

SCHOOL BOARD POLICIES

SCHOOL BOARD POLICY 6.14 - PURCHASING DEPARTMENT

1. **Delegation of Authority**-- As set forth below, the School Board has delegated authority to the Superintendent or his/her designee to be responsible for the purchase of the commodities and contractual services for the District in compliance with Florida Statutes, State Board of Education Rules, and Board Policy. The Board has also delegated limited purchasing authority to Department heads and school principals, as set forth below. Any purchases not delegated to department heads, principals, or the Superintendent / designee, must be approved in advance by the School Board.
 - a. **Department Heads**-- Authority is vested in the Director of each department to contract for contractual services in an amount not to exceed two thousand five hundred dollars (\$2,500). (Other purchases of contractual services and all purchases of commodities are subject to subsection (1)(c) below.)
 - b. **School Principals**
 - i. Authority is vested in the Principal of each school center to contract for contractual services in an amount not to exceed two thousand five hundred dollars (\$2,500). (Other purchases of contractual services are subject to subsection (1)(c) below.)
 - ii. Principals may also approve purchases of commodities which are to be paid from the internal funds of the school when the total amount of each purchase does not exceed fifteen thousand dollars (\$15,000). (Other purchases of goods are subject to subsection (1)(c) below).
 - c. **Superintendent/Designee**
 - i. Authority is vested in the Superintendent or his/her designee to approve consultant agreements between two thousand five hundred dollars (\$2,500) and ten thousand dollars (\$10,000). However, when the contract amount will exceed \$10,000 for any one fiscal year utilizing budgeted funds, the consultant agreement must be approved by the School Board prior to services being provided.
 - ii. Apart from the consultant agreements mentioned in paragraph (1)(c)(i), above, (for which the threshold is \$10,000), authority is also vested in the Superintendent or his/her designee to:
 - A. authorize purchases and award contracts for commodities or contractual services not exceeding fifteen thousand dollars (\$15,000);
 - B. approve or reject purchase requisitions and authorize purchase of commodities and contractual services, without regard to dollar amount, when the method used is an Invitation to Bid or competitive quotes and the award is based upon lowest bid or quote from a responsive and responsible bidder meeting specifications (provided that, for purchases in this subparagraph B, prior approval of the

PURCHASING MANUAL – BOARD POLICIES

Superintendent or Chief Operating Officer is required, and a quarterly report of such purchases over \$15,000 must be provided to the Board); or

- C. approve, and award contracts for, exceptional purchases without limitation as to dollar amount (apart from any dollar limitation specified in the exemption itself, such as in paragraph (2)(c)(v) below). "Exceptional purchases" refers to any purchase of commodities or contractual services excepted by law or rule, such as State Board of Education Rule 6A-1.012, from the requirements for competitive solicitation.

2. Maximum Value.-- Pursuant to Fla. Stat. § 1001.51(11)(i), the Superintendent of Schools or his/her designee shall, insofar as possible, propose standards and specifications. He or she shall see that the purchase or contract conforms to those standards and specifications, and shall take such other steps as are necessary to see that the maximum value is being received for any money expended. Insofar as practicable, all purchases shall be based on requisitions, and the Superintendent/designee shall certify that funds to cover the expenditures under the requisitions are authorized by the budget and have not been encumbered.

a. Competitive Quotes.-- Competitive quotes shall be requested from three (3) or more sources for commodities and contractual services when requisitioning any item or group of similar items exceeding ten thousand dollars (\$10,000) except as exempted by State Board of Education Rule 6A-1.012 or other applicable laws.

b. Bids/Proposals.-- Bids/proposals shall be requested from three (3) or more sources for commodities and contractual services when requisitioning any item or group of similar items exceeding twenty-five thousand dollars (\$25,000) or as otherwise set by the threshold amount in Fla. Stat. § 287.017 for Category Two, except as exempt by State Board of Education Rule 6A-1.012 or other applicable laws. However, for the purchase of items covered under the Federal Assistance Programs, the threshold shall be ten thousand dollars (\$10,000) or as otherwise required under federal regulations.

i. In acceptance of bids, the School Board (or the Superintendent / designee, for purchases delegated to him or her) shall accept the lowest bid from a responsive and responsible bidder.

ii. However, the School Board (and the Superintendent/designee, for purchases delegated to him or her) shall have the authority to reject any or all bids and request new bids.

c. Other Options.-- As provided in State Board of Education Rule 6A-1.012 or other laws, in addition to the methods described in subsections (2)(a) and (b), the Board (or the Superintendent/designee, for purchases delegated by Section (1)):

i. shall have the option to purchase under the current contracts as may be established for any state agency whose purchasing agents are authorized to make purchases for the benefit of other government agencies within the county, at the prices stated therein (piggybacking), if such purchase is to the economic advantage of the School Board, subject to conformance of the items of purchase to the

PURCHASING MANUAL – BOARD POLICIES

standards and specifications prescribed by the Superintendent or his/her designee;

- ii. may, in lieu of requesting bids from three (3) or more sources, make purchases at the unit prices in contracts awarded by other city or county governmental agencies, school boards, community colleges, or state university system cooperative agreements, when the bidder/awardee of those contracts will permit purchases by the School Board at the same terms, conditions, and unit prices awarded in such agency contract, and such purchases would be to the economic advantage of the Board;
- iii. may, without requesting bids, purchase school buses, equipment, and related contractual needs and supplies through the pool-purchase provisions of Fla. Stat. § 1006.27;
- iv. shall receive and give consideration to the prices available to it under state contracts, pursuant to the rules of the Department of Management Services, State Division of Purchasing state contracts and may purchase from these contracts without requesting bids;
- v. may use prices established by the State Division of Purchasing through its state negotiated price schedule (SNAPS) (or similar successor State program), provided such use will be limited to \$150,000 (or the prescribed limit of similar successor State program);
- vi. may waive the requirements for competitive quotes or requesting bids for the purchase of professional or educational services, educational tests, textbooks, printed instructional materials, computer software, films, filmstrips, videotapes, disc or tape recordings, or similar audio-visual materials, and for library and reference books, and printed library cards where such materials are purchased directly from the producer or publisher, the owner of the copyright, an exclusive agent within the state, a governmental agency or a recognized educational institution;
- vii. may enter into negotiations with suppliers of commodities and contractual services and execute contracts under terms and conditions as determined to be in the best interests of the school system, when bids have been requested in the manner prescribed and no valid or acceptable firm bid has been received within the prescribed time;
- viii. may, except as otherwise required by statute, enter into direct negotiations and contract with a vendor or supplier that best meets the needs of the School District when acquiring insurance, entering risk management programs, or contracting with third party administrators. An exception to this option is for employee group insurance that must be competitively selected;
- ix. may, when acquiring information technology resources pursuant to SBER 6A-1.012(10) by purchase, lease, lease with option to purchase, rental or otherwise, make the technology acquisition either through competitive bids or by direct negotiation with a vendor or supplier, as best fits the needs of the District as determined by the Board; or

PURCHASING MANUAL – BOARD POLICIES

- x. may purchase commodities and contractual services available only from a single source if it is determined that such commodities or services are available only from a single source and such determination is documented pursuant to Fla. Stat. § 287.057(5)(c).

d. Online and Electronic Procurement

- i. The Superintendent or his/her designee will receive and give consideration to the prices available through the use of the program for online procurement of commodities and contractual services under the rules of the Department of Management Services, Division of Purchasing, as well as other opportunities for online procurement as may be available, such as reverse auctioning.
- ii. The Superintendent or his/her designee may utilize any appropriate electronic methods, such as procurement cards, to purchase commodities and contractual services as deemed to be in the best interest of the District and consistent with the other parts of this Policy. Selected staff will be eligible to use a District purchasing card upon approval by the Superintendent/designee of the prospective user's signed Purchasing Card Application (PBSD 2076) and Cardholder Acceptance Guidelines and Contract (PBSD 2077), which contain the appropriate-use standards and procedures. Pursuant to form PBSD 2077, each user shall acknowledge, by signing the Application and Acceptance Guidelines and Contract, that the user must reimburse the District for any misuse of the purchasing card and that a violation of those standards and procedures will be cause for discipline up to and including termination.
- iii. The Superintendent shall develop procedures for any online and electronic purchasing methods utilized. Such procedures may be disseminated through a Bulletin and a summary of the standards and guidelines should be included in a future revision of this Policy.

e. Advance Payments.-- With adequate safeguards to ensure that the commodities or contractual services will be provided, the Board, or the Superintendent/designee pursuant to the Board's delegation of authority in Section (1) above, may make advance payments:

- i. pursuant to Fla. Stat. § 216.181(16)(b) under certain contracts with other governmental agencies or not-for-profit corporations;
- ii. consistent with Fla. Stat. § 215.422(14) for maintenance agreements, software license agreements, subscriptions, contracts to reserve space, and certain other commodities, when advance payment will result in a savings to the District equal to or greater than the amount the District would earn by investing the funds and paying in arrears, or where those items are essential to the operation of the District and are available only if advance payment is made; or
- iii. in accordance with Policy 6.01 regarding certain employee travel expenses.

3. Integrity of the Award Process

- a. Once the bid or RFP is released, no bidder or individuals acting on behalf of the bidder or offeror shall lobby District personnel or School Board members.

PURCHASING MANUAL – BOARD POLICIES

Lobbying School Board members or District personnel will result in rejection/disqualification of said bids or RFPs. For purposes of this Policy, "lobbying" is defined as any action taken by an individual, firm, association, joint venture, partnership, syndicate, corporation and all other groups who seek to influence the governmental decision of a Board member or District personnel after the release of the bid or RFP and prior to time that an award recommendation is posted.

- b. After the award is posted, any persons including bidders, or those acting on behalf of the bidders may discuss with any Board Member the merits of any bid or RFP on which Board action may be taken. Board members shall disclose any ex-parte communications in accordance with Fla. Stat § 286.0115. Such disclosure shall be made before or during the public meeting at which time a vote will be taken on the award of a contract. This will allow persons who may have opinions contrary to those expressed during any ex-parte communications to have a reasonable opportunity to respond to those communications.

4. Protests Arising from the Contract Solicitation or Award Process.-- This section implements Fla. Stat. § 120.57(3) and Fla. Admin. Code Chapter 28-110.

a. Definitions

- i. As used in this Section, the term "decision or intended decision" includes, pursuant to F.A.C. Rule 28-110.002(2):
 - A. the notice of posting of the contents of an ITB or an RFP or other specifications, including addenda;
 - B. a determination that a specified procurement can be made only from a single source;
 - C. the approval of procurement by negotiation;
 - D. the rejection of a bid or proposal, or all bids or proposals, or a request to approve a single source or negotiation; or
 - E. the intention to award a contract as indicated by a posted bid or proposal tabulation or other written notice.
- ii. As used in this Section, the term "contract procurement process" has the same meaning as "contract bidding process" as used in Fla. Stat. § 120.57(3). This phrase includes procurements by invitation to bid (ITB), request for proposal (RFP), single source approval, and negotiation approval.

- b. District's Notice of Decision or Intended Decision.--** Pursuant to Fla. Stat. § 120.57(3), the District shall provide notice of a decision or intended decision concerning a solicitation, contract award, or exceptional purchase by electronic posting. This notice shall contain the following statement: "Failure to file a protest within the time prescribed in section 120.57(3), Florida Statutes, shall constitute a waiver of proceedings under chapter 120, Florida Statutes."

- c. Notice of Protest.--** In a contract procurement process, any person who is adversely affected by the agency decision or intended decision and intends to protest the decision or intended decision, must file a notice of protest in

PURCHASING MANUAL – BOARD POLICIES

writing within seventy-two (72) hours after the posting of the notice of decision or intended decision . With respect to a protest of the terms, conditions, and specifications contained in a solicitation, including any provisions governing the methods for ranking bids, proposals, or replies, awarding contracts, reserving rights of further negotiation, or modifying or amending any contract, the notice of protest shall be filed in writing within seventy-two (72) hours after the posting of the solicitation.

- i. All notices of protest shall be directed to the Director of Purchasing.
 - ii. A notice of protest should not be filed before the 72-hour period begins. The 72-hour period begins upon receipt of a copy of the ITB or RFP; when notice of a single source approval or disapproval or negotiation approval or disapproval is posted, or otherwise received if not posted; when a bid or proposal tabulation is posted; or when notice is otherwise received if not posted.
 - iii. The notice of protest must be actually received by the Purchasing Department before the 72-hour period expires. The 72-hour period excludes Saturdays, Sundays, and holidays when the District administrative office is closed. The 72-hour period is not extended by service of the notice of protest by mail. Failure to timely file a notice of protest shall constitute a waiver of proceedings under this Section and Fla. Stat. § 120.57(3).
 - iv. The notice of protest shall identify the procurement by number and title or any other language that will clearly enable the District to identify it; and it shall state that the person intends to protest the decision.
- d. Formal Written Protest.--** The protestor shall file a formal written protest within ten (10) days after the date the notice of protest is filed. Failure to timely file the formal written protest shall constitute a waiver of proceedings under this Section and Fla. Stat. § 120.57(3). The 10-day period for filing the petition is not extended by service of the petition by mail.
- i. The formal written protest shall be a petition that:
 - A. states with particularity the facts and law upon which the protest is based;
 - B. contains all the information specified in F.A.C. Rule 28-106.201(2);
 - C. is substantially in the form of petition set forth in F.A.C. Rule 28-110.004(2), naming "The School Board of Palm Beach County, Florida" as the Respondent; and
 - D. should include a request for a hearing involving disputed issues of material fact; or, if the relevant facts are not in dispute, the petition should so allege and request a hearing not involving disputed issues of material fact.
 - ii Pursuant to F.A.C. Rule 28-110.004(1), if the formal written protest is filed in proper form within the 72-hour period for filing a notice of protest, the formal written protest will also constitute the notice of protest, and all time limits applicable to a notice of protest are waived and the time limits relative to formal written protests shall apply.

PURCHASING MANUAL – BOARD POLICIES

- e. **Posting the Bond.**-- The protesting party shall be required to post a bond in a form consistent with F.A.C. Rule 28-110.005(2). A notice of decision or intended decision shall contain this statement: "Failure to file a protest within the time prescribed in Section 120.57(3), Florida Statutes, or failure to post the bond or other security required by law within the time allowed for filing a bond shall constitute a waiver of proceedings under Chapter 120, Florida Statutes."
- i. **Bond: Commodities (Other than Lease of Space) and Contractual Services (Including Professional Services and Insurance).**-- Pursuant to Fla. Stat. § 287.042(2)(c), any person who files an action protesting a decision or intended decision pertaining to a solicitation or contract award shall post with the Board, at the time of filing the formal written protest, a bond secured by an acceptable surety company in Florida, payable to The School Board of Palm Beach County in an amount equal to one percent (1%) of the District's estimate of the dollar value of the proposed contract.
- A. The District shall provide the estimated contract amount to the protestor within seventy-two (72) hours (excluding Saturdays, Sundays, and holidays when the District administrative office is closed) after the filing of the notice of protest. The estimated contract amount is not subject to protest under this Policy or Fla. Stat. s. 120.57(3). In lieu of a bond, the Board may accept a cashier's check, official bank check, or money order in the amount of the bond.
- B. The bond shall be conditioned upon the payment of all costs and charges which may be adjudged against the protestor in the administrative hearing in which the action is brought and in any subsequent appellate court proceeding.
- C. Pursuant to Fla. Stat. § 287.042(2)(c), if, after completion of the administrative hearing process and any appellate court proceedings the Board prevails, it shall be entitled to recover all costs and charges which are included in the final order or judgment, excluding attorney's fees. Upon payment of such costs and charges by the person protesting the decision or intended decision or contract award, the bond, cashier's check, official bank check, or money order shall be returned to the protestor. If, after the completion of the administrative hearing process and any appellate court proceedings, the protestor prevails, the protestor may recover from the Board the costs and charges which are included in the final order or judgment, excluding attorney's fees.
- ii. **Bond: Competitive Bids for Lease of Space.**-- Pursuant to Fla. Stat. § 255.25(3)(c), any person who files an action protesting a decision or intended decision pertaining to a competitive bid for space to be leased by the Board shall post with the Board, at the time of filing the formal written protest, a bond payable to The School Board of Palm Beach County in an amount equal to 1 percent of the estimated total rental of the basic lease period or \$5,000, whichever is greater, which bond shall be conditioned upon the payment of all costs which may be adjudged against him or her in the administrative hearing in which the action is brought and in any subsequent appellate court proceeding. If the Board prevails after completion of the administrative hearing process and any

PURCHASING MANUAL – BOARD POLICIES

appellate court proceedings, it shall recover all costs and charges which are included in the final order or judgment, excluding attorney's fees. Upon payment of such costs and charges by the person protesting the award, the bond shall be returned to him or her. If the person protesting the award prevails, the bond shall be returned to that person and he or she shall recover from the Board the costs and charges which are included in the final order or judgment, excluding attorney's fees.

- iii. **Bond: Construction Purchasing.**-- Construction purchasing is separately governed by Policy 7.10, and protestors regarding competitive procurement related to educational facilities shall be required to post a bond in the amount specified in Fla. Stat. § 255.0516, which also governs recovery of fees and costs including attorney's fees.
- f. **Staying the Procurement Process.**-- Upon timely receipt of the formal written protest petition, the solicitation or contract award process shall be stopped until the subject of the protest is resolved by final agency action, unless the School Board sets forth in writing particular facts and circumstances which require the continuance of the solicitation or contract award process without delay in order to avoid an immediate and serious danger to the public health, safety, or welfare.
- g. **Informal Resolution.**-- The Director of Purchasing shall provide an opportunity to resolve the protest by mutual agreement between the parties within seven (7) days (excluding Saturdays, Sundays, and holidays when the District administrative office closed) of receipt of the formal written protest. All affected parties shall be notified of the notice of protest.
- h. **Hearing.**-- If the protest is not resolved informally under subsection (4)(g), the aggrieved party may file a formal written request for an administrative hearing (if such request was not already included in the formal written protest). All procedures as delineated in Fla. Stat. § 120.57(3)(d)-(f) and F.A.C. Chapter 28-110 shall be followed.
 - i. If there is no disputed issue of material fact, an informal proceeding shall be conducted pursuant to Fla. Stat. § 120.57(2) and applicable Board Policies and may be conducted before an impartial hearing officer who is a member in good standing of The Florida Bar.
 - ii. If there is a disputed issue of material fact, the Board will refer the protest to DOAH for a formal hearing under Fla. Stat. § 120.57(1).
 - iii. As stated in Fla. Stat. § 120.57(3)(f), the burden of proof shall rest with the party protesting the proposed agency action.
 - A. In any bid-protest proceeding contesting an intended agency action to reject all bids, proposals, or replies, the standard of review shall be whether the agency's intended action is illegal, arbitrary, dishonest, or fraudulent.
 - B. In competitive-procurement protests other than those contesting an intended agency action to reject all bids, proposals, or replies, the hearing officer or administrative law judge will conduct a de novo proceeding to determine whether the Board's proposed action is contrary to the governing statutes, the Board's Policies, or the

PURCHASING MANUAL – BOARD POLICIES

solicitation specifications. The standard of proof for such proceedings shall be whether the proposed agency action was clearly erroneous, contrary to competition, arbitrary, or capricious.

- iv. Valid bid protests, as determined by the Office of the Chief Counsel, shall be reported to the Board at least quarterly.
5. **Debarment.**-- Pursuant to Fla. Stat. §§ 1001.32(2) and 1001.41(1), and similar to § 287.042(1)(b), the Board shall have the authority to debar a person/company for cause from consideration or award of future contracts. The debarment shall be for a period commensurate with the seriousness of the causes, generally not to exceed three (3) years. When the offense is willful or blatant, a longer term of debarment may be imposed, up to an indefinite period.
6. **Emergency Purchases.**-- Requests for emergency purchases, as defined in Fla. Stat. § 287.057(5)(a), require the signatures of the initiating administrator and his/her Area/Assistant/Associate Superintendent or Division Head, and approval by the Superintendent or designee(s). Emergency purchases over twenty-five thousand dollars (\$25,000) will be reported to the Board at its next business meeting. The vendor and purchase order number will be assigned by the Purchasing Department.
7. **Tracking**
 - A. The Director of Purchasing is responsible for tracking of bids/RFPs and other Board awarded contracts to ensure that the amount of purchase orders released does not exceed the budgeted funds approved by the Board.
 - B. Additionally, purchases of various goods and services made under State Board of Education Rule 6A-1.012(4) (State Contracts) and those made by contracts awarded under Rule 6A-1.012(3) (Piggy-Back Bids) shall be tracked and reported to the Board on a quarterly basis.
8. **Definitions.**-- Unless otherwise defined herein, the procurement terms used in this Policy have the meanings set forth in Fla. Stat. § 287.012 where the context allows.

STATUTORY AUTHORITY: §§ 1001.41(2); 1001.42(22) 1001.43(2), Fla. Stat.

LAWS IMPLEMENTED: §§ 119.07(3)(m); 120.57(3); 255.0516; 255.25(3)(c); 286.0115; 287.017(1)(b); 287.042(2)(c); 287.057(5)(a), (5)(c); 1001.32(2); 1001.41(1), (4), (5); 1001.42(10)(i), (j); 1001.51(11)(i); 1006.27; 1010.04; 1011.06, Fla. Stat.

State Board of Education Rule Supplemented: Fla. Admin. Code Rule 6A-1.012

Administrative Procedure Act Rules Implemented: Fla. Admin. Code Chapter 28-110

Procurement Guidelines for Federal Assistance Programs: OMB Circular A-102; 7 C.F.R. § 3015; 7 C.F.R. § 3016; 7 C.F.R. § 210.21; 7 C.F.R. § 220.16; 7 C.F.R. § 215.14a; 7 C.F.R. § 225.17.

HISTORY: 3323, 9340.0, 2/18/72; 12/19/73; 4/6/83; 12/11/91; 11/21/95; 6/3/98; 9/22/99; 5/17/00; 5/24/2004

SCHOOL BOARD POLICY 3.22

STANDARDS OF CONDUCT FOR FORMER SCHOOL BOARD MEMBERS AND EMPLOYEES

1. As stated in Fla. Stat. § 112.313(14) ("Lobbying by former local officers; prohibition"), a former School Board member "may not personally represent another person or entity for compensation before the governing body of which the person was an officer for a period of 2 years after vacating that office."
2. Pursuant to Fla. Stat. § 112.313(13), a "school district employee may not personally represent another person or entity for compensation before the government body or agency of which the individual was an officer or employee for a period of 2 years following vacation of office or termination of employment, except for the purposes of collective bargaining."
3. Consistent with Fla. Stat. § 112.312(20), the phrase "personally represent another person or entity for compensation" shall refer to "actual physical attendance on behalf of a client in an agency proceeding, the writing of letters or filing of documents on behalf of a client, and personal communications made with the officers or employees of any agency on behalf of a client" for compensation by that client.
4. This Policy shall be construed consistent with relevant Opinions of the Florida Commission on Ethics, including CEO 01-5.

STATUTORY AUTHORITY: §§ 112.313(13); 230.22(2); 230.23(22), Fla. Stat.

LAWS IMPLEMENTED: §§ 112.313(13), (14), Fla. Stat.

ETHICS OPINION CITED: CEO 01-05 (2001)

HISTORY: 10/5/83; 6/16/93; 9/22/99; 8/05/02

SCHOOL BOARD POLICY 6.07 – INTERNAL ACCOUNTS

1. The principal of the school shall be directly responsible for administering the state and district regulations and may be held accountable for any failure to carry out procedures relative to said rules and regulations.
2. The Superintendent's designee shall be responsible for issuing proper procedures within the guidelines established by the state.

STATUTORY AUTHORITY: Sections 230.22; 231.085, 237.02, Florida Statutes

LAWS IMPLEMENTED: Sections 230.22, 231.085, 231.23(10); 237.02, Florida Statutes

HISTORY: 2212.4; 4/6/83; 9/3/97

SCHOOL BOARD POLICY 6.142 - DIVERSITY IN BUSINESS PRACTICES

- A. The School Board of Palm Beach County recognizes the social and economic benefits of diversity in its business practices and hereby reaffirms its commitment to ensuring full and equitable participation by minority-and-women-owned business enterprises ("MWBE") in the procurement of goods and services for a district school system.
- B. The board hereby directs the superintendent to compile and analyze additional data as may be necessary to develop appropriate programs and procedures in furtherance of the goals set forth in Section A, that the superintendent will bring back a policy that actively promotes diversity and business practices that sets goals for MWBE participation that are consistent with the calculated disparity above.
- C. The board directs the superintendent to recommend to the board a policy setting forth appropriate programs and procedures consistent with, and in furtherance of, the board's goals to ensure diversity in the business practices of the district school system.
- D.

STATUTORY AUTHORITY: §§ 230.22(1),(2); 237.02(1); 230.23005(2); 230.23(10)(i); 230.23(22), Fla. Stat.

LAWS IMPLEMENTED: §§ 287.055(3)(d); 287.193; 287.094; 28A0943; 287.0945; 288.703; 288.7031, Fla. Stat.

HISTORY: 08/06/2001

SCHOOL BOARD POLICY 6.17 – PURCHASING FOR SCHOOL FOOD SERVICE

School food services purchases shall be classified into two general categories:

1. Supply items:

- a. Supply items are both food and nonfood items and shall be further classified as to bid requirements.
 1. Recurring common use items. The item shall be essential and used daily and the annual consumption can be predicted with reasonable accuracy and bid where the purchases can normally be obtained for the following recurring common use items: milk, bread and paper goods.
 2. Staple groceries, canned goods, frozen processed foods, fresh meats, and eggs shall be purchased on bid basis but may be exempt from bid requirements during periods of fluctuating market conditions under terms to be in the best interest of the school system.
 3. Above items shall be purchased by individual schools from suppliers as determined by the director of the School Food Service Department. Individual schools are exempt from the requisitioning process, encumbering, and the use of purchase orders for purchase of above items in order to effect an orderly and efficient operation. Items exempt from bid requirements to be purchased by the School Food Service Department for distribution by warehouse stores personnel shall be coordinated with and approved by the director of Purchasing and Stores prior to commitment and contract.
 4. Seasonal fresh fruits and fresh vegetables shall be purchased by School Food Service Department under terms and conditions determined to be in the best interest of the school system.
 5. All food purchases shall conform to the federal food, drug and cosmetic act, the federal meat inspection act, and the mean inspection law of Florida, and any other federal or state safeguards relating to the wholesomeness of specific items being purchased.

2. Equipment items:

- a. Nonexpendable items shall be purchased through the requisition process from school food service funds and shall be bid according to board procedures.
- b. Expendable items shall be purchased through the requisitioning process from school food service funds and shall be bid according to Board procedures.

Authority: 120.53, 227.02(1), FS

Implemented: 120.53, 237.02(9), FS

History: New: 2/18/72; Revised: 6/25/75; 2/4/76; 4/6/83

**SCHOOL BOARD POLICY 6.19 – SCHOOL PURCHASES OF GRADUATION SUPPLIES
AND YEARBOOKS**

Each school shall be allowed to choose its graduation supplies and select the company or companies supplying same. While the actual purchases are made by the individual students, the school principal shall make every effort to insure that graduation costs are kept as reasonable as possible. In selecting vendors, quality, service, reliability, and customer satisfaction shall be taken into consideration as well as price.

1. All existing contracts are to be honored, but school principals must be willing at all times to consider proposals by reputable vendors, bearing in mind that loss of valuable school time by either pupils or faculty shall be kept to a minimum.
2. Student representatives are to be involved in the selection of the items approved for sale to pupils.
3. Any new contract drawn up must be adequate to cover all agreements which are to be binding on each party subject to being broken when service is poor or materials are inferior.
4. No profit shall accrue to the school or to any organization of the school.

Authority: 120.53, 230.22(2), FS

Implemented: 120.53, 237.02, FS

History: 5541; Revised: 4/6/83