professional dues, registration, and membership fees
- l. Diplomas
- m. U.S. postage stamps and post office boxes
- n. Art reproductions
- o. Expert witness services
- p. Professional services, including architectural, engineering, design, legal and accounting services
- q. Services and/or supplies provided by the Division of General Services to public procurement units.

Sole Source Procurement

This method of procurement is the least competitive and, therefore, should have limited use. In those instances, however, where GCA's needs can only be met by one method, means or item, sole source is an appropriate and necessary method of procurement. Such determination as to whether a procurement shall be made as a sole source shall be made by Board. Such determination and the basis thereof shall be in writing and shall include an explanation as to why no other source will be suitable or acceptable to meet the need.

Sole Source purchases will be identified based on the following criteria:

- There is a lack of competition for a product of service.
- It is a unique, one-of-a-kind service or offer.
- The product has patented or proprietary rights that provide superior capabilities that are not obtainable from similar products and this product is not marketed through other wholesalers or distributors whose competition could be encouraged.
- The product is a standardized or exempt item.
- In the case of addition to existing product or services (ex: Installed security system. etc.) a decision based on vendor knowledge gained from previous installation and with insight into existing structural limitations a decision may be granted to the original vendor even if their quote is not the lowest.

Emergency Procurement

Notwithstanding any other provision of this policy, the School may make or authorize others to make emergency procurements when there exists a threat to public health, welfare or safety under emergency conditions, or where normal daily operations are affected; provided that such emergency procurements shall be made with such competition as is practicable under the circumstances. If emergency considerations exist after an unsuccessful attempt to use competitive sealed bidding, an emergency procurement may also be made. A written determination shall be made stating the basis for an emergency procurement and for the selection of the vendor. Emergency procurements shall be limited to that of supplies, services, or construction items necessary to meet the emergency. Such procurement shall be presented to the GCA Board of Directors at its next meeting.

Request for Proposal

The request for proposal shall be the method used to initiate purchases over \$10,000.01 shall include the following:

- Instructions and information to vendors concerning the proposal submission requirements, including the time and date set for receipt of the proposal, the individual to whom the proposal is to be submitted, the address of the office to which proposal is to be delivered, and any other special information.
- The purchase description, specifications, delivery and performance schedule, and such inspection and acceptance requirements as are not included in the purchase descriptions.
- All contract terms and conditions, including warranty and bonding or other security requirements as applicable.
- Instructions to vendors to visibly mark as confidential each part of their proposal which they consider to be proprietary information.

Request for Qualifications

Prior to soliciting proposals, and after giving adequate public notice, GCA may issue a request for qualifications, experience, and ability to perform the requirements of the contract from prospective offerors. At a minimum, the request shall contain a description of the goods or services to be solicited by the invitation for proposal and the general scope of the work. The request shall also contain the deadline for submission of information and how prospective offerors may apply for consideration.

After GCA receives the responses, it will rank prospective offerors from most qualified to least qualified on the basis of the information provided. GCA shall then invite vendors from at least the top two prospective offerors.

Negotiations with responsible offerors and revisions to proposals

As provided in the request for proposals, negotiations may be conducted with any offeror submitting a proposal appearing to be eligible for contract award pursuant to the selection criteria set forth in the request for proposals. All apparently eligible offerors shall be afforded the opportunity to submit best and final proposals if negotiations with any other offeror result in a material alteration to the request for proposals and such an alteration has a cost consequence that may alter the order of offerors' price quotations contained in their initial proposals. In conducting negotiations, there shall be no disclosure of information derived from proposals submitted by any competing offerors

Evaluation

The request for proposals shall state the evaluation factors in relative order of importance. Price may not be an initial evaluation factor. Each responsive and responsible offeror's proposal shall be evaluated. The proposal shall then be ranked in accordance with the results of such evaluation.

Process of Award

All proposals received shall be evaluated based upon their published criteria by either the Board at large, or a designated committee of the Board. The Board or subcommittee shall use objective and appropriately competitive methods in their evaluation. The award shall be made to the responsible offeror whose proposal is determined in writing to be most advantageous to GCA, taking into consideration the evaluation factors set forth in the request for proposals. No other factors or criteria shall be used in the evaluation. The contract file shall contain the basis on which the award is made.

Policy Effective: 5/13/22