

*The Policy Committee approved the changes recommended by Mr. Carl Fox Purchasing Manager and Associate Superintendent Holmes to the purchasing policy and regulation. The raising of the following thresholds will match the state's policy/regulation changes.*

## **3320 Purchasing**

Purchases must be made in accordance with current Wyoming Statutes.

Section 21-3-110(a)(ii)(B)(viii) of the Wyoming Education Code of 1969 as amended - 1987 provides as follows:

The District's purchasing program shall serve the interests of the school district and its educational program by providing the necessary supplies, equipment, and services. The purchasing procedures employed by the District shall comply with all applicable laws and regulations of the state as well as Board policies. Materials, supplies, equipment, and services will be purchased by bid whenever it is advantageous to the District. In cases where direct negotiation is in the best interest of the District, it will not be necessary to secure bids unless required by law.

The District shall obtain competitive bids when any purchase of insurance, supplies, or materials (other than textbooks) will cost ten thousand dollars (\$10,000.00) or more and less than ~~twenty-five thousand dollars (\$25,000.00)~~ **fifty thousand dollars.**

If the cost is ~~twenty-five thousand dollars (\$25,000.00)~~ **fifty thousand dollars (\$50,000.00)** or more, a call for bids shall be published at least once in a newspaper of general circulation in the District.

Items in the published call for bid may be described by stating the general requirements and making the detailed specifications available to the bidders at the District administrative office.

When any school building, facility, or other District property is to be built costing fifty thousand dollars (\$50,000.00) or more; or when any repairs, additions, or improvements costing fifty thousand dollars (\$50,000.00) or more are to be made to any school building, facility, or other District property, the Board shall obtain competitive bids and publish a call for bids in a newspaper of general circulation in the state at least once each week for two consecutive weeks.

Unless otherwise prohibited by federal law, when funds are appropriated or authorized for expenditure for capital construction projects, the projects shall be bid and contracts entered into subject to the conditions and restrictions set forth in W.S. 16-6-1001, inclusive of those procurements requirements applicable to capital construction projects involving the procurement of furniture and moveable equipment.

**No purchase shall be divided to avoid this policy.**

### **PROCUREMENT OF PROFESSIONAL SERVICES FROM ARCHITECTS, ENGINEERS, AND SURVEYORS.**

If professional services in an amount of twenty-five thousand dollars (\$25,000.00) or more are required, the District shall notify all qualified architects, engineers, and land surveyors of record

who have submitted an annual statement of qualifications and performance data. In addition, if professional services in an amount of fifty thousand dollars (\$50,000.00) or more are required, the District shall give notice in a newspaper of general circulation in the state at least once each week for two consecutive weeks prior to initiation of selection procedures in accordance with W.S. 9-2-1031. All notifications shall contain a general description of the proposed project and shall indicate the procedures by which interested firms may apply for consideration for a contract to provide professional services for the proposed project.

For each proposed project, the District's representative shall evaluate current statements of qualifications and performance data of firms on file with the District, together with any application submitted by other qualified firms, and shall select not less than three (3) firms considered qualified to perform the required professional services in accordance with the selection procedures below. The District shall provide a complete description of the work to the firms selected. For projects fifty thousand dollars (\$50,000.00) or more, the firms shall submit an unpriced proposal to do the work.

In addition to the requirements set forth above, if the professional service fee is estimated to be fifty thousand dollars (\$50,000.00) or more, the District's representative shall interview not less than three (3) firms selected from those which have submitted proposals to do the work. The interview shall be recorded and include discussions of each firm's projections of project costs, qualifications, approaches to the project, ability to furnish required professional services, use of alternative methods for furnishing required professional services, and an estimated fee based on the agency's description of the work. The estimated fee may be used as a basis, along with the other information discussed at the interview or as provided in the statements of qualifications and performance data on file with the District, in selecting the most qualified firm for contract negotiations. If unsatisfied with the results of interviews, the District may select not less than three (3) additional firms for interviews.

**No contract shall be divided to avoid this provision.**

For projects where the estimated professional fee is less than fifty thousand dollars (\$50,000.00), interviews are not required. In those cases, firms interested in providing professional services for the project shall provide to the District an estimated fee and preliminary scope of services based on the District's description of the work. The estimated fee may be used as a basis, along with the qualifications provided by the firm in the statement of qualifications and performance data or other information required in accordance with the bid documents or requests for proposals, in selecting the most qualified firm.

Items for which bids must be obtained may be described in the published call for bids by stating general requirements, and making detailed specifications available to prospective bidders at the District's administrative headquarters.

The District reserves the right to reject any and all bids and to waive irregularities and informalities in any bid.

The approval of the annual budget by the Board of Trustees provides authorization to the Superintendent, the Associate Superintendent for Instructional Support, or designee to expend amounts from within the budget for items totaling less than ten thousand dollars (\$10,000.00), providing procedures outlined in Board policy are closely adhered to. With the exception of textbooks, Board approval must be obtained for the purchase of items costing ten thousand

dollars (\$10,000) or more. All textbook purchases must be approved by the Board of Trustees if such purchases are the result of revisions or additions to the current curriculum.

Computer, software and similar technology purchases will be routed through the District Technology office.

All purchases will be investigated carefully to see if each fits into the framework of the educational philosophy as well as within the framework of the budget. In the evaluation of bids and quotes, the Board's philosophy will be that purchasing decisions should be based on the best interests of the District rather than solely on the basis of price.

All purchases made in the name of Campbell County School District must be authorized by the Superintendent, the Associate Superintendent for Instructional Support, or designee. Any purchase not so authorized may be deemed to be a personal purchase to be paid for by the purchaser. No employee may order anything as an individual or for any group using the name of the District without proper, prior authorization.

### **STANDARDS OF CONDUCT**

No Board Trustee, employee, or agent of the District shall participate in the selection, award or administration of a contract or purchase if a real or apparent conflict of interest would be involved. Such a conflict would arise when the Board Trustee, employee, or agent, any member of his/her immediate family, his/her business partner, or associate, or an organization which employs or is about to employ any of the persons referred to herein has a financial or other interest in the firm selected for an award. The Board Trustees, employees, or agents of the District shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or organizations doing business with the District. An exception may be made for the receipt of an unsolicited item of nominal value if approved by the Superintendent or the Associate Superintendent for Instructional Support.

Any employee who violates the terms of this policy shall be subject to disciplinary action, up to and including termination from employment. Non-employee agents or representatives may also be sanctioned and removed from their position as agent or representative for the District for violation of this policy.

ADOPTION DATE: December 14, 1971; Editorial Revision August 14, 1984; Revised July 12, 1988; March 1990; Renumbered August 21, 1995 (formerly 3321), Revised May 22, 2000, Revised November 9, 2004; Reviewed without revision June 14, 2005; Revised September 9, 2008; Revised July 16, 2014; Revised September 24, 2019; **Reviewed with minor revisions April 26, 2022**

LEGAL REFERENCE(S): 2 CFR 200.319; Section 204 of Federal Executive Order 11246; W.S. 21-3-110(a)(ii)(B)(viii) of the Wyoming Education Code; W.S. 16-6-1001; W.S. 16-6-101; W.S. 9-2-1031; W.S 21-12-320, IRS Publication 15-B

CROSS-REFERENCE(S): 3310, 3310-R

ADMINISTRATIVE REGULATION: 3320-R