

**Lakeview Public Schools
Bylaws & Policies**

6320 - PURCHASING**General**

- A. The Superintendent and/or his/her designee shall be authorized to purchase and supervise the procurement of all supplies, materials, and equipment for the School District subject to the following requirements:
1. It shall be the responsibility of the Superintendent and/or the Board, as specified herein, to procure, at the lowest prices, the best quality supplies, materials, and equipment which serve the interests of the students, employees, and taxpayers of the District. Purchases shall be accomplished in accordance with good business practices and within the framework of applicable laws, regulations, and this policy.
 2. The Board reserves the right to reject any or all bids.
 3. Before the Superintendent or designee places a purchase order, s/he shall check as to whether the proposed purchase is subject to competitive bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the District. All purchase orders shall be numbered consecutively.
 4. In the interest of economy, fairness, and efficiency in its business dealings, the Board requires that:
 - a. items commonly used in the various schools or units thereof, be standardized whenever consistency with educational goals can be maintained;
 - b. opportunity be provided to as many responsible suppliers as practical to do business with the School District;
 - c. a prompt and courteous reception, insofar as conditions permit, be given to all who call on legitimate business matters;
 - d. upon the placement of a purchase order, the Superintendent shall commit the expenditure against a specific line item to guard against the creation of liabilities in excess of appropriations.

In addition, the Board may consider a provider preference to bidders who are Michigan based and/or who are Michigan based

and primary contractors as defined MCL 18.1768.

5. When a purchased service arrangement is expected to exceed \$30,000, administration will conduct a competitive process to determine the lowest qualified service provider. If a purchased service arrangement is expected to exceed \$100,000, administration will follow the Bidding Procedures set forth in #6 below. The Board may choose to offer an extension to a service provider for one additional term that does not exceed the length of the original contract arrangement.
6. Bidding Procedures:
 - a. It is the policy of the Board that the Superintendent adhere to the following:
 - 1) Contracts may be awarded by the Superintendent without Board approval for any single item or group of identical items whose aggregate cost is less than the statutory bid threshold or for which no statutory bidding requirement exists. All other contracts require Board approval prior to purchase.
 - 2) Before purchasing a single item of supplies, materials, or equipment that exceeds \$10,000 but is less than the amount allowed by the State statute, the Superintendent shall whenever possible, obtain three (3) price quotations without formal bidding.
 - b. Purchases may not be divided into subunits or separate contracts for the sole purpose of avoiding the competitive bidding requirements.
 - c. Advertisements for bids shall include all of the following:
 - 1) the date and time by which all bids must be received by the Board
 - 2) a statement that the Board will not consider or accept a bid which it receives after the date and time specified for bid submission
 - 3) the time, date and place of a public meeting at which the Board or its designee will open and read aloud each bid received by the Board by the date and time specified
 - d. Bid Opening. At a public bid meeting, the Superintendent or designee shall open and read aloud, in the presence of

at least one (1) other employee, each bid that the District received on or before the time and date specified for bid submission.

7. Bid Award
 - a. All orders or contracts should be awarded to the lowest responsible bidder; however consideration can also be given to:
 - 1) the quality of the item(s) to be supplied;
 - 2) conformity with bid specifications;
 - 3) suitability to the requirements of the school;
 - 4) delivery terms;
 - 5) past performance of the vendor.
 - b. Late Bids. The Board shall not open, consider, or accept a bid that the Board receives after the date and time specified for bid submission.
 - c. The Board may reject any or all bids, and if all bids are rejected, the Board shall re-advertise in the manner set forth in Paragraph 1 above.
8. The Board may acquire office equipment as defined in laws by lease, by installment payments, be entering into lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the terms of such a purchase.

Purchase of Supplies, Materials and Equipment

- A. **Purchases Costing \$18,345 (indexed) or More – Competitive Bids Required.** No purchase of an item or group of items in a single transaction, with a cost in excess of the amount indexed and promulgated annually by the State of Michigan shall be made unless competitive bids are obtained for the items and the purchase of those items is approved by the Board. (As of September 18, 2002 the annually indexed amount was \$18,345.)
- B. **Purchases Using Other Public Entities' Bids.** The Board of Education authorizes, as permitted by law, the purchase of supplies, materials, and equipment above the indexed bid threshold using the bid prices of other public school districts or other units of government without re-publishing and without re-bidding.

- C. Exempt from bidding are textbooks and instructional specific materials, which have been reviewed and recommended by professional staff and approved by the Board of Education.

Purchase of Material and Labor for the Construction of New School Buildings and Additions, Repairs, and Renovations to Existing School Buildings

- A. **General.** Except for repair work normally performed by District employees, construction, additions, repairs or renovations costing less than \$18,345 (indexed annually) and for repairs in emergency situations as set forth in paragraph C below, the Board, before commencing construction of a new school building or an addition, repair, or renovation to an existing school building which will cost more than \$18,345 (indexed annually) shall obtain competitive bids, in accordance with the procedures set forth in paragraph B below, on all the material and labor required for the completed construction of a proposed new building or addition, repair, or renovation of an existing school building.
- B. **Bidding Procedure**
 - 1. **Advertisements.** The Board shall advertise for bids once each week for two (2) successive weeks in a newspaper of general circulation in the area where the building or addition is to be constructed or where the repair or renovation of an existing building is to take place.
 - 2. **Security.** Each bidder shall be required to file with the Board security in an amount not less than 1/20 of the amount of the bid conditioned to secure the School District from loss or damage by reason of the withdrawal of the bid or by the failure of the bidder to enter into a contract for performance, if the bid is accepted by the Board.
- C. **Emergency Purchases Exception.** Emergency purchases of materials or labor for building construction, addition, renovation, or repair may be made without using the bidding process set forth in paragraph B above. Such emergencies shall be limited to accidents or other unforeseen occurrences which may affect the life, health, welfare, or safety of the District's students or employees. Such emergency purchases may be approved by the Assistant Superintendent for Business Services only after consultation with the Superintendent. The Assistant Superintendent for Business Services shall submit a report to the Board at its next regular meeting.

M.C.L.A. 380.1267, 380.1274 et seq., 380.1274a

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Lakeview Public Schools Bylaws & Policies

6110 - GRANT FUNDS

It is the objective of the Board of Education to provide equal educational opportunities for all students within the District. Government agencies, as well as foundations, businesses, and individuals, periodically offer both human and material resources to the District that would benefit students and the educational program. Therefore, it is the intent of the Board to consider grant proposals and applications for their potential to enhance educational opportunities, the educational environment, and the physical and mental growth for each student.

The Superintendent shall review new Federal education legislation and prepare proposals for programs s/he deems would be of aid to the students of this District. The Superintendent shall approve each such proposal prior to its submission, and the Board may approve all grants resulting from such proposals.

The Board regards available Federal funds of aid to local school districts and communities as a public trust. It forbids the use of Federal monies for partisan political activities and for any use that would not be in accord with Federal guidelines on discrimination.

No Federal funds received by the District shall be used (1) to develop or distribute materials, or operate programs or courses of instruction directed at youth, that are designed to promote or encourage sexual activity, whether homosexual or heterosexual; (2) to distribute or to aid in the distribution by any organization of legally obscene materials to minors on school grounds; (3) to provide sex education or HIV-prevention education in schools unless that instruction is age appropriate and includes the health benefits of abstinence; or (4) to operate a program of contraceptive distribution in schools.

Grant Proposal Development

- A. All grant proposals must support at least one (1) District goal or priority.
- B. For projects where grant funds will not cover the entire cost of project implementation, additional fund sources must be identified, documented, and approved during the internal review process.

Grant Proposal Internal Review

Each grant proposal shall be reviewed and approved by the Superintendent prior to submission to the funding source.

Grant Administration

- A. The administration of grants will adhere to all applicable Federal, State, and grantor rules and regulations as well as District policies and administrative guidelines.
- B. The Superintendent is responsible for the efficient and effective administration of grant awards through the application of sound management practices.

- C. The Superintendent is responsible for administering grant funds in a manner consistent with underlying agreements, program objectives, and the terms and conditions of the grant award.
- D. The District, in recognition of its unique combination of staff, facilities, and experience, shall employ the organizational and management strategies necessary to assure proper and efficient administration of grant awards.
- E. All Federal funds received by the District will be used in accordance with the applicable Federal law. The Superintendent shall require that each draw of Federal monies is as close as administratively feasible to the related program expenditures and that, when restricted, such monies are used to supplement programs and funding and not to supplant or replace existing programming or current funding.
- F. The Superintendent is authorized to sign related documents for grant administration, including documents required for submittal of grant proposals.

Fiscal Management

The financial management of grant funds shall be in compliance with all applicable Federal, State, and grantor rules, regulations, and assurances as well as District policies and administrative guidelines.

The Superintendent shall provide for the following:

- A. Accurate, current, and complete disclosure of the financial results of each Federally-sponsored project in accordance with the reporting requirements of the grant.
- B. Effective control over and accountability for all funds, property, and other assets in their use solely for authorized purposes.
- C. Recordkeeping and written procedures as may be required by Federal, State, and grantor rules and regulations pertaining to the grant award and accountability, including such provisions as may be applicable as cost sharing and matching requirements, budget revisions, audit requirements, reasonableness, allocability, and allowability of costs, procurement, property management and disposition, and payment/repayment requirements.
- D. Insurance coverage for real property and equipment, if applicable, equivalent to such property owned by the District.

Compliance Supplement for Single Audits of State and Local Governments
20 U.S.C. 7906

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6321 - NEW SCHOOL CONSTRUCTION, RENOVATION

Before beginning construction of a new school building, or an addition, repair or renovation of an existing school building, except emergency repairs, the Board of Education shall obtain competitive bids on all the material and labor required for the complete construction of a proposed new building, or addition to or repair or renovation of an existing school building which exceeds the State statutory limit.

This policy does not apply to buildings, renovations, or repairs costing less than the statutory limit or to repair work normally by District employees.

The Board shall advertise for the bids required under subsection:

- A. By placing an advertisement for bids at least once in a newspaper of general circulation in the area where the building or addition is to be constructed or where the repair or renovation of an existing building is to take place and by posting an advertisement for bids for at least two (2) weeks on the Department of Management and Budget website on a page on the website maintained for this purpose or on a website maintained by a school organization and designated by the Department of Management and Budget for this purpose.
- B. By submitting the request for bids for placement on the Michigan Department of Management and Budget's website for school organizations, including a link to the District's website.
- C. The advertisement for bids shall do all of the following:
 1. specify the date and time by which all bids must be received by the Board at a designated location;
 2. state that the Board will not consider or accept a bid received after the date and time specified for bid submission;
 3. identify the time, date, and place of a public meeting at which the Board or its designee will open and read aloud each bid received by the Board by the date and time specified in advertisement;
 4. state that the bid shall be accompanied by a sworn and notarized statement disclosing any familial relationship that exists between the owner or any employee of the bidder and any member of the Board, Superintendent or other employee of the District. A Board shall not accept a bid that does not include this sworn and notarized disclosure statement.

- D. Under this policy, the Board shall require each bidder for a contract to file with the Board security in an amount not less than 1/20 of the amount of the bid conditioned to secure the District from loss or damage by reason of the withdrawal of the bid or by the failure of the bidder to enter a contract for performance, if the bid is accepted by the Board.
- E. The Board shall not open, consider, or accept a bid that the Board receives after the date and time specified for bid submission in the advertisement for bids as described in subsection C of this policy.
- F. At a public meeting identified in the advertisement for bids described in subsection C of this policy, the Board or its designee shall open and read aloud each bid that the Board received at or before the time and date for bid submission specified in the advertisement for bids. The Board may reject any or all bids, and if all bids are rejected, shall readvertise in the manner required by this policy.

The Board may consider and provide a preference to bidders:

- 1. which use a Michigan-based business as the primary contractor.
- 2. which use one (1) or more Michigan-based business(es) as subcontractors.

For purposes of this preference a Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under M.C.L.A. 18.1268, which requires that the businesses certify that since inception or during the last twelve (12) months it has done one of the following:

- 1. have filed a Michigan business tax return showing an allocation of income tax base to Michigan
- 2. have filed a Michigan income tax return showing income generated in or attributed to Michigan
- 3. withheld Michigan income tax from compensation paid to the bidder's owners and remitted the tax to the Michigan Department of Treasury

This preference shall not apply to any procurement or project using Federal funds, nor shall it be used if it would violate any Federal law or requirements.

- G. The competitive bid threshold amount determined annually by the State of Michigan is adjusted each year by multiplying the amount for the immediately preceding year by the percentage by which the average consumer price index for all items for the twelve (12) months ending August 31st of the year in which the adjustment is made differs from that

index's average for the twelve (12) months ending on August 31st of the immediately preceding year and adding that product to the maximum amount that applied in the immediately preceding year, rounding to the nearest whole dollar. The current exempt amount must be confirmed with the Michigan Department of Education prior to issuing contracts for construction, renovation, or repair which exceed the amount listed in this policy.

- H. The competitive bid threshold amount determined annually by the State of Michigan is adjusted each year by multiplying the amount for the immediately preceding year by the percentage by which the average consumer price index for all items for the twelve (12) months ending August 31st of the year in which the adjustment is made differs from that index's average for the twelve (12) months ending on August 31st of the immediately preceding year and adding that product to the maximum amount that applied in the immediately preceding year, rounding to the nearest whole dollar. The current exempt amount must be confirmed with the Michigan Department of Education prior to issuing contracts for construction, renovation, or repair which exceed the amount listed in this policy.

M.C.L.A. 380.1267

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