

PURCHASING MANUAL

2023 - 2024



Prepared by:

Mr. Alessandro Verace
Business Administrator
Board Secretary
Purchasing Agent

East Rutherford School District
250 Grove Street
East Rutherford, NJ 07073

East Rutherford PUBLIC SCHOOLS

*Business Office
250 Grove Street
East Rutherford, New Jersey 07073*

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It is the mission of the Purchasing Department to obtain the highest quality goods and services at the lowest prices and to secure the goods and services in accordance with the procurement laws of New Jersey and acceptable business practices.

School District Responsibility

It is the desire of the East Rutherford Board of Education to have all Board employees and officials practice exemplary ethical behavior in the procurement of goods, materials, supplies and services.

School officials and employees who recommend purchases shall not extend any favoritism to any vendor. Each recommended purchase should be based upon quality of the items, service, price, delivery and other applicable factors in full compliance with the Public School Contracts Laws of New Jersey.

School officials and employees are prohibited from soliciting and receiving funds, gifts, materials, goods, services, favors, and any other items of value from vendors doing business with the East Rutherford Board of Education.

Vendor Responsibility

Any vendor doing business or proposing to do business with the East Rutherford School District, shall neither pay, offer to pay, either directly or indirectly, any fee, commission, or compensation, nor offer any gift, gratuity, or other items of value of any kind to any official or employee of the

East Rutherford Public School District or to any member of the official's or employee's immediate family.

No vendor shall cause to influence or attempt to cause to influence, any official or employee of the East Rutherford Public School District, in any manner which might tend to impair the objectivity or independence of judgment of said official or employee.

Authority to Purchase

The purchase of goods and/or services by a board of education is governed by state statutes, administrative code and board policy. New Jersey State Law (18A:18A-2(b)) assigns the authority to the purchasing agent to make purchase for the board of education.

The Purchasing Agent is the only individual in the school district that has the authority to make purchases for the board of education.

The East Rutherford Board of Education by board resolution has authorized Mr. Alessandro Verace to be the Purchasing Agent for the school district.

Authorized Purchases

All requests for purchase of goods and/or services must be made through an approved purchase order signed by the Purchasing Agent. A purchase order, pursuant to State Law, is a document issued by the Purchasing Agent authorizing goods or materials to be ordered for the school district or work/service to begin. No goods or materials may be ordered or work/service be authorized to begin by any other individual in the school district other than the Purchasing Agent.

Unauthorized Purchases

Any Board of Education employee who orders and/or receives any materials, supplies or services without first going through the approved purchase order process has made an unauthorized purchase.

Unauthorized purchases are a violation of State Law and Board Policy

Unauthorized Orders

The East Rutherford Board of Education only recognizes purchases made through the approved purchase order process.

All purchases are made by an electronic purchase order, with an authorized signature and a purchase order number.

Please do not honor or accept any requests for good or services unless the request is made through a written purchase order with an authorized signature and an assigned purchase order number.

Please alert Alessandro Verace at (201) 804-3100 ext. 2002 if any Board employee attempts to place an order without an authorized purchase order.

Once a purchase order is received do not permit any employee to add items to that order.

The East Rutherford Board of Education will not be held responsible for any unauthorized orders or purchases.

EAST RUTHERFORD PUBLIC SCHOOLS

*Business Office
250 Grove Street
East Rutherford, New Jersey 07073*

TO: All District Employees

The purpose of this Purchasing Manual is to assist all Board of Education employees in the proper purchasing practices to be in full compliance with:

- New Jersey Public School Contract Laws Title 18A:18A, et. seq.;
- New Jersey Administrative Code N.J.A.C. 5:34 et. seq.;
- Board of Education Policy;
- Other federal, state law and code; and
- NJ QSAC.
- Local Finance Notices – NJ Division of Local Government Services

The Purchasing Manual is designed to achieve three (3) goals:

1. Follow the law and Board policy on purchasing;
2. Promote efficiency in the purchasing practices; and
3. Achieve savings of money through proper purchasing practices.

We ask you, the user of the purchasing system, to help achieve these goals through proper planning. Please allow yourself enough leeway between generating a purchase order and the actual date materials or services are needed. Please think of purchasing in terms of a whole year. What items and services do you need on an annual basis?

Through proper planning, we can eliminate much of the frustration that is encountered in all public school purchasing procedures.

This manual should be reviewed with department heads, teachers, secretaries, and others who are involved in the purchasing process. It is imperative that everyone adhere to all purchasing laws and guidelines.

If you have any questions concerning the following guidelines, please do not hesitate to call the Business Office, Extension 2002.

Thank you,
Alessandro Verace
Business Administrator/Board Secretary/ Purchasing Agent

PURCHASE ORDER PROCEDURES

Authority to Purchase

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No goods or materials may be ordered or work/service be authorized to begin by any other individual in the school district other than the Purchasing Agent.

Unauthorized Purchases

Any Board of Education employee who orders and/or receives any materials, supplies or services without first going through the approved purchase order process has made an unauthorized purchase.

Unauthorized purchases are a violation of State Law and Board Policy.

Penalties listed below may be assigned by the Superintendent of Schools for unauthorized purchases:

Penalties for Unauthorized Purchases

| | | |
|----------------|-----------------------------------|------------------|
| First Offense | Letter in Personnel File | Pay for Purchase |
| Second Offense | Suspension | Pay for Purchase |
| Third Offense | Loss of Increment | Pay for Purchase |
| Fourth Offense | Loss of Employment Tenure Charges | Pay for Purchase |

Corrective Action for Non-compliance

Memo to Administrator

If the Purchasing Agent has determined that an unauthorized purchase has been made, an email or memo will be sent to the responsible administrator advising the administrator of the unauthorized purchase by the employee.

The Superintendent of Schools shall receive a copy of the email/memo.

Memo to Superintendent

The responsible administrator shall prepare the email/memo explaining the reasons why proper purchasing procedures were not followed. The memo will be attached to the purchase order and a copy of the memo will be sent to the Superintendent of Schools.

Letter to Vendor

The Purchasing Agent will also send a letter to the vendor who provided either unauthorized services or goods.

The letter will advise the vendor that payment may not be made for the unauthorized purchase. The Board Attorney will be copied on the letter.

At any time, during the Corrective Action Process, the Superintendent may invoke the penalties for non-compliance. Sanctions/penalties are part of the NJ QSAC Corrective Action Plan.

A repeat offense of an unauthorized purchase by the same administrator within a school year will mandate that administrator to attend a special in-service workshop on proper purchasing procedures and any sanction that may be invoked by the Superintendent.

All staff members must receive permission from administrators, supervisors, or principals to pre-view materials. After the preview process has been completed, the item must be returned. If there is a desire to purchase the previewed item, then a purchase order must be prepared for a new item.

Reimbursements; Employee

The Board of Education only recognizes an employee reimbursement purchase orders when it pertains to tuition reimbursement, pre-approved travel, meals, and conferences. **The Board will not reimburse employees for items and goods personally purchased by the employee.**

Student Activity Accounts

Purchases made through Student Activity Accounts may not be reimbursed with Board funds. Purchase orders made payable to Student Activity Accounts for the aforementioned purpose will not be signed by the Purchasing Agent.

A. Responsibilities of Originator of Purchase Order/Requisition - Preparing a Purchase Order/Requisition in CSI System

The person who prepares the purchase order/requisition has certain responsibilities before the order is sent to the administrator, supervisor, or principal for approval. He/She is to ensure the following:

1. **Purchase Order/Requisitions are neatly written/typed**-- All purchase orders/requisitions are to be neatly written/typed and must include the originators initials.
2. **Business Registration Certificate/W9 is on file in the Business Office.**
3. **Vendor's Name**--All Board checks are made payable to the vendor name (top line) listed on the purchase order/requisition. Please ensure the proper vendor name is printed. If the Vendor has a State Contract it must be listed on the purchase order/requisition.
4. **Description of Items, Services, Costs and Catalogue Numbers**--Items and/or services requested are to be described clearly with correct and up-to-date catalogue numbers and costs. Please use latest catalogues available.
5. **Department** listed on the purchase order is the staff responsible for receiving the Items/services and signing off on the receiving copy at time of receipt.
6. **Shipping Costs**--Shipping and handling costs are to be added to all purchase orders, as deemed by the vendor. Please read the catalogue or contact the vendor to determine the actual shipping and handling costs.

If you are unable to ascertain the actual charges, type: **“10% Estimated Shipping and Handling”**

If there are no shipping and handling charges, type on purchase order: **“Shipping and Handling Included”**

6. **Delivery Address--Attention Of**--The delivery address should include a name of a person or a specific department.
7. **Delivery, Types of**

The East Rutherford Board of Education recognizes two (2) types of delivery.

a. INSIDE DELIVERY

Items are to be delivered to a Board of Education location and taken off the truck by transportation carrier personnel and brought to a designated area inside the school or office building.

b. SPOTTED DELIVERY

Items are to be delivered to a Board of Education location and taken off the truck by transportation carrier personnel and brought to a designated area inside the school or office building. Transportation carrier personnel or specialized individuals are responsible to then uncrate, setup, assemble items to determine good working order and remove all

debris to the satisfaction of the East Rutherford Board of Education within five (5) working days. Please ensure that all purchase orders have the correct delivery designation.

8. Minimum Order -- the minimum order amount for all purchase orders is \$25.00. Please try to plan and combine orders to exceed the \$25.00 limit. Please verify your figures for accuracy. Please note: The Board of Education is exempt from paying New Jersey Sales Tax.
9. **Budget Account Number**--Please be sure the correct Budget Account Number is chosen on the purchase order/requisition.
10. **State Contract Orders**--When ordering through State Contract vendors please include:
 - Type on purchase order the full price and any shipping/delivery costs.
 - List State Contract number on purchase order.
11. **Quotations**— Minimum of two quotes. If quotations are obtained, please attach the quote to the purchase order a copy of each written quotation received. Please type the quotation date and the quotation number in the upper left hand corner on the purchase order in the space provided.
12. **Bids**-- If bids are obtained, please type the following in the upper left corner on the purchase order in the space provided:
 - a. Bid Date; and
 - b. Bid Number
13. **Multi-Page Purchase Orders–Limit Two (2) Pages** – There will be times where there is a need to order a large amount of items from one vendor. The number of pages of purchase orders is limited to two pages per order. For orders in excess of the two-page limit, please follow the procedures below:
 - a. Type on the body of the purchase order what is being purchased
 - Example: School Supplies, Office Supplies, etc.
 - b. Type on purchase order: **“See attached list”** List should be neatly typed or downloaded from company website and should include quantities, full description of items, unit price and total price.
 - c. Attach three (3) copies of the list to the purchase order (**our office attaches these copies to the various copies of the purchase order when noted properly**).

MEALS; REFRESHMENTS; CATERING

The State of New Jersey Department of Education has provided guidance to school districts through Administrative Code N.J.A.C. 6A:23A-5.8 on board expenditures for meals and refreshments.

The expenditure of public funds for meals and refreshments may be used for the following:

Permitted Activities for Meals; Refreshments; Catering

- ***Student Activities***
Reasonable costs for light meals and refreshments directly related to activities that benefit students and are part of the instructional program are permissible. These activities must be part of the instructional program and not solely for student entertainment.

- ***Parent Activities***
Reasonable costs* for light meals and refreshments for parent activities are permissible. It is expected that expenditures for this purpose will be minimal and infrequent—State code.

*Please note that costs for light meals and refreshments are limited as follows:

| | |
|-----------|---------------------|
| Breakfast | \$ 7.00 per person |
| Lunch | \$ 10.00 per person |
| Dinner | \$15.00 per person |

(NJ OMB Circular 11-05-OMB Section XI—Letter J)

Documentation Required—Light Meals and Refreshments

Documentation must be provided to support expenditures for light meals and refreshments.

- Description of the activity;
- Purpose/justification of the activity; goal; objectives;
- Make-up of the group receiving the meals; and

Prohibited Activities

- ***Athletic Activities***
Light meals and refreshments served to *guests* at any athletic event, game or contest are not permitted.

- ***Staff and Employees of the School District***

Light meals and refreshments are not permitted for employees and staff of a school district, unless the staff member or employee is essential to *a student activity* where light meals or refreshments are being served.

- ***Honoring Employees***

Receptions, dinners or other social functions held for or honoring any employee or group of employees are not permitted when public funds are being used.

Purchase of Food Supplies – Supermarkets

New Jersey state law and code excludes the purchase of food supplies from the bidding process if the food supplies are for the school cafeteria or home economics classes.

Food Supplies

New Jersey Administrative Code 6A:23A-16.5(b) clearly notes that food supplies include those supplies that are “eaten or drunk.” Administrators are to ensure that purchases from the supermarkets have only items listed that follow the code. The Business Office will review the register receipts and highlight those items that do not follow the code.

PERMITTED AND NON-ESSENTIAL PURCHASES

1. Permitted Purchases

- Commencement; Convocation Activities

All reasonable costs for commencement; convocation activities are permitted.

- Field Trips / Extracurricular Activities

All field trips using public funds (purchase order) shall be part of the instructional program, have an educational value and shall be reasonable in cost. Field trips solely for student entertainment are prohibited when using public funds. A board resolution approving the field trip must be attached to the purchase order.

- Library Books; Magazines, Videos/DVD's/CD's

All library books; magazines and multi-media presentation materials shall be for educational or operational purposes.

- T-Shirts

The Superintendent will consider, on a case by case basis, requests for the purchase of T-Shirts. It is strongly encouraged that purchases of T-Shirts be made through the appropriate student activity account.

2. Non-Essential and Prohibited Purchases

- Carnivals
- Retirement Plaques
- Gifts for Employees
- Bereavement flowers; baskets
- Teacher appreciation gifts/activities
- Student entertainment

The list is not all inclusive and items may be deemed non-essential by the Superintendent during the course of the school year.

C. Responsibilities of Administrator/Supervisor or Principal – Reviewing a Purchase Order

Administrators/supervisors and principals must ensure the following is reviewed before the purchase order is sent to the Superintendent:

1. **Funds Available**
They must check to determine if funds *are available* in their budget to cover the purchase order.
2. **Purchase Order Completion**
They must check to determine that items 1-14 previously noted (Responsibilities of the Originator) have been *properly completed*.
3. **Requisitions** are to be approved on line by the appropriate administrator.
4. **Approval of Principal**
Central office administrators and supervisors have been notified that whenever they order equipment for the instructional staff of the various schools, the purchase order must be approved by the school principal.

Approval is granted once the principal approves the requisition in the system.
5. **Originator Copy**
The originator copy of the purchase order (*pink school copy*) will be forwarded to the department. Please retain the pink copy for your files should a staff member lose the green receiving copy.
6. **Receiving Copy**
Once the purchase order has been posted and mailed to the vendor, the Business Office will send the Receiving and School Copy of the purchase order back to the department. If you do not receive the Receiving Copy within two (2) weeks of signing the purchase order, please contact the Business Office immediately.
7. **Signature on Receiving copy of Purchase Order**
The receiving copy must be signed (**no rubber stamps**) the receiving copy must be sent to the *Business Office* once the goods, materials and/or services are received.

Without this document the Vendor cannot be paid.

D. Responsibilities of the Superintendent of Schools

The Superintendent reviews all requisitions in the system. A review is made by the Superintendent verifying the educational need for the items being requested.

The requisition is then approved by the Superintendent and is then queued for approval by the Purchasing Agent.

E. Responsibilities of Business Office

The Purchasing Agent reviews each purchase order. Special attention is given to the following:

1. **Available Funds**—The Requisition system will not permit a requisition to be finalized if there are insufficient funds in the account. If preparing a requisition, be sure to check for funds availability.
2. **What is being ordered and the cost**--The Purchasing Agent reviews the technical aspects of the requisition to ensure compliance with State Law and Board Policy.

The Business Office checks the cost of each item and determines if it can be purchased from another vendor at a savings. The Business Office also reviews whether the purchase order exceeds:

| | |
|---------------------|--------------------|
| The Quotation Limit | \$ 6,599.00 |
| The Bid Limit | \$43,999.00 |

3. **Document Check – State Law**
Pursuant to various State Laws, the Purchasing Agent must ensure the following documents are on file in the Business Office before the purchase order is signed and processed:

- Affirmative Action Evidence – Contracts \$44,000.00 and over (cumulative).
- Business Registration Certificate (BRC) – Purchases \$6,600.00 and over.
- Chapter 271 – Political Contribution Disclosure Form (PCD)
* Purchases over \$17,500.00 (cumulative).

***Administrators recommending contracts for professional/educational services are to secure the Chapter 271 PCD from the vendor when the vendor submits his/her proposal. The PCD must be forwarded to the Business Office.**

A copy of the PCD is in the Appendix.

4. **Review of Purchase Order**--The purchase order is also reviewed for technical aspects such as:
 - a. Incorrect Account numbers
 - b. Shipping charges added if applicable
 - c. Notations of quotes (attach in the scanner in CSI System)
 - d. State contract numbers incorrect/missing
 - e. Other items as listed in Section A (responsibilities of originator).

Incomplete or improper requisitions will be returned with a memo or an email explaining deficiencies. See copy of memo in Appendix.

If the Purchasing Agent is satisfied, he approves the requisition. The Business Office will then:

- Mail the purchase order to the vendor.

The purchase order process, as explained, may take 5 - 7 days to complete. Please plan accordingly.

5. **Transfer of Funds**—To ensure the purchasing process goes smoothly, please review your requisitions and the accounts being charged. Requisitions lacking sufficient funds will cause CSI to stop the purchasing process until a transfer is made. This could add additional processing days.

All requests of transfers of funds form are to be sent to

Mr. Alessandro Verace, Business Administrator

All transfers of funds must be approved by the Board of Education at a public meeting.

Substantive transfers of money (more than 10% of the budget line item) must be approved by the State. Purchase orders that require a transfer of funds will be mailed to the vendors the day after the State Department of Education approves the transfers.

F. Responsibility of the Vendor

The Business Office sends to the vendor the purchase order and the voucher. The vendor is to sign the voucher and return it to the Business Office with an invoice. If you receive a signed voucher, return it to the Business Office. A check is prepared for the vendor once the Business Office has a

- Signed Voucher
- All Packing Slips
- Invoice
- Receiving Copy (Green)
Signed

G. Employees Prohibited from Signing Contracts

Board of Education employees are ***prohibited*** from signing any contract offered by a vendor.

The power to sign and execute contracts after Board of Education approval lies with the Board President and the Board Secretary.

Contracts signed by an employee shall be considered non-binding by the East Rutherford Board of Education with the employee accepting full responsibility for the costs of the contract.

H. Contracts; Purchase Order Required

The award of contract to a vendor approved by the Board of Education at a public meeting does not automatically authorize any employee to use the services of, or purchase materials from, the vendor.

All contract purchases require the issuance of a purchase order authorizing the purchase of services and/or goods and materials from the vendor.

I. Cancellation of Purchase Orders

All requests to cancel purchase orders must be made in writing to the Business Office. Reasons explaining the need to cancel the purchase order must be outlined and noted on the purchase order. The Purchasing Agent maintains the sole right to cancel purchase orders. When requesting a cancellation of a Purchase Order please forward the **Receiving Copy** to the Business Office with the explanation of cancellation and the date.

J. Private Purchases -- Prohibited

Goods and services procured by the East Rutherford Board of Education are exclusively for the use of the East Rutherford Board of Education and if applicable, other public and non-public schools. These goods and services are purchased through the signed purchase order process.

Employees of the East Rutherford Board of Education are prohibited from purchasing privately goods and/or services off the bid prices and quotation prices offered by the vendors to the East Rutherford Board of Education.

Methods of Procurement Public School Districts 2023 - 2024

Procurement Method

A. Bids (Purchases that exceed the bid threshold--\$44,000)

This method is used for contracts for goods, materials, services and public work projects that exceed the bid threshold of \$44,000.

Examples

Building Services Department

Plumbing, Electrical, HVAC work

Computer Supplies/Equipment

Custodial Supplies

Public Works Project

Technology

Interactive Boards

Printers / Computer

Food Services Department

Groceries and Canned Goods

Pest Control Services

Baking Goods—Rolls, Bread

Title I Testing

Test Scoring Services

District

Athletic Supplies/Equipment Furniture

Physical Ed Supplies/Equipment

AV Equipment

Calculators

Lowest Responsible Bidder

The common thread of all these bids is that the district has to award the bid to the lowest responsible bidder which means the lowest price.

B. Quotations (Purchases that fall between \$6,599 and \$43,999)

This method of procurement is used for contracts for goods, materials, services and public work projects that in the aggregate between \$6,599 and \$43,999.

Examples:

- Athletic Wear
- Office Machines Supplies
- Instrument Reeds
- Payroll Checks
- Two Way Radios
- Fitness Equipment

Again, as with bids, the contract is awarded based upon the lowest price.

C. Request for Proposal—RFP

This method is preferred for the following:

Professional Services Academic/Operational Services (Contracts less than \$44,000)

- Medical
- Auditor
- Instructional Services
- Attorney
- Educational Services
- Engineer, Architect
- Professional Development

The RFP method is designed to award the contract to the vendor based upon a list of criteria which include:

Management Criteria

- Business organization; staffing
- Experience; and
- Knowledge of district

Technical Criteria

- Submission of narrative how firm will provide services; planned approach; measurable Results.
- Understanding how services will be provided.

Cost Criteria

- Fee proposal submission; cost analysis

The contract for an RFP contract does not; I repeat *does not* have to be given to the respondent who submits the lowest price. The district administrator provides an evaluation scoring of each respondent using the criteria as a basis of award.

D. Competitive Contracting (Certain Contracts over \$44,000)

This method is used for certain contracts over \$44,000.00.

The district can only use this method for contracts that are outlined in State Law and Code. Some of the examples that are permitted are;

Pre-school Wrap Around Program—
Student Data Warehousing
Student Information System
Professional Development Services
Educational Instructional Services

The award of contract is similar to the RFP award—prices and other factors considered.

E. EUS—Extraordinary Unspecifiable Services

This method is the procurement method for the purchase of insurance.

Similar to the RFP process

F. Other Procurement Methods

The district also uses the following methods of procurement:

- State Contract Purchasing
- Emergency Contracts
- Cooperative Purchasing Agreements
- Shared Services Agreements
- Sound Business Practices

G. Federal Procurement Guidelines – EDGAR 80.36

Purchases using Federal funds are to follow the Public School Contracts Law of New Jersey with the following exceptions and explanations:

Procurement Threshold – More than \$100,000

The school district must prove competitions for all contracts exceeding \$100,000 when using federal funds. Methods of competition are as follows:

Public Works Bid
Goods and Services Bid
Professional Services
Request for Proposals (RFP)
Educational Services
Competitive Contracting
Instructional Services
Competitive Contracting
Professional Development
Competitive Contracting

Sole Source Non-Competitive
Proposal, Board Resolution
(Proprietary)
(Certification of Need)

There are no exceptions to bidding as listed in 18A:18A-5, therefore, the district must use a competitive process when procuring goods or services from other governmental units and public colleges.

Procurement Threshold – Less than \$100,000

The school district will use the procurement methods as outlined in Sections A through G.

BIDS AND PURCHASING

A. Bid Limit -- \$44,000

The East Rutherford Board of Education is restricted by New Jersey State Law on how much money can be spent by the district for the entire year on materials, supplies, and services.

This restriction is called the **bid threshold** or **bid limit**. The bid limit is \$44,000. This means that any specific item, class of items, and/or services of a similar nature, purchased by the school district totaling more than \$44,000 for the entire year must be competitively bid. This restriction is for the entire district and not by location or schools.

You cannot circumvent the law by splitting purchases to be under the \$44,000 bid limit.

If you find that your purchases may exceed the \$44,000 bid limit, please contact the Purchasing Agent at once.

The formal bidding process takes about 6-8 weeks to complete.

B. Annual Bids

The Board of Education requests that central office department administrators and supervisors and school principals start to plan and prepare for Annual Bids. The proposed time lines are as follows:

- March* • Administrators/Supervisors prepare technical specifications to be reviewed by Purchasing Agent.
- April* • Purchasing Agent prepares final bid specifications to be drafted in a manner to encourage free, open, and competitive bidding.
- May/June* • Annual bids are received, opened and tabulated by Purchasing Agent.
- June* • Bid resolutions are prepared by Purchasing Agent for Board approval.
- July* • Purchase orders are generated by Administrators/Supervisors for August/September delivery.

Please note: The delivery of furniture usually takes place about 8-12 weeks after receipt of purchase order.

C. Bidding: Time Frame

As stated before, the formal bidding process usually takes about 6-8 weeks from start to finish. Please plan appropriately. An outline of the bidding process is located in the Appendix.

D. Exceptions to the Bid Limit

New Jersey State Law allows for some exceptions to the bid and quotation limits. There are approximately 20 exceptions where a Board of Education does not have to go for bid. Some of them are:

1. Purchasing through State Contract;
2. Professional services as outlined by New Jersey law;
- *3. Textbooks, kindergarten supplies, student produced publications, library and educational goods;
- *4. Legal notices, food supplies, milk, utilities, insurance, election expenses, travel and conferences.

* These purchases may be subject to the quotation process pursuant to N.J.S.A. 18A:18A-37(a) if practicable.

Please contact the Purchasing Agent for further explanation.

E. State Contract Purchasing

Pursuant to N.J.S.A. 18A:18A-10(a) a Board of Education may purchase goods and services through State Contract vendors. If the purchase exceeds the bid threshold, the Board of Education must adopt a resolution awarding the contract.

① Office Supplies and School Supplies

The Purchasing Agent will distribute separate memos highlighting State Contract vendors who sell Office Supplies and School Supplies. Please review these memos with your staff.

If you plan to purchase Office Supplies and School Supplies from a State Contract vendor, please follow the instructions on the memo.

② Computers

If you plan to purchase computers, please adhere to the following process prior to completing purchase orders for computers.

- Contact the Business Administrator

Please contact the **Business Administrator**. He/She will be able to assist you with the technical aspects and the State Contract requirements of purchasing computers or leasing computers.

The Coordinator or his designee must sign all purchase orders for computers before they are sent to the Business Administrator.

Please contact the **Coordinator of Facilities and Maintenance**. The Coordinator has to be apprised of all computer purchases to properly plan for electrical hookups.

③ Copiers-- Pre-Approval Needed

If you plan to purchase a copier, please contact the purchasing office at Ext. 2002. All purchases

of copiers must be pre-approved by the Purchasing Agent and the Superintendent of Schools.

Purchase Orders--State Contract

All purchase orders made through State Contract vendors shall include the following:

State Contract Number;
Notification of Award;
Approved Price List; and
Shipping and Handling Included.

F. Professional Services

Professional services contracts that exceed \$6,000 for the school year, must be procured through a competitive process. The district uses the Request for Proposal (RFP) method of procurement. Examples of professional services are:

- Legal
- Auditing; Accounting
- Architectural; Engineering
- Dental
- Medical Evaluation
- Physician; Nursing

G. Academic Services

Academic services contracts that exceed \$6,599.00 for the school year must be procured through a competitive process. The district uses the following methods of procurement:

- | | |
|-----------------------|----------------------------|
| \$6,600 - \$43,999.99 | Request for Proposal (RFP) |
| \$44,000 or more | Competitive Contracting |

Examples of Academic Services are:

Instructional Improvement
Educational Consultant
Professional Development

H. Emergency Contracts

Emergency Contracts are strictly regulated by N.J.S.A. 18A: 18A-7. A situation must exist affecting the health or safety of the occupants of school property that requires the immediate delivery of articles or the performance of a service to alleviate the emergency.

The Emergency Contract process is reviewed in the Appendix. Please note that the Superintendent of Schools must be notified **first** of all emergency purchase requests.

Only the Purchasing Agent may award an Emergency Contract.

I. Cooperative Purchasing

The East Rutherford Board of Education has contracted with Educational Data Services of Saddle Brook, NJ, to bid on items in the following categories on an as needed basis.

- | | |
|--------------------------|--------------------------------|
| 1. Office Supplies | 4. School Supplies |
| 2. Copy Duplicator Paper | 5. Art Supplies |
| 3. Science Supplies | 6. Physical Education Supplies |

The above categories may be found on Ed-Data's website.

J. Purchases, Contracts Exceeding the Bid Threshold

Pursuant to State Law N.J.S.A. 18A:18A-5(a) all purchases and contracts exceeding the bid threshold of \$44,000, shall be awarded by board resolution at a public meeting of the Board of Education. This includes all items exempted from bidding and all State Contract purchases that exceed \$44,000. ***Only the purchase of textbooks and emergency contracts are exempt from this law.***

Administrators and Supervisors must anticipate their needs as certain purchases once allowed just by purchase order now must be approved by the Board of Education first, then a purchase order can be signed and mailed.

K. Student Activity Account Purchases

Pursuant to State Law N.J.S.A. 18A:18A-5(a)(21), purchases made through Student Activity Accounts that exceed the bid threshold shall be awarded by the Board of Education at a public meeting.

Examples of items purchased through the Student Activity Accounts that may exceed the bid threshold are:

- Class Gift
- Class Rings
- Field Trips
- Proms
- Yearbooks

A form has been developed to meet this requirement.

QUOTATIONS AND QUOTATION PROCEDURES

A. Quotations

The quotation limit (threshold) is \$6,599. This means that any specific item or group of items of a similar nature purchased by the school district, totaling more than \$6,599 and less than \$44,000 for the entire year, must be *competitively quoted or advertised for bid at the discretion of the Purchasing Agent.*

You cannot circumvent the law by splitting purchases to be under the quote threshold.

B. Quotation Process

All quotations will go through the Office of the Purchasing Agent except for the Food Services Department. Quotation proposals prepared by Food Services shall first be received and approved by the Purchasing Agent. When a quotation is deemed necessary, the Principal or Department Head is asked to contact the Purchasing Office. The Purchasing Agent will review these quotation specifications to determine whether they are set up to provide open and competitive quotations.

Please note: The formal quotation process could take about 2-4 weeks from start to finish.

There will be no telephone quotations except in a case of extreme urgency.

C. Receipt of Two Quotations

Pursuant to N.J.S.A 18A:18A-37(a) the school district shall receive two quotations if practicable. Evidence of the quotation process shall be kept on file. A copy of the quotation shall be attached to the purchase order.

REQUISITION/PURCHASE ORDER PROCESS

A. Processing the Requisition/Purchase Order--Design of Purchase Order

The purchase order is made of five sheets. Listed below are the names and the purpose of each sheet. (A Requisition becomes a purchase order after all required administrators have approved the requisition in the CSI System).

| <u>Copy</u> | <u>Disposition</u> |
|----------------------|---|
| Vendor White Copy | Sent to vendor to order items/provide services |
| Voucher Blue Copy | Sent to vendor for signature if exceeds 6,600 |
| Receiving Green Copy | Sent to school/office for verification of receipt of goods/services delivered; returned to Business Office for invoice verification |
| School Pink Copy | Remains on file in the School Offices for tracking purposes |

B. Receipt of Goods and Services

The originator of the purchase order should follow the following process when receiving materials, goods, and services.

1. **Receipt of Items Ordered**

It is important that all items received be immediately checked. Please note the following:
Obtain receiving copy of purchase order and packing slip of items ordered.
Open boxes and check off items received on the receiving copy and the packing slip.
If all items are enclosed, then sign and attach packing slip to the receiving copy of the purchase order. The staff member should sign the receiving copy and send it with the packing slip to the Business Office immediately after receipt.

Receipt of Goods and Services—Responsibilities of Administrators; Supervisors

Administrator/supervisors are to ensure that all goods received have been checked in for accuracy. If the goods received match the purchase order and the packing slip, then the administrator should do the following:

- Sign the Receiving Copy to confirm receipt of delivery of goods;
- Attach the packing slip to the Receiving Copy
- Retain the School Copy (pink slip) of the purchase order;
- Sign any documents that may have been submitted with the order; and

Send all items to the Business Office immediately after receipt of items.

Accounts Payable Procedures—Notification Process

There will be instances where the Business Office will send a courtesy reminder to any school or office that has not returned the paperwork in a timely fashion. The following procedures have been approved by the Board of Education:

- **First Reminder**
The Business Office will send a reminder notice to all schools and offices that have not submitted their paperwork after receipt of the invoice.
- **Second Reminder**
The Business Office will send a second reminder if no paperwork is received from the school or office.
- **Superintendent's Office Contacted**
The School Business Administrator will contact the Superintendent of Schools if the paperwork is not received from the school or office within 30 days after second reminder.

All receiving copies of purchase orders and packing slips should be signed immediately and sent to the Business Office for verification of receipt of items.

The East Rutherford Board of Education has an excellent reputation for paying its bills in a timely fashion. We ask that all employees assist in maintaining this fine reputation.

2. **Problems Encountered with Receipt of Goods**

Problem: Back Orders

Sometimes items ordered will not be received in the first shipment. This is known as a back order. The packing slip may identify those particular items.

Process to Follow: Back Orders

If the order is incomplete because there is a back order, do not wait for the next shipment. Please do the following:

- Mark on your receiving copy of the purchase order those items you did not receive.
- Make and keep a copy of your receiving copy and the packing slip.
- Send the original receiving copy and packing slip to the Business Office. Please make the following notation on the Receiving Copy "OK to pay backorder pending"
- Upon receipt of the back order in the next shipment, check off receipt of goods on the receiving copy and the packing slip and send both copies to the Business Office.

Problem: Items Missing from Order

Sometimes items are marked on the packing slip that they were delivered but are missing from your shipment.

Process to Follow: Missing Items:

- Call the company and tell them what was missing.
- Mark on the receiving copy and packing slip what items were missing and the time and person you spoke with.

- Make and keep a copy of your receiving copy and the packing slip.
- Send the original receiving copy and packing slip to the Business Office.
- Upon receipt of the missing item in the next shipment, check off your copies of the receiving copy and the packing slip and send both copies to the Business Office.

✚ **Problem: Items Damaged; Wrong Item**

Sometimes you will receive items that are damaged or the wrong item.

Process to Follow: Items Damaged; Wrong Item

- Call the company and ask them what the procedure is for returning damaged or wrong items, follow those procedures including the return of items to the company.
- On the receiving copy and the packing slip, mark what items were returned and the reasons for being returned note the time and person you spoke with. Please note how the items were returned (UPS/PO/Vendor Pick Up).
- Send the receiving copy and packing slip to the Business Office.
- Upon receipt of the missing item in the next shipment, check off on Receiving Copy and packing slip and send both copies to the Business Office.

✚ **Problem: Discontinued Item**

Sometimes the items you requested have been discontinued.

Process to Follow: Discontinued Item

- Mark on the receiving copy (green) of the purchase order “discontinued.”
- **Do not** call the company for a replacement item. You must complete a new purchase order.

C. Purchase Order Cut Off Date

Administrator/Supervisors are to be alerted to the fact that purchase orders for a current School year may not be accepted after the third Friday of May and only for end of year expenses.

D. Training Sessions

All school personnel involved in the purchasing process may be asked to attend an annual training session concerning the proper purchasing procedure.

ETHICS IN PURCHASING

Financial Interest in any Contract; Direct or Indirect

No employee or board member may have a direct interest in any contract or agreement for the sale of goods and services to the Board of Education, nor receive any benefit, compensation or reward from any contract for the sale of goods and services to the Board of Education.

Reference—N.J.S.A. 18A:6-8.

Solicitation/Receipt of Gifts from Vendors -- Prohibited

School board members, school officials and employees, or members of their immediate family are prohibited from soliciting, receiving or agreeing to receive any compensation, reward, employment, gift, meal, honorarium, travel, reimbursement, favor, loan, service, or other thing of value from any person, firm, corporation, partnership, or business that is a recipient of a purchase order from the district, or a potential bidder, or an applicant for any contract with the district, based upon an understanding that what is solicited or offered was for the purpose of influencing the board member or school employee in the discharge of their official duties. This policy shall be consistent with the School Ethics Act—N.J.S.A. 18A:12-21 et. seq.

School District Responsibility – Recommendation of Purchases

School officials and employees who recommend purchases shall not extend any favoritism to any vendor. Each recommended purchase should be based upon quality of the items, service, price, delivery, and other applicable factors in full compliance with N.J.S.A. 18A:18A-1 et. seq.

School officials and employees are to avoid recommending purchases from members of their families, businesses that employ members of their families and from businesses in which the official, employee or members of their immediate family have a direct financial interest.

School officials and employees who are authorized to sign off on purchase orders and/or to recommend purchases or business transactions by virtue of their signature on the purchase order certify that their actions are consistent with this policy and all applicable statutes.

Vendor Responsibility – Doing Business with the Board of Education

Any vendor doing business or proposing to do business with the East Rutherford Board of Education, shall neither pay, offer to pay, either directly or indirectly, any fee, commission, or compensation, nor offer any gift, gratuity, or other thing of value of any kind to any official or employee of the East Rutherford Board of Education or to any member of the official's or employee's immediate family.

No vendor shall cause to influence or attempt to cause to influence, any official or employee of the East Rutherford Board of Education, in any manner which might tend to impair the objectivity or independence of judgment of said official or employee.

Vendor Certification

Vendors will be asked to certify that no official or employee of the East Rutherford Board of Education or immediate family members are directly or indirectly interested in this request or have any interest in any portions of profits thereof. The vendor participating in this request must be an independent vendor and not an official or employee of the East Rutherford Board of Education.

Violations of the Policy

In accordance with N.J.S.A. 18A:6-8, any school district employee who violates the terms of this policy may be subject to withholding of annual increments, suspension, demotion, school ethics complaint, termination and/or revocation of license to teach or to administer.

CRIMINAL CODE CITATIONS

Title 2C -- Criminal Code

2C:27-9 Unlawful Official Business Transaction

“A public servant commits a crime of the fourth degree if, while performing his official functions on behalf of the government entity, the public servant knowingly transacts any business with himself, a member of his immediate family, or a business organization in which the public servant or an immediate family member has an interest. (N.J.S.A. 2C:27-9)

2C:27-10 -- Acceptance or Receipt of Unlawful Benefit by Public Servant for Official Behavior

“A public servant commits a crime in the fourth degree...if the public servant directly or indirectly, knowingly solicits, accepts or agrees to accept any benefit, whether the benefit inures to the public servant on another person, to influence the performance of an official duty or to commit a violation of an official duty.

FORMAL BID PROCESS

| <u>Process</u> | <u>Time Line</u> |
|--|--------------------------|
| Initial request to bid made by Administrator/Supervisor. Certification that funds exist. | One Day |
| Review of specifications, fully outlining items, materials or services to be bid by Purchasing Agent. | One Week |
| Return of reviewed specifications to Administrator/Supervisor for final approval. Administrator/Supervisor signs off final approval. | One Week |
| Bid package prepared by Purchasing Agent. | One Week |
| Copies of bids run off by Print Shop. | One Day |
| Legal advertisement sent to newspaper. | Three Day Advance Notice |
| Bid Date/Time-- must be at least 10 days after Legal Ad appears in newspaper. Bids are opened and read publicly. | 10-20 Days |
| Bid results are reviewed by: <ul style="list-style-type: none"> a. Administrator/Supervisor b. Purchasing Agent | One Week |
| Administrator/Supervisor prepares spreadsheet showing lowest bidders and recommends award of bid. Purchasing Agent reviews bids. Resolution is prepared. | One-Two Weeks |

EMERGENCY CONTRACTS (18A:18A-7)

A. Background

An actual emergency must exist. An “emergency” is not to be created as a result of inadequate planning, delay, failure to take into account construction season or administrative convenience.

B. Definition of Emergency

An emergency is a situation affecting the health or safety of occupants of school property that requires the immediate delivery of the articles or performance of a service to alleviate the emergency.

C. Process in Declaring an Emergency

1. Superintendent of Schools Notified

The Superintendent of Schools is notified by the employee/supervisor/ administrator requesting a declaration of emergency.

2. Business Administrator/Purchasing Agent Notified

The official in charge of the building or facility, wherein the emergency occurred shall notify the Business Administrator/Purchasing Agent of the following:

- a. Nature of the emergency;
- b. Time of the occurrence; and
- c. The need for the performance of a contract.

Such notification shall be prepared in writing and filed with the Purchasing Agent as soon as possible.

3. Awarding of Contract by Business Administrator/Purchasing Agent

If the Business Administrator/Purchasing Agent is satisfied the emergency exists, the Business Administrator/Purchasing Agent by State Law is authorized to award the contract.

4. Filing of Documents with State and County by Board Secretary/School Business Administrator

In accordance with N.J.A.C. 5:34-6.1, the following documents must be filed with the County Superintendent within three (3) days after awarding the contract or agreement:

- a. A copy of the contract or agreement; and
- b. A copy of the written requisition.

5. Approval by Board of Education

The Board of Education, at its next regular Board of Education Public Meeting, shall review and approve said emergency purchase.

EAST RUTHERFORD BOARD OF EDUCATION
BUSINESS OFFICE

M E M O R A N D U M

To: _____
From: **Alessandro Verace**, Business Administrator/Board Secretary/Purchasing Agent
Date: _____
Re: **Return of Purchase Order(s)**

I am returning the attached purchase order(s) for the reason(s) checked below:

- _____ Account Number Incorrect.
Please use Account Code # _____
- _____ Bid Number, Quotation Number--Not Included on Purchase Order
- _____ Business Registration Certificate Required
- _____ Chapter 271--Political Contribution Disclosure Form Required
- _____ Conference/Professional Leave Form--Not Attached; Not Approved
- _____ Description of Item(s), Service Needed
- _____ Funds; Federal/State – Title of Grant Program and targeted student group– Type on Purchase Order/Requisition
- _____ Minimum Order \$25.00
- _____ Proposal/Contract Missing -- Attach to Purchase Order
- _____ Quotation Needed--Please contact me X 2001 to discuss process
- _____ Shipping Charges Not Added
- _____ Shipping Charges Not Needed. Type on P.O. "Shipping and Handling Included"
- _____ State Contract Number Incorrect, Missing--State Contract Documentation Missing
- _____ Textbook Documentation Missing
- _____ Unauthorized Order--Please contact me X 2002 to discuss procedures
- _____ Vendor Check Needed?
- _____ As Per Attached Memo
- _____ Other _____

Please make the adjustments needed and notify the Business Office

**East Rutherford Board of Education
Business Office**

250 Grove Street
East Rutherford, New Jersey 07073

**Chapter 271
Political Contribution Disclosure Form
(Contracts that Exceed \$17,500.00)
Ref. N.J.S.A. 52:34-25**

Part I – Vendor Information

| | | | |
|--------------|--------|------|--|
| Vendor Name: | | | |
| Address: | | | |
| City: | State: | Zip: | |

The undersigned being authorized to certify, hereby certifies that the submission herein represents compliance with the provisions N.J.S.A. 19:44-20.26 and as represented by the Instructions accompanying this form.

Signature

Printed Name

Title

Part II – Contribution Disclosure

Disclosure requirement: Pursuant to N.J.S.A. 19:44A-20.26 this disclosure must include all reportable political contributions (more than \$300 per election cycle) over the 12 months prior to submission to the committees of the government entities listed on the form provided by the local unit.

Check here if disclosure is provided in electronic form.

| <u>Contributor Name</u> | <u>Recipient Name</u> | <u>Date</u> | <u>Dollar Amount</u> |
|-------------------------|-----------------------|-------------|----------------------|
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Check here if the information is continued on subsequent page(s).

No Reportable Contributions (Please check (✓) if applicable.)

I certify that _____ (Business Entity) made no reportable contributions to any elected official, political candidate or any political committee as defined in N.J.S.A. 19:44-20.26.

FEDERAL CONTRACTS

1. Debarment for Federal Contracts

Debarment and Suspension (E.O. 12549 and E.O. 12689)

No contract may be made to parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Non-Procurement Programs in accordance with E.O. 12549 and E.O. 12689-Debarment and Suspension. This list contains the names of parties debarred, suspended, or otherwise excluded by agencies, and contractors declared ineligible under statutory or regulatory authority other than E.O. 12549. Contractor shall complete the attached Certification as required by the Department of Education regulations implementing Executive Order 12549, Debarment and Suspension 34 CFR Part 85, for all lower tier transactions meeting the threshold and tier requirements stated therein.

2. Federal Programs/Targeted Students

Purchase orders using Federal Funds shall include on the document:

- (a) Name of Federal Program
- (b) Targeted Group of Students

3. Compliance with EDGAR 80.36

All purchases using Federal Funds shall be in compliance with Federal Regulations EDGAR 80.36.