

DESCRIPTOR TERM: Fiscal Management	Millard District Policy File Code: 2040 Approved: 06-11-20
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PURCHASING AND PROCUREMENT POLICY

A. PURPOSE & PHILOSOPHY

This policy has been adopted to enable the Millard School District to purchase, establish contracts, and generally carry on its procurement functions; to ensure the fair and equitable treatment of all persons who deal with the procurement system of the district; to foster broad-based competition within the free enterprise system; and to properly account for the expenditures of public monies. These policies, guidelines, and procedures (unless otherwise deemed appropriate by the business administrator) are applicable to all funds owned or administered by Millard School District.

B. AUTHORITY

The business administrator is delegated authority by the Millard School District Board of Education to carry out the procurement functions of the district and to ensure such functions are in accordance with established policies and written procedures. The business administrator may delegate, in writing, purchasing authority to other district employees as necessary to fulfill the purpose and philosophy of this policy. The business administrator is also given authority to withdraw delegated authority.

C. BACKGROUND

In 1982 the Utah State Legislature passed a law requiring school districts to adhere to Utah State Purchasing Regulations. Thus, the Millard School District Board of Education gave authority to the superintendent and/or business administrator to make purchases for the Millard School District. The three main goals of the purchasing department for the Millard School District are as follows:

1. To obtain the best value on all purchases.
It is the goal of the district to assist employees in obtaining necessary supplies and equipment to perform their functions at the lowest cost to the district.
2. To treat all vendors fairly.
As a public organization, the district is obligated to provide an equal opportunity to all interested vendors.

3. To distribute and dispose of surplus property in a legal manner.
Surplus property must be disposed of in a fair equitable manner.

D. SCOPE

1. This policy applies to all purchases made by the Millard School District or any of its subdivisions; i.e. schools, departments, programs, etc. The policy applies regardless of the source of the money to be expended, including, but not restricted to:
 - a. tax money
 - b. state and federal grants
 - c. donations
 - d. all types of fees
 - e. revenue generated by programs, schools, departments, etc.
(However, where a donor is to donate the entire cost of a supply, service or construction item, and has conditioned the donation on award to a specific supplier, service provider, or contractor, this policy does not apply.)
2. This policy shall apply to all purchases made through district approved purchase orders, school generated purchase orders, expenditure requests, purchasing cards, and district requisitions. This policy prohibits purchases by the district, its, subdivisions and entities through other purchasing instruments, which include revolving credit purchase instruments unless prior approval has been granted.
3. This policy applies to all purchases of supplies, equipment, materials, construction, real property, and services.

E. GENERAL PURCHASING GUIDELINES

1. The Purchasing Department (superintendent and/or business administrator) has been given the exclusive authority, unless otherwise stated, to:
 - a. Initiate, conduct, and/or conclude negotiations concerning the purchase of materials, equipment, supplies, and services for the Millard School District.
 - b. Obligate the Millard School District for goods and services.
 - i. Orders or commitments by the faculty or staff are not binding on the district.
 - ii. Individuals who place orders through other than the Purchasing Department (superintendent and/or business administrator) should expect to make settlement personally.

2. The Purchasing Department is not authorized to make personal purchases for faculty or staff members.
3. The Purchasing Department may question the quality, quantity and kind of materials requisitioned on purchase orders, and suggest alternate items. The district will normally go with the recommended vendor provided everything is in order and the bid can be justified. (Attach written justification to the purchase order.)
4. The district will purchase the brand specified if it meets one of two conditions:
 - a. If it is the standard brand being used in the district. (Saving money on parts and supplies.)
 - b. If it can be justified why that brand is the only brand that will meet your particular needs. (Your reasoning has to stand up in a court of law.)
5. Telephone, emergency, and confirmation orders must be approved ahead of time by the Purchasing Department (superintendent and/or business administrator.)
6. All purchase orders and purchasing card transactions must have a proper account number indicated.
7. No purchase order shall be initiated unless funds are available in the budget to cover the cost, unless otherwise approved by the business administrator. This is ensured as the purchase order is processed and the appropriate budget is encumbered for the amount of the purchase.
8. When looking for supplies and equipment, be careful of catalogs and companies out of the State of Utah. Delivery time is usually longer and shipping expenses are not usually included in the price.
9. Advance payments are not usually allowed except to certain government agencies, for subscriptions and for vendor prepayment requirements, unless otherwise deemed appropriate and approved by the business administrator.
10. Whenever possible, supplies and items should be purchased from the State of Utah purchasing contract or Davis County School District Warehouse. Any items purchased through the State of Utah purchasing contract and Davis County School Warehouse are exempt from the bidding requirements.
11. Questions concerning purchasing policies should be directed to the superintendent or business administrator.

F. REQUISITION CREATION AND PURCHASE APPROVAL

1. All transactions that result in a commitment of district/school funds shall be approved by the applicable district/school administrator prior to making any purchasing arrangements.
 - a. Purchases of goods and services shall be executed by submitting a requisition, which (after the appropriate administrative and program approval) results in the creation of a district or school purchase order.
 - b. Refunds of tuition or other reimbursements to students, parents, and employees shall be documented by receipts, registration/withdrawal forms, sales slips, etc., which are submitted prior to the issuance of a check.
 - c. Purchases of goods and services for custodial, maintenance of buildings and grounds, and small instructional or office supplies may be acquired using school purchasing cards or through open purchase orders established at approved vendors. Only approved positions within the district are authorized to purchase goods or services through the open purchase order system. Any misuse or violation of the open purchase order system shall result in disciplinary action.
2. Exceptions to this policy shall apply to emergency procurements as identified by the budget manager, provided a requisition is approved subsequent to the purchase, and otherwise deemed appropriate and approved by the business administrator.

G. COMPETITIVE SOLICITATIONS

1. Millard School District Policy as well as Utah State Law imposes particular requirements for the different dollar amounts of purchase. The following limits are determined to be best to allow flexibility and yet still provide control required by law and policy.
2. Orders must not be split up so as to allow them to meet a lower category as this is considered to be “artificially dividing”, which is prohibited in the Utah Code: (Procurement requirements shall not be artificially divided to avoid using the other source methods set forth in section 63-56-22 or the Procurement Code.)
3. The Purchasing Department is responsible for all purchases of all goods, supplies, equipment, and services used by the Millard School District, except as allowed under the school and purchasing card.

4. The Board of Education may delegate such authority as deemed appropriate as per Utah Code 53-6-18: No purchase shall be made and no indebtedness shall be incurred by any officer or employee of any school district without the approval and order of the Board of Education of such district.
5. District policy defines small purchases as those purchases less than \$10,000 except small purchases for construction or architect-engineer services shall be less than \$85,000. The state procurement policy further subdivides small purchases into categories dependent upon the amount of the purchase. Competitive pricing shall be obtained for all purchases. Purchase requirements may not be divided into smaller units to avoid using the proper purchasing procedure based on the dollar volume, nor are purchases to be made prior to obtaining a purchase order number except for purchases made with a district open purchase order according to section D.1.c.
 - a. Purchases less than \$2,500. For purchases less than \$2,500 entities are encouraged to seek the best possible sources of supply based on factors such as price, prior vendor performance, and delivery; and to utilize the warehouse and other contracts as established by the district Business Department or the State of Utah.
 - b. Purchases between \$2,500 and \$5,000. No fewer than three vendors shall be contacted by the requesting entity for verbal, e-mail, or written price quotes. Quotations shall include a complete description of the product or service to be purchased, the quantity, the vendor name, address, name of the person providing the quote, quote date, unit and extended price, shipping charges if applicable, and delivery and payment terms. When a vendor is selected, a brief comment should accompany the documentation explaining the rationale for that vendor selection. Documentation shall be retained by the purchasing entity and shall be subject to Business Department review/approval prior to any commitment to a vendor and be subject to audit by the district's auditors. Purchasing entities are encouraged to consult with and utilize the services available from the district's Business Department.
 - c. Purchases between \$5,000 and \$10,000. The same policy applies as in E.1.b, except that written or e-mail quotations are required. Written quotes and award justification must be submitted to the Purchasing Department for final approval and shall be retained by the Purchasing Department and be subject to audit. Purchasing entities are encouraged to consult with and utilize the services available from the district's Purchasing Department.
 - d. Purchases over \$10,000 or for construction or architect-engineer services over \$85,000. All purchases anticipated being in excess of \$10,000 or for construction or architect-engineer services over \$85,000

should be formally bid by the Purchasing Department in accordance with adopted bidding policies and procedures. Requesting entities shall provide the Purchasing Department with complete descriptions, specifications, and suggested sources for the goods/services requested. These purchases in excess of \$10,000 shall be formally bid with public notice given in accordance with adopted bidding policies. Those purchases in excess of \$20,000 or for construction over \$85,000 shall be formally bid with public notice given in accordance with adopted bidding policies and procedures. All of the solicitations and advertisements to be bid shall be issued from the Purchasing Department after receiving approved requisitions from the business administrator. The Purchasing Department further shall coordinate the receipt, opening, review, and awarding of all bids in accordance with the policy.

- e. Purchases are authorized after budgetary approval using a vendor and price established by a state awarded procurement contract without going through the competitive solicitation process.
- f. When obtaining quotations, they are to be solicited from the widest practical selection of firms of proven performance from whom it has been established the best price can be obtained commensurate with quality, required delivery, and the general requirements of the purchase.

In the selection of possible suppliers, all applications are given equal consideration if after investigation they are deemed qualified. Among the factors to be considered in this determination are: service, reputation, availability of stock, financial responsibility, technical competence, and proximity. Biddable orders shall conform to the State of Utah preferred bidder law (sometimes call the 5% Preference Law, UCA 63-2-50) where possible.

- g. It is a felony in the State of Utah to accept anything for yourself or any other person or organization in exchange for purchased items.

H. USE OF COMPETITIVE SEALED PROPOSALS IN LIEU OF BIDS

1. When the purchasing agent determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the district, a contract may be entered into by competitive sealed proposals. Competitive sealed proposals are most appropriately used for professional service-type contracts, consultants, or other service providers.

2. Proposals shall be solicited through a request for proposals. Public notice of the request for proposals shall be given at least ten (10) days prior to the advertised date of the opening of the proposals.
3. Proposals shall be opened so as to avoid disclosure of contents to competing offerors during the process of negotiation. A register of proposals shall be prepared and shall be open for public inspection after the contract is awarded.
4. The request for proposals shall state the relative importance of price and other evaluating factors.
5. As provided in the request for proposals, discussions may be conducted with responsible offerors who submit proposals for the purpose of assuring full understanding of, and responsiveness to, solicitation requirements, if any questions arise. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revision of proposals, and revisions may be permitted after submissions, but prior to any disclosure of information submitted by competing offerors in any format, and before the contract is awarded for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of any information derived from proposals submitted by competing offerors. It is the responsibility of the offeror to ensure their proposal is accurate and complete.
6. Award shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the district, taking into consideration price and 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.

I. ARCHITECT-ENGINEER SERVICES

1. It is the policy of the district to publicly announce all requirements for architect engineer services and to negotiate contracts for architect-engineer services on the basis of demonstrated competence and qualification for the type of services required, and at fair and reasonable prices. Architect-engineer services shall be procured as provided in this part except as authorized by Sections 63G-6- 409 through 63G-6-411. This part does not affect the authority of, and does not apply to procedures undertaken by the district to obtain the services of architects or engineers in the capacity of employees of such unit.
2. In the procurement of architect-engineer services, the district business administrator shall encourage firms engaged in the lawful practice of their profession to submit periodically a statement of qualifications and performance data. A selection committee for architect-engineer services shall be established in accordance with rules and regulations promulgated by the

policy board. Selection committees shall evaluate current statements of qualifications and performance data on file with the state, together with those that may be submitted by other firms in response to the announcement of the proposed contract. Selection committees shall consider no less than three firms and then shall select therefrom, based upon criteria established and published by the selection committees, no less than three of the firms considered to be the most highly qualified to provide the services required. The district, upon a recommendation from the selection committee, may award a multi-year contract for professional services from an architect-engineer. The contract can be for a period of three years with an option by the district to renew for an additional two years.

J. CANCELLATION AND REJECTION OF BIDS/PROPOSALS

An invitation for bids, a request for proposals, or other solicitation may be cancelled, or any or all bids or proposals may be rejected, in whole or in part, as may be specified in the solicitation, when it is in the best interests of the district in accordance with rules and regulations. The reasons shall be made part of the contract file.

K. OTHER PURCHASES

The district business administrator shall not authorize purchases made through any means other than those described above. Anyone violating this policy shall be subject to disciplinary action.

L. EXCEPTIONS TO SMALL PURCHASE AND BID PROCEDURES

Sole source procurement shall be used only if the goods or services are reasonably available from a single supplier. Any request that the procurement be restricted to one potential contractor or vendor shall be accompanied by an explanation as to why no other will be suitable or acceptable to meet the need. In cases of reasonable doubt, competition shall be solicited. The Purchasing Department shall make the determination as to whether the procurement shall be made as a sole source.

M. SCHOOL LUNCH PURCHASES

For additional procedures specific to the Child Nutrition Department, refer to the Millard School District Child Nutrition Program Procurement Procedures for School Food Authorities.

N. EMERGENCY PROCUREMENTS

Emergency procurements using other than normal bid or price quotation procedures may be made only by the Purchasing Department. Procurement shall

be made according to policy as near as possible and still assure that the required supplies, services, or construction items are procured in time to meet the emergency. Given this constraint, such competition as is practicable shall be obtained. Emergency is defined as a direct threat to life or safety of the public or protection of public facilities.

O. SPECIFICATION DEVELOPMENT

Specifications shall be drafted by the school, department, etc. or the appropriate supervisor and submitted with the requisition. All specifications shall seek to promote overall economy and best use for the purposes intended and to encourage competition. Specifications should be drafted with the objective of clearly describing the requirements for which the goods or services will be used by the district. Procedures for specification are determined specifically by Title 63G Chapter 56 Part 3 of the State Procurement Code.

P. PURCHASING FILES

1. Prospective Bidder File. The Purchasing Department shall maintain a list of prospective vendors for the various categories of products and services procured by the district. This list shall incorporate those who request to receive bids as well as those added through the Purchasing Department's effort to solicit all available sources. All schools or departments should refer prospective vendors to the Purchasing Department for inclusion in the bidder file.
2. Solicitation File. A file shall be maintained in the Purchasing Department of all solicitations currently pending.
3. Completed Solicitation File. After the opening of bids, they become public information except that the winning proposal(s) is/are public information for a period of ninety (90) days following notice of intent to award. A file shall be maintained retaining the solicitations, solicitation comparison sheets, other submittals, and rationale in awarding.

Q. PURCHASING CARD / PETTY CASH

Schools may use a school purchasing card or petty cash fund for making small one-time purchases of \$2,500 or less. It is recognized that it is often less expensive and more convenient for the user to buy minor supply items personally and pay for them using a purchasing card, than to use the conventional purchase order system. This places the responsibility on the school principal to use common sense in determining appropriateness for making small purchases. Purchases shall not be artificially divided so as to come under the limit.

R. CREDIT CARDS / PURCHASING CARDS

1. Definition

- a. As used herein, "credit cards" mean purchasing instruments provided by a financial institution designated by the superintendent's office for the purpose of making purchases of predetermined amounts and to secure travel reservations, so that personnel efficiency and financial resources are maximized. Credit card use is limited to the type of credit instrument, which is fully due and payable each thirty (30) days. This policy prohibits use of revolving credit instruments, which allow unpaid balances to be carried forward as revolving credit balances upon which interest is calculated and becomes due and payable in addition to the original purchase amount. Credit cards shall be used for pre-approved travel expenses limited to airfare, hotel, car rental, gas stations, eating establishments and other approved travel expenses. They may also be used in a limited fashion with the cardholders' approval for approved online or phone orders of goods or services.

2. Purposes

- a. To maximize the use of educational funding while providing necessary controls.
 - b. To designate the district business administrator as the person, responsible to oversee the establishment and operation of the credit card/purchasing card programs within the district and schools.
 - c. To designate the school principal in each school as the credit card/purchasing card administrator, who is responsible to oversee the establishment and operation of the credit card/purchasing card programs within his or her school.
 - d. To ensure federal, state, and district financial policies are observed in relation to use of credit cards/purchasing cards and credit instruments.
 - e. To establish reasonable controls, limits, and procedures in regard to credit card/purchasing card usage.
 - f. To establish disciplinary measures relative to the credit card/purchasing card programs.
3. District credit card/purchasing card programs shall be administered under the direction of the district's business administrator, who is responsible for the following:

- a. To oversee the issuance, maintenance, and cancellation of credit cards/purchasing cards.
 - b. To establish card spending and product limits based upon purchasing requirements associated with the cardholder's employment responsibilities.
 - c. To create an agreement, which shall be signed by each cardholder, the agreement shall set forth the terms and conditions under which the cardholder will receive and maintain use of the credit card(s)/purchasing card(s).
 - d. To receive monthly reports from the card provider, which enumerate the purchasing activity of each cardholder and to ensure each cardholder reconciles all charges with receipts and documentation.
 - e. To detect unauthorized card use and take appropriate corrective action. When warranted, the business administrator is authorized to seek reimbursement for unauthorized card use by wage withholding, wage garnishment, or civil litigation.
4. The school credit card/purchasing card administrator is responsible for the following:
- a. To oversee the implementation and operation of the credit card(s) within their school, to include budget allocation and approval of purchasing requests.
 - b. To oversee the issuance, maintenance, and cancellation of credit cards/purchasing cards issued to employees within their school.
 - c. To recommend cancellation of any travel cards of persons making unauthorized purchases.
 - d. To review the purchasing activity each month of all cardholder(s) at their location.
 - e. To allocate all purchases at their location to the appropriate financial accounts.
5. Cardholders are responsible for the following:
- a. To submit an application to the school credit card/purchasing card administrator and receive notification of approval by the district's business administrator before cards will be requested from the card provider.

- b. To sign purchasing and travel cardholder agreements between themselves and the district prior to having a card(s) issued to them. These agreements shall set forth the terms and conditions under which the cardholder will be issued and maintain use of their card(s).
- c. To be confined to the product and expenditure limits associated with the individual credit card/purchasing card provided to the cardholder and the terms of the cardholder agreement.
- d. To receive approval for all purchases from their school/department purchasing card administrator or designee before executing credit card/purchasing card transactions.
- e. To provide to their school/department purchasing/credit card/purchasing card administrator, copies of all purchase documents within five (5) working days following the purchase. Failure to do this shall constitute unauthorized use.
- f. To be personally responsible for unauthorized charges made with the credit card/purchasing card. If unauthorized expenditures are excessive, flagrant or unresolved, the district shall cancel the employee's credit card(s)/purchasing card(s), withhold wages for full reimbursement of unauthorized charges and associated costs, and administer disciplinary action up to and including termination for cause.
- g. To acknowledge that using the credit cards/purchasing cards for personal items or cash advances is strictly prohibited.

S. PURCHASE ORDERS

- 1. Purchase orders and/or purchasing cards are to be utilized in securing all supplies, services, and equipment except those purchases made from school funds as described in this procedure.
- 2. Orders which are genuine emergencies, such as repairs, may be placed by telephoning the superintendent or business administrator.
- 3. Standing purchase orders (SPO) may be requested when the services or supplies are required with some degree of regularity. All SPO's expire on June 30 each year unless special arrangements are made. The SPO number must be given to the vendor each time an order is placed. SPO's are not to be used to purchase equipment.
- 4. All purchase orders must include, as a minimum, the following information:
 - a. An accurate description and specification for each item requested.

- b. Budget code to be charged.
- c. Delivery instructions.
- d. Estimated cost of each item on the purchase order and the total amount of the purchase order.
- e. Signature of the school principal.
- f. Purchase orders should be typed whenever possible.

T. OPEN PURCHASE ORDERS/CHARGE ACCOUNTS

1. As used herein, “open purchase orders” means blank purchase orders delivered to approved vendors monthly for the purpose of purchasing maintenance supplies, custodial repair supplies, and minor educational supplies. These open purchase orders constitute a charge account with each specific vendor where the district has an approved revolving credit account, which must be paid monthly. Only approved employees are allowed to procure products, goods, or services using this purchasing instrument of the district.
2. Purpose:
 - a. To maximize the use of educational funding while providing necessary controls.
 - b. To designate the district business administrator as the person responsible to oversee the establishment and operation of the open purchase order program within the district.
 - c. To ensure federal, state and district financial policies are observed in relation to use of open purchase order and credit instruments.
 - d. To establish reasonable controls, limits and procedures in regard to open purchase order usage.
 - e. To establish disciplinary measures relative to the open purchase order program.
3. The open purchase order program shall be administered under the direction of the district’s business administrator, who is responsible for the following:
 - a. To oversee the issuance, maintenance, and cancellation of open purchase orders to approved vendors.

- b. To establish open purchase order spending and product limits for employees based upon purchasing requirements associated with the employee's employment responsibilities.
 - c. To receive and review monthly reports from the open purchase order vendors, which enumerate the purchasing activity of each open purchase order and to ensure that the accounts payable clerk reconciles all charges validating signatures and appropriate documentation supporting the purchases.
 - d. To detect unauthorized open purchase order use and take appropriate corrective action. When warranted, the business administrator is authorized to seek reimbursement for unauthorized open purchase order use by wage withholding, wage garnishment, or civil litigation.
4. Approved employees are responsible for the following:
- a. To be confined to the products and expenditure limits associated with the individual and their employment responsibilities. No purchase of equipment is authorized at any time, except in the case of an emergency.
 - b. To provide to the accounts payable clerk or designee, copies of all purchase documents within five (5) working days following the purchase. Failure to do this shall constitute unauthorized use.
 - c. To be personally responsible for unauthorized charges made with the open purchase order system. If unauthorized expenditures are excessive, flagrant, or unresolved, the district shall cancel the employee's access to usage of open purchase orders, withhold wages for full reimbursement of unauthorized charges and associated costs, and administer disciplinary action up to and including termination for cause.
 - d. To acknowledge that using the open purchase order for personal items is strictly prohibited.

U. RECEIPT AND ACCEPTANCE OF MATERIALS

1. Each school or department who receives the goods must inspect them for obvious damage, irregularities, or discrepancies. The receiving school or department is responsible for notifying the district office immediately of damage, irregularities, or discrepancies. This notification should include the following information, and should be made the same day:

- a. Vendor's name and purchase order;
 - b. Date received;
 - c. Item or items damaged and condition;
 - d. Condition of shipping container upon receipt.
2. All damaged materials should be preserved in their original state and shipping containers until instructions for disposal are issued by the district office. This is very important. Before a claim can be filed, an inspection by the carrier must be made of the packaging and shipping material as well as the damaged merchandise. Contact the district office if you need any help.
 3. Notification should be made to the district office when material is received which is not ordered, is defective, or in any way is not acceptable. The District Office will assist in the return and/or exchange of the material.

V. LEASING AND RENTING

1. Lease and rental agreements are negotiated by the district office for the Millard School District. Schools and departments are expressly prohibited from entering into such agreements independently.
2. Equipment which is furnished for Millard School District use by outside agencies on a rental or lease basis, whether for a definite or indefinite period, will be covered by a purchase order.

W. DISPOSITION OF SURPLUS PROPERTY

1. The district office is responsible for all surplus property. District policy states, "No district employee shall transfer, sell or trade in any property owned by the Millard School District without written authorization from the superintendent and/or business administrator." From a practical standpoint, books are treated differently from other surplus property.
2. Schools and departments shall notify the superintendent and/or business administrator for disposition of all surplus property.
3. Insofar as feasible and practical, the superintendent and/or business administrator will transfer surplus property between schools to fill needs.
4. Surplus property shall be offered to the general public through competitive sealed bids, public auction, or through a public sale.
5. Refer all questions regarding surplus property to the Maintenance Department. District property will not be sold to employees except through an auction or other public sale.

X. ILLEGAL ACTIVITIES

1. Employees

- a. Any person acting as a procurement officer for the Millard School District, or who in any official capacity participates in the procurement of supplies, services, construction, real property, or insurance for any such political unit is guilty of a felony if the person asks, receives, or offers to receive any emolument, gratuity, contribution, loan, or reward, or any promise thereof, either for the person's own use or the use or benefit of any other person or organization from any person interested in the sale of such supplies, construction, real property, or insurance.
- b. Any person using their employment position or influence at the Millard School District for the purpose of obtaining goods or services for personal benefit or the personal benefit of others shall be subject to disciplinary action up to and including dismissal and possible criminal charges. Such activities shall include, but are not limited to:
 - i. Purchases at discounted rates not available to the general public; or
 - ii. Acceptance of goods and services at no or reduced cost; or
 - iii. Purchases with the intent of avoiding sales taxes.
- c. It is permissible to obtain goods and services for personal use at discounted rates where suppliers typically offer educational discounts to all employees of the district. Such discounts are characterized by being made available to all employees regardless of position or influence. Employees are responsible for the payment of sales tax and purchase arrangements and shall not be made through the use of district or school purchase orders or purchasing/travel cards.

2. Vendors

- a. A person who is interested in any way in the sale of any supplies, services, construction, real property, or insurance to the Millard School District is guilty of a felony if the person gives or offers to give any emolument, gratuity, contribution, loan, or reward, or any promise thereof to any person acting as a procurement officer, or who in any official capacity participates in the procurement of such supplies, services, construction, real property, or insurance, whether it is given for his own use or for the use or benefit of any person or organization.

REFERENCES

[Utah Code Annotated Title 63G, Chapter 6 Utah Procurement Code](#) - State law establishes procurement policy for all agencies of Utah State government and the Rules, Regulations promulgated by the Millard School District Board of Education are as directed by the statute and are complementary to the provisions therein. The complete text of the Utah Code, Title 63, Chapter 56 is incorporated by reference into this policy. These documents are available at the Purchasing Department.

[Utah Code Ann §§53A-20-101 \(1\)\(7\), 103 and 105](#) -

Except as set forth in this policy, an officer or employee of a school district may not make a purchase or incur indebtedness on behalf of the district without the approval of the board. A licensed architect must prepare plans for construction or alteration of any school if the total estimated accumulated costs exceed \$80,000. It shall be the policy to publicly announce all requirements for architect/engineering services and to negotiate contracts on the basis of demonstrated competence, qualification, and reasonable price.

[Utah Administrative Code R23-1-20](#) - Procurement for Construction - Small purchases \$100,000.00 or less.

[Utah Administrative Code R33-5-530](#) - Construction & Architect-Engineer Selection – Small purchases \$50,000.00 or less.

Millard School District complies with the principle that minority and women business enterprises must be given a fair opportunity to compete for all procurement administered by the Millard School District.

Telephone Bid Sheet

This form is designed as a price quotation form for bid items that are estimated to cost between \$2,500-\$5,000

#1

DATE _____

VENDOR _____ TELEPHONE _____

SALESPERSON _____

BRAND/DESCRIPTION _____

PRICE _____

#2

DATE _____

VENDOR _____ TELEPHONE _____

SALESPERSON _____

BRAND/DESCRIPTION _____

PRICE _____

#3

DATE _____

VENDOR _____ TELEPHONE _____

SALESPERSON _____

BRAND/DESCRIPTION _____

PRICE _____

SIGNED-ORIGINATOR

MILLARD SCHOOL DISTRICT

Request for Written Quotation

This form is designed as a price quotation form for bid items that are estimated to cost between \$5,000-\$10,000

DATE DUE _____ DATE MAILED _____

QUANTITY _____ BRAND _____

ITEM/DESCRIPTION _____

For Bidder

PRICE _____ QUANTITY _____

FREIGHT _____ OTHER CHARGES _____

DELIVERY DATE _____

EXPIRATION DATE OF PRICE QUOTE _____

COMPANY _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

SALESPERSON _____

BID PREPARED BY:

Signature

RETURN BID TO: NAME _____

ADDRESS _____

CITY _____ STATE _____ ZIP _____

Copy this sheet for your reference. Send the original to the Purchasing Department with the purchase order original.

You want to purchase an item

