**Operating Policy No. 6210**

**Management Support**

**PURCHASING AND BID OR PROPOSAL REQUIREMENTS**

Statutes relating to Educational Service Districts with respect to purchasing and bidding for goods and services do not require a formal bidding process. The Puget Sound Educational Service District (PSESD) Board, recognizing its fiduciary responsibility for expenditure of public funds, establishes procedures beyond current statutory requirements for purchasing and bidding for goods and services. Staff members who obligate the ESD without proper prior authorization may receive a disciplinary action.

**Purchasing**

Purchase of all goods and services, with the exception of salaries and employee reimbursements, shall be made using appropriate vehicles: authorized PSESD purchase orders, procurement card or Departmental Revolving fund.

Where it is economically advantageous, PSESD should join with other governmental agencies or other school districts in cooperative purchasing. No employee, officer or agent of PSESD may participate in the selection, award or administration of a contract if they have a real or apparent conflict of interest. Such a conflict would arise when the employee, officer or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of the parties indicated herein has a financial or other interest in or a tangible personal benefit from a contract/procurement.

No employee, officer or agent of the ESD may solicit or accept gratuities, favors or anything of monetary value from contractors or parties to subcontracts. Violation of these standards may result in disciplinary action including, but not limited to, suspension, dismissal or removal.

In compliance with 2 CFR 200.321 Contracting with small and minority businesses, women’s business enterprises and labor surplus area firms, PSESD will take steps to include these entities in its purchasing activities whenever possible. Prime contractors that employ subcontractors are required to practice the methods described in the Purchasing Procedure when securing subcontractors.

In compliance with 2 CFR 200.324 (revised August 2020), PSESD will perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, PSESD must make independent estimates before receiving bids or proposals.

In compliance with the Americans with Disabilities Act, newly purchased furniture or equipment made available for use by the public will meet the requirements of being accessible to the extent that such furniture or equipment is available. Office equipment acquired will be accessible to the extent that such accessibility is readily achievable and such equipment is available in the market place. The term "readily achievable" means easily accomplishable and able to be carried out without unreasonable expense.

**Bids**

PSESD bid policy requires following applicable bid process as documented in the Purchasing Procedure in Business Office Procedures Manual. This process is in accordance with the following legal references:

RCW 28A.335.190 – Advertising for bids, Telephone or written quotes, emergencies RCW 39.12 – Public Works

RCW 39.04.270 – Electronic data and telecommunications equipment

RCW 39.34 – Interlocal Agreements

RCW 28A.160.195, Purchases of School Buses

2 CFR Part 200—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards

2 CFR 3485 - Debarment and Suspension

45 CFR Part 75 – Uniform Administrative requirements, Cost Principles, and Audit Requirements for HHS Awards (U.S. Department of Health and Human Services)

If an emergency exists, the Superintendent or his/her designee, may declare an emergency situation exists, waive competitive bidding requirements, and award all necessary contracts on behalf of PSESD to address the emergency situation. For purposes of this section, “emergency” means unforeseen circumstances beyond the control of PSESD that either (a) present a real, immediate threat to the proper performance of essential functions or (b) will likely result in material loss or damage to property, bodily injury or loss of life if immediate action is not taken.

**Suspension and Debarment**

Before entering into federally funded vendor contracts for goods and services that equal or exceed $25,000 and any subcontract award, PSESD will ensure the vendor is not suspended or debarred from participating in federal assistance programs.

Adopted: March 1983

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Revised: March 2021

Relevant PSESD Board Governance Policies: EL 8 Financial Management

EL 9 Asset Management