3610 [Purchasing](#)

The District shall purchase all products/services in a manner that seeks a competitive price, balances the best quality for the product or service, and results in scale for the benefit of the District as a whole. Purchasing must be done in a manner that avoids any conflict of interest, complies with all other Board policies, and uses good administrative practices and business judgment. Additionally, contracts shall not be solicited or awarded in any manner that violates MCL [15.322](#) (prohibiting public servants from entering into contracts between the District and himself/herself, including where the public servant is a partner, shareholder, or owner of the interested business).

Competitive Bids

In order to ensure competitive bids are submitted to the District, the Superintendent or his/her designee shall obtain a minimum of two formal bids for any service or single-item purchase (including remodeling, supplies, materials and equipment) that exceeds the Competitive Bid Threshold established by the State annually. All potential expenditures covered in this paragraph must be submitted to the Board, with an explanation for the recommended selection, for approval prior to incurring the cost.

Projects, equipment, or services that exceed 50% of the state Competitive Bid Threshold require that at least two informal competitive price quotations, to the extent possible, be obtained by the Superintendent or his/her designee to determine the best vendor suitable for the District.

The Superintendent is exempted from the pre-approval requirements in this section in order to make purchases on an emergency basis to keep a building in operation, but such expenditure must be submitted to the Board at its next regularly scheduled Board meeting.

The Superintendent will follow "sealed bid" requirements as required by law or regulation. When required, the Superintendent or his/her designee shall be presented sealed bids, which shall be opened with one witness present.

Factors to be considered when determining which vendor shall be selected include quality of the item/service, conformity with the specified service/product, delivery terms, past performance of the vendor, and suitability with the District's needs. Preference may also be given to Michigan-based contractors or subcontractors per MCL [18.1268](#).

Competitive bids are not required when the District is purchasing through a cooperative purchasing program operated by the Michigan Department of Management and Budget or other designated State agency pursuant to MCL [18.1263](#). The Superintendent or his/her designee are encouraged to provide estimates on standard items for purchase so that standing Board approval can be provided.

Other than as set forth in this section, the Board authorizes the Superintendent or his/her designee to purchase and/or supervise the purchase of all other materials, equipment, supplies and services necessary for the operation of the School District and to report such expenditures to the Board using best practices.

The Board reserves the right to reject any and all bids.

Bid Protest

If a bidder wants to protest the District's decision, the bidder must follow procedures set forth in the specifications package for resolution. Bid protests must be filed in writing with the Superintendent within seventy-two (72) hours of the opening of the bids.

Within five (5) days of receipt of a protest, the Superintendent shall review the protest as submitted and issue a decision, setting forth the impact of the decision and merits of the claim. The Board must be notified of any

protest under this policy.

If a notice of protest is not filed pursuant to this policy, the impacted vendor shall waive all rights to any proceedings and the District's decision shall stand.

Federal Procurement Standards

The Board seeks to ensure the District complies with all procurement policies and procedures consistent with federal law, including the Education Department General Administrative Regulations (EDGAR) the Federal Uniform Guidance, 2 CFR Part 200. The Superintendent may delegate responsibility for the development of procedures that comply with this policy.

Non-Discrimination

The District has a policy of inclusiveness in all aspects of its operations. The District will not enter into any contract or renew any contract with any business/vendor that discriminates in employment based upon race, color, national origin, gender or gender identity, sexual orientation, age, disability, religion, genetic information or genetic testing status, or any other class protected under local, state or federal laws applicable to the vendor doing business with the District. The District will require as part of its formal bidding process that the potential vendor certify that it does not discriminate per this paragraph's requirements.

If the District determines that a certification is false based upon credible information available to the public, the District shall provide the vendor with written notice of the alleged false certification and the intent to not enter into or renew the contract. The vendor notice regarding alleged false certification shall provide information on how to protest the determination and eligibility for consideration for a future contract. The business/vendor must submit its notice of protest that the District determination was in error and submit supporting evidence in writing, via certified mail, within 90 days following receipt of the notice.

If the vendor does not file a written protest and provide its evidence within 90 days of receipt of the determination, all rights to protest are waived and the District's decision shall be final. If a protest is submitted in a timely fashion, the District shall render a decision based upon the information submitted and, if the vendor/business is found to not be compliant with this policy, the District can terminate an existing contract if applicable. The District's determination shall be final.

Approved: June 9, 2003

Revised: September 16, 2019

LEGAL REF: MCL 15.321- 330, MCL 18.1263