

PURCHASING MANUAL

2023-2024

September 2023 Edition



**PASSAIC COUNTY TECHNICAL-VOCATIONAL SCHOOLS
45 REINHARDT ROAD
WAYNE, NEW JERSEY 07470**

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This manual should be reviewed with all administrators, 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.

Richard Giglio, School Business Administrator/Board Secretary

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

- New Jersey Public School Contracts Law--N.J.S.A. 18A:18A-1 et seq.;
- New Jersey Administrative Code--N.J.A.C. 5:34-1 et seq.;
- PCTVS Board of Education Purchasing Policy
- Federal Procurement Code--2 CFR 200.317 et seq., when applicable;
- NJQSAC Fiscal DPR Indicator #15;
- Local Finance Notices – NJ Division of Local Government Services; and
- Other laws and administrative code when applicable.

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

1. Compliance with the law, code and board policy on purchasing;
2. Promote efficiency in the purchasing practices; and
3. Achieve savings of money through proper purchasing practices.

Proper Planning

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 with all public school purchasing procedures.

Deliberative Process—Purchases of Goods and Services Take Time!

- **Compliance with Law; Code; Board Policy**

Public school purchasing is a deliberative process, designed to ensure compliance with the Public School Contracts Law, appropriate New Jersey Administrative Code, Board of Education policy and when applicable, Federal Procurement Code.

- **Limit Fraud**

The deliberative process also encompasses checks and balances and internal controls designed to limit fraudulent activities.

Public school purchasing is a time-consuming effort; please be patient!

Mandatory Training

All school personnel involved in the requisition and purchasing process shall attend mandatory training sessions concerning proper purchasing procedures.

1.—Purchasing Procedures

All administrators, supervisors and principals, pursuant to N.J.A.C. 5:34-1.1 (b), shall attend this mandatory training session on purchasing procedures.

2. - Requisition and Purchase Order Process

All school personnel involved in the preparation of requisitions and purchase orders shall attend this mandatory training session.

Recommending Purchases; Educational/Operational Rationale

Administrators, Directors, Supervisors, Principals and Assistant Principals who recommend purchases should be able to explain and defend the need of the purchase and why the purchase is essential to the school district.

Administrators who sign off on requisitions/purchase orders may have to provide an educational or operational rationale for the purchase based on the following:

- How students will learn or benefit from the purchase?
- What educational achievement or program may be linked to the purchase?
- How is the purchase of operational value to your school/office?
- Are the goods/services purchased useful for the long term rather than immediate need?
- Have inventories been checked to determine whether there is a real need for the purchase?

Administrators, Directors, Supervisors, Principals and Assistant Principals may have to justify the need for the purchase and if so required, explain the need at a Board of Education meeting.

QPA Certification—School Business Administrator—Current Bid Threshold--\$44,000

All thresholds listed are based on the School Business Administrator possessing a Qualified Purchasing Agent (QPA) Certificate and the Board of Education setting the bid threshold at the current maximum of **\$44,000**.

ETHICS AND CONDUCT IN PURCHASING; VENDOR RELATIONS

All district employees are to practice exemplary ethical behavior in the purchasing process. Employees are to avoid any action that may be considered a conflict with their position with the district and those dealings with vendors who provide goods and services to the district. All district employees should adhere to the following terms and conditions of the Board's policy on Ethics and Conduct in Purchasing; Vendor Relations.

Federal Code of Standards of Conduct

The Board of Education, pursuant to **Federal Regulation 2 CFR 200.318 (c) (1)**, hereby acknowledges the *Ethics and Conduct in Purchasing* section to be applicable to the selection, award and administration of contracts using federal funds. The code of conduct also applies to all purchases, notwithstanding the source of funding.

A. Financial Interest in any Contract with the Board of Education--Prohibited

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.

B. 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.

C. School District Responsibility – Favoritism; Family Members; Businesses

School officials and employees who recommend purchases shall not extend any favoritism to any vendor. Each recommended purchase should be based upon the 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.

D. Vendor Responsibility – Doing Business with the Board of Education

Any vendor doing business or proposing to do business with the 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 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 Board of Education, in any manner which might tend to impair the objectivity or independence of judgment of said official or employee.

E. Vendor Certification

Vendors will be asked to certify that no official or employee of the 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 Board of Education.

F. Disciplinary Actions for Violations of the Policy--Sanctions

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.

Conflict of Interests

No employee, officer, or agent of the Board of Education may participate in the selection, award, or administration of any contract, if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which 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 firm considered for a contract. Ref. 2 CFR 200.318 (c) (1)

School district employees who are part of an evaluation committee to review responses to Request for Proposals (RFP) and/or to Competitive Contracting proposals will be required to complete a Conflict of Interest certification in accordance with N.J.A.C. 5:34-4.3 (e) (f).

Possible Conflict of Interest--Contact the School Business Administrator

Any school employee who feels there may be a potential conflict of interest with a recommendation of award with any vendor doing business with the district is encouraged to contact the School Business Administrator for guidance.

CRIMINAL CODE CITATIONS

All school employees are reminded of the following New Jersey Criminal Code citations:

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.” (N.J.S.A. 2C:27-10)

☞ PUBLIC SCHOOL PURCHASING—LEGAL AUTHORITY ☞**AUTHORITY TO PURCHASE****Authority to Purchase—School Business Administrator**

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 legal authority to the Purchasing Agent (School Business Administrator) to make purchases 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 terms “Purchasing Agent” and “School Business Administrator” will be used interchangeably throughout the manual.**

Authorized Purchases

All requests for purchases of goods and/or services must be made through an approved purchase order signed by the Purchasing Agent, prior to the goods or services being received. All purchase orders issued by the school are signed by the Superintendent of Schools, the Board Secretary and the School Business Administrator.

Purchase Order--Defined

A purchase order, pursuant to N.J.S.A. 18A:18A-2 (v), 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 school district 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**Employee Sanctions—Unauthorized Purchases**

The Superintendent of Schools may recommend to the Board of Education the filing of sanctions against any employee who does not comply with federal and state purchasing laws and code, board policy and district purchasing procedures. The sanctions may include but are not limited to, paying for any unauthorized purchase, withholding of increment, employee suspension or tenure charges.

Corrective Action for Non-compliance

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.

District Sanctions and Violations

All district employees are reminded the school district may receive sanctions because of unauthorized (confirming) purchases. Employees are to note the following consequences of such actions:

1. Withholding of State Aid—N.J.A.C. 6A:23A-5.4

The Commissioner of Education may withhold State funds from any school district that fails to obey the provisions of the Public School Contracts Law—N.J.S.A. 18A:18A-1 et seq.

2. NJQSAC Fiscal DPR Indicator #15—Four (4) Point Penalty

The school district is subject to a penalty of four (4) NJQSAC points for not being in compliance with the Fiscal District Performance Review Item #15, which prohibits confirming or unauthorized orders.

3. Audit Finding and Recommendations

All financial transactions are subject to audit review. The district may receive an audit finding and recommendation for unauthorized (confirming) purchases. Repeat audit findings may lead to sanctions against the school district.

Purchasing Prohibitions

➤ **Employees Prohibited from Signing Contracts--Prohibition**

Board of Education employees are prohibited from signing any contract offered by a vendor. The power to sign and execute vendor contracts after Board of Education approval lies with the Board President and the School Business Administrator/ Board Secretary.

Personal Liability

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

➤ **Reimbursements; Employee--Prohibition**

The Board of Education only recognizes an employee reimbursement purchase order 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--Prohibition**

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.

➤ **Private Purchases -- Prohibited**

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

Employees of the 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 Board of Education.

Purchasing Guidance

➤ Cancellation of Purchase Orders--Guidance

All requests to cancel purchase orders must be made in writing to the Purchasing Agent. Reasons explaining the need to cancel the purchase order must be outlined. The Purchasing Agent maintains the sole right to cancel purchase orders.

➤ Credit Cards Prohibited

Pursuant to the New Jersey Department of Education Audit Program page I-5.9, a school district is not permitted to use a credit card for the purchase of goods and services. All purchases are to be made through the purchase order process in compliance with the Public School Contracts Law.

➤ Contracts; Purchase Order Required--Guidance

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. N.J.S.A. 18A:18A-2 (v).

➤ Preview of Materials--Guidance

All staff members must receive permission from administrators, supervisors, or principals to preview 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.

↻ METHODS OF PROCUREMENT ↻

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

This method is used for procuring goods, materials, services and public work projects that exceed in the aggregate of the board of education approved bid threshold of \$44,000.

1. Bid Limit -- \$44,000

The 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 in the aggregate more than \$44,000 for the entire year, must be competitively and advertised for bid. School officials cannot circumvent the law by splitting purchases to be under the \$44,000 bid limit. Administrators that have purchases that may exceed the \$44,000 bid limit, are to contact the Business Office to begin planning the bid process.

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

2. Annual Bids—N.J.S.A. 18A:18A-9

The Board of Education, to be in compliance with N.J.S.A. 18A:18A-9, requests Administrators, Directors, Supervisors, Principals and Assistant Principals to plan and prepare for Annual Bids. The proposed timelines are as follows:

February-March	Administrators, Directors, Supervisors, Principals and Assistant Principals prepare technical specifications to be reviewed by the School Business Administrator.
April	School Business Administrator prepares final bid specifications to be drafted in a manner to encourage free, open, and competitive bidding. Bids are advertised pursuant to the Public School Contracts Law.
May/June	Annual bids are received, opened and tabulated by the School Business Administrator.
June	Bid resolutions are prepared by School Business Administrator for Board approval.
June	Purchase orders are generated by Administrators, Directors, Supervisors, Principals and Assistant Principals for services to begin on July 1 st .
June/July	Purchase orders are generated for goods and materials to be delivered to the schools for August/September delivery.

3. 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.

4. Exceptions to the Bid Limit

New Jersey State Law allows for some exceptions to the bid requirements. There are approximately twenty (20) exceptions where a Board of Education does not have to advertise bids for goods and services. Some of them are:

- a. Purchasing through New Jersey State Contract; Other State Approved Co-ops.
- b. Professional services as outlined by New Jersey law;
- c. Textbooks, kindergarten supplies, student-produced publications, library and educational goods;
- d. Legal notices, food supplies, milk, utilities, insurance, election expenses, travel and conferences; and
- e. Contracts with other government entities; county and state colleges.

These purchases may be subject to the quotation process pursuant to N.J.S.A. 18A:18A-37 (a) if practicable. Please contact the Coordinator of Purchasing/Bidding for guidance.

5. Award of Contract--Lowest Responsible Bidder

The common thread of all these bids is the district has to award the contract pursuant to N.J.S.A. 18A:18A-4 (a) to the lowest responsible bidder.

The bid process for PCTVS is coordinated through the Business Office. If there are any questions about the bid process, school officials are to contact the Coordinator of Purchasing/Bids.

B. QUOTATIONS (Purchases that fall between \$6,600 and \$43,999)

This method of procurement is used for contracts for goods, materials, services and public works projects that in the aggregate are between \$6,600 and \$43,999.

1. Quotation Limits--\$6,600 through \$43,999

The quotation limit (threshold) presently is \$6,600. This means that any specific item or group of items of a similar nature purchased by the school district, totaling more than \$6,600 and less than \$44,000 for the entire year, must be competitively quoted or advertised for bid at the discretion of the School Business Administrator.

School officials cannot circumvent the law by splitting purchases to be under the quotation threshold.

2. Quotation Process

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.

3. Receipt of Three (3) Quotations

Evidence of the quotation process shall be kept on file. A copy of the quotation shall be attached to the purchase order. It is the responsibility of the Purchasing Agent to solicit formal quotations.

Award of Contract—Price and Other Factors

The School Business Administrator may award the contract pursuant to N.J.S.A. 18A:18A-37 (a), to the vendor whose response is most advantageous, price and other factors included.

C. PROFESSIONAL SERVICES/PROFESSIONAL CONSULTANT CONTRACTS

Although Professional Services contracts as defined in N.J.S.A. 18A:18A-5 (a), do not require competitive bids, it is in the best interest of the Passaic County Technical-Vocational Schools to obtain at least two (2) proposals for any professional service. These proposals may be solicited through the Request for Proposal (RFP) process.

Professional Services/Consultant Contracts

All Professional Services and Consultant Contracts must be approved by the Passaic County Technical-Vocational Schools Board of Education.

RFP Process

Contracts for professional services and professional consultant contracts may be solicited through a formal Request for Proposal (RFP) process.

The RFP method is designed to award the contract to the vendor based upon a list of criteria which include as recommended by the New Jersey State Comptroller’s Office with the

Best Practices in Awarding Service Contracts (2010)

- **Technical**
 - Submission of narrative how the firm will provide services; planned approach; measurable results
 - Understanding how services will be provided
- **Management**
 - Business organization; staffing
 - Experience; and
 - Knowledge of district
- **Cost**
 - 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 evaluative criteria process is designed to award the contract to the respondent whose response will provide the highest quality services at fair and competitive prices.

D. COMPETITIVE CONTRACTING (Certain Contracts over \$44,000)

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

The district can only use this method for contacts that are outlined in NJ State Law 18A:18A-4.1. **Some** of the examples that are permitted are

- Proprietary Computer Software for Board Use
 1. Student Data Warehousing
 2. Student Information System
 3. Business Office; Human Resources Software
- Professional Development Services
- Educational Consultant Services
- Instructional Improvement Services
- Concessions

The award of contract is similar to the RFP award of contract. It is based upon the same evaluative criteria which is designed to award the contract to the respondent whose response will provide the highest quality services at fair and competitive prices.

The administrative process of Competitive Contracting as outlined in N.J.S.A. 18A:18A-4.1 et seq. and N.J.A.C. 5:34-4.1 et seq. is a rather lengthy process and make take 6-8 weeks to complete.

E. STATE CONTRACT—NJ START--PURCHASING

Pursuant to N. J.S.A.18A:18A-10 (a) Passaic County Technical-Vocational Schools may purchase goods and services through NJ START State Contract vendors. If the purchase exceeds the bid threshold, the Passaic County Technical-Vocational Schools must adopt a resolution awarding the contract. Check the NJSTART website to verify authorized vendors (www.njstart.gov).

➤ Office Supplies and School Supplies

The Business Administrator 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 contact the Business Office to verify they are still an authorized vendor.

➤ Computers

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

- Please contact the Chief Information Officer. He will be able to assist you with the technical aspects and the State Contract requirements of purchasing computers.

Other State Contract NJ START Purchasing

The School Business Administrator is required to have board of education approval for all NJ START contract purchases that exceed the bid threshold. All NJ START contract purchases will be verified by the Purchasing Agent prior to processing.

Purchase Order Requirements--State Contract

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

1. State Contract Number;
2. State Contract System Identifier—1 NJCP;
3. Notification of Award attached to the purchase order;
4. Approved State Contract price list; and
5. Shipping and Handling included.

OTHER PURCHASING PROCEDURES

A. COOPERATIVE PURCHASING

PCTVS may use the services of an authorized cooperative purchasing entity to purchase goods and services. Recognized cooperative purchasing groups are, but are not limited to:

- Boards of Education
- Educational Services Commissions
- Regional Services Commissions
- County Special Services Districts
- NJ Division of Purchase and Property (NJ START State Contract)
- National Cooperative Vendors

Cooperative Purchasing System Identifiers—Include on Purchase Orders

School districts are required by administrative code to identify the cooperative group and include the identification number on the purchase order. The following Cooperative Purchasing System Identifiers are provided for your use. This is not an all-inclusive list. The Business Office shall inform all school officials of other cooperative purchasing system entities during the course of the year.

- 1NJCP New Jersey START Contract vendors
- 26EDCPS Educational Data Services, Inc., vendors
- 65MCESCCPS Educational Services Commission of New Jersey vendors
- 34HUNCCP Hunterdon County Educational Services vendors

B. 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.

C. EUS—EXTRAORDINARY UNSPECIFIABLE SERVICES

The EUS procurement method is used for the procurement of insurance and insurance consultant services. The Purchasing Agent will coordinate all EUS activities pursuant to N.J.S.A. 18A:18A-5 (a) (10) and N.J.A.C. 5:34-2.1 et seq.

D. FEDERAL FUNDS—PROCURING GOODS AND SERVICES WHEN USING FEDERAL FUNDS

All non-federal entities (school districts) are to follow New Jersey Public School Contracts Law when procuring goods and services using federal funds except where the federal standards detailed in 2 CFR Part 200.317 et seq. are in conflict or more restrictive. School districts, when procuring goods and services using federal funds, are to comply with the Federal Procurement Code 2 CFR 200.317 et seq. A more detailed explanation of procuring goods and services when using federal funds is found in the Appendix Section of this manual.

E. INCREASING A PURCHASE ORDER AMOUNT

There may be times where a purchase order amount has to be increased to meet the needs of the district. The School Business Administrator, in accordance with N.J.A.C. 6A:23A-6.10 will identify and investigate the reason(s) for any increase to a purchase order. An appropriate form to request an increase has been prepared and is available from the Business Office.

Vendors Doing Business with the District

A. New Vendors

The district must enter new vendor information in the Business Office financial system prior to using the services or goods of that new vendor. The Purchasing Agent also has to receive from vendors certain legal documents prior to issuing a purchase order. Depending on the amount of the purchase order in the aggregate the following documents must be in the possession of the Purchasing Agent:

- Affirmative Action Evidence—Certificate of Employee Information Report
- Business Registration Certificate from the State of New Jersey
- Chapter 271 Political Contribution Disclosure form
- Iran Financial Disclosure Form
- IRS W-9 Form
- Other documents required by Federal Procurement Code

B. Vendor Performance--Unsatisfactory

It is hoped that vendors used by the school district provide goods and services in accordance with the terms and conditions of the contract. If any school official does not receive goods or services in a satisfactory manner, it is important the Purchasing Agent be informed.

C. Vendor/Contractor Evaluation & Recommendation

The Public School Contracts Law permits the school district to renew the contract of a vendor or contractor who provides services to the district. School officials administering the contract for those vendors shall, pursuant to N.J.S.A. 18A:18A-42, complete Vendor/Contractor Evaluation and Recommendation form to determine if the vendor has provided services to the district in an “effective and efficient manner.”

D. Debarment, Suspension or Disqualification– (N.J.A.C. 17:19-1.1 et seq.)

The Board of Education will not enter into a contract for work with any person, company or firm that is on the State Department of Labor and Workforce Development; Prevailing Wage Debarment List, State of New Jersey Consolidated Debarment Report or the Federal System for Award—SAM.gov.

<https://www.state.nj.us/treasury/revenue/debarment/debarsearch.shtml>

E. Renewal of Contracts—Services

Any vendor contract for services other than professional services may be extended or renewed by the board of education pursuant to the terms and conditions of N.J.S.A. 18A:18A-42 (o). The major conditions are as follows:

- Renewal contract is awarded by board resolution;
- No contract shall be extended so that it exceeds five (5) consecutive years;
- Any price increase shall not exceed the quarterly Index Rate; and
- The terms and conditions of the contract remain substantially the same.
- The Purchasing Agent will notify all administrators in March of the preceding fiscal year of any vendor contracts that are eligible for renewals.

Student Activity Account Purchases

A. Student Activity Account Purchases

The purpose of having student activity funds should be to finance the normal legitimate co-curricular activities of the student body organization. *Only expenditures relating to student group activities, which benefit students, may be made from student activity accounts.* Student activity funds are monies generated by students' participation, authorized to be spent by students and expended on behalf of the students.

B. Signing of Contracts with Vendors--Prohibited

School officials are strictly prohibited of signing any contracts with vendors unless expressly authorized by board resolution. All contracts with vendors shall be reviewed by the School Business Administrator, who if satisfied, will affix his signature to the vendor contract

C. Purchases--Bids May Be Required--Discretion of School Business Administrator

The Business Administrator is aware of the following exception to bidding

Goods and services paid with funds that: are raised by or collected from students to support the purchase of student-oriented items or materials, such as yearbooks, class rings, and a class gift; and are deposited in school or student activity accounts; and require no budget appropriation from the board of education; N.J.S.A. 18A:18A-5 (a) (21)

It will be the determination of the Business Administrator, whether an advertisement for bid will be required for a Student Activities purchase, which in the aggregate exceeds the bid threshold of \$44,000.

D. Purchases--Quotations Required

Goods and services paid with student activity funds and require no budget appropriation from the board of education are considered an exception to bidding under the New Jersey Public School Contracts Law. It is important to note, however, that purchases less than the bid threshold may be subject to official quotations solicited by the School Business Administrator. Please alert the Business Office for any upcoming purchases that are more than \$6,600.

E. Purchases--Board Resolution Required Exceeding the Bid Threshold

All purchases exceeding the bid threshold, currently \$44,000, require prior Board of Education approval at a regularly scheduled meeting.

Board Resolution -- Pursuant to N.J.S.A. 18A:18A-5 (a) (21) all purchases from the student activity account that exceed the bid threshold must be approved by board resolution prior to the purchase being made.

Purchases of yearbooks, school rings; catering hall for proms, may fall in this category. Fund-raising contracts that exceed the bid threshold in the aggregate require a board resolution.

SELECT PURCHASING TOPICS

A. Meals; Refreshments and 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.

- **Dignitaries**

Reasonable costs* for light meals and refreshments for dignitaries as defined in State code, are permissible.

- **Board Member Meetings -- N.J.A.C. 6A:23A-7.12(f)**

Light meals and refreshments* are permitted for all board members and for employees who are required to attend a board of education meeting.

*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 20-04-OMB Section XI—Letter I)

Prohibited Activities for Meals; Refreshments; Catering

- **Athletic Activities—Feeding Guests**

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. N.J.A.C. 6A:23A-7.12 (d); 6A:23A-5.8 (b) (4)

- **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.

Please note: the use of public funds (purchase order) for the purchase of employee recognition awards is permitted. For example—Retirement Plaques!

B. Travel Reimbursement--Purchase Order--Conferences and Workshops

The State of New Jersey, pursuant to N.J.S.A. 18A:11-12, has adopted strict travel guidelines for school districts to follow. All school officials and employees seeking travel reimbursement must adhere to the law and travel administrative code--N.J.A.C. 6A:23A-7.1 et seq. **At a minimum**, reimbursement purchase orders for travel must meet the following requirements:

- **Written Approval of the Superintendent--prior to a travel event**
The travel shall be approved in writing by the Superintendent prior to the travel event. Documentation shall be provided with the purchase order for reimbursement.
- **Board of Education Approval--prior to a travel event**
The travel shall be approved by resolution at a public board of education meeting, again, prior to the travel event. A copy of the board resolution shall be attached to the purchase order.
- **Reimbursement Procedures**
Prior to being reimbursed for approved costs for the travel event, the following must be presented with the purchase order when applicable
 1. Approvals in writing;
 2. Travel Report;
 3. Receipts for hotel and meals (when applicable);
 4. Mileage Travel Form;
 5. Driver's License; Vehicle Registration; Insurance Card; and
 6. Other documents when requested.

All public school employees are to review all board policy and school administrative procedures with the School Business Administrator prior to planning for the travel event. Additional rules and procedures on travel are available by contacting the School Business Administrator.

C. Fixed Assets

Generally Accepted Accounting Principles (GAAP) reporting, requires the district to maintain physical accountability over district-owned assets. Fixed assets are property, plant or equipment, assets that are long-term and continued use, such as land, buildings, machinery, and equipment.

Cost Determination of Fixed Asset

For the purpose of this purchasing manual and to be in compliance with law and code, a fixed asset is a single item cost of \$2,000 or more.

Recording of Fixed Assets

School officials ordering and receiving a fixed asset item, shall properly record the item on the purchase order in accordance with Business Office procedures. The fixed asset item shall also be identified with the district's barcoding system.

Disposal of Fixed Assets

All school district property must be disposed of in a manner prescribed by law as per the Records Retention Schedule prepared by the New Jersey Bureau of Records Management. The Business Office will assist all school officials in the disposal of all school property, especially those identified as a fixed asset.

Contracted Service Providers—Protecting Our Children

Regular Contact with Students

There may be times during the performance of a vendor contract, where a contracted service provider may come in contact with students of the school district. The district fully understands its obligation to provide to all students and staff members, a safe educational environment. To this end, the district will be requiring all contracted service vendors who come in **regular contact with students** to comply with the following requirements.

Anti-Bullying Reporting--Requirement

When applicable, the contracted service provider shall comply with all applicable provisions of the New Jersey Anti-Bullying Bill of Rights Act—N.J.S.A. 18A:37-13.1 et seq., all applicable code and regulations, and the Anti-Bullying Policy of the Board of Education. In accordance with N.J.A.C. 6A:16-7.7 (c), a contracted service provider, who has witnessed, or has reliable information that a student has been subject to harassment, intimidation, or bullying shall immediately report the incident to any school administrator or safe schools resource officer, or the School Business Administrator.

Criminal History Background Checks—N.J.S.A. 18A:6-7.1--Requirement

When applicable, the contracted service provider, shall provide to the school district prior to commencement of contract, evidence or proof that each employee assigned to provide services and that comes in **regular contact with students**, has had a criminal history background check, and furthermore, that said background check indicates that no criminal history record information exists on file for that worker. Failure to provide a proof of criminal history background check for any employee coming in regular contact with students, prior to commencement of contact, may be cause for breach of contract. No employee of a contracted service provider shall commence work at a school facility without having first obtained approval for employment from the Office of Student Protection. **New Jersey DOE Broadcast 9/9/2019.**

Pre-Employment Requirements

When applicable, all contracted service providers, whose employees have **regular contact with students**, shall comply with the Pre-Employment Requirements in accordance with New Jersey P.L. 2018 c.5, N.J.S.A. 18A:6-7.6 et seq. Contracted service providers are to review the following New Jersey Department of Education—Pre-Employment Resource P.L. 2018 c.5 link below for guidance and compliance procedures.

<https://www.nj.gov/education/crimhist/preemployment/>

The Requisition and Purchase Order Process

Roles and Responsibilities

A. Responsibilities When Preparing a Requisition

The person who prepares the 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. **Requisitions** -- All requisitions are entered in the district requisition system.
2. **Vendor's Name**--All PCTVS checks are made payable to the vendor name (top line) listed on the purchase order/requisition. Please ensure the proper vendor name is printed on the requisition.
3. **Vendor's Complete Address** – The purchase order must include the vendor's complete address and phone number. Post Office Box addresses by themselves are not acceptable unless they are of major well-known companies.
4. **Current Budget Year Included** – The current budget year must be included in the body of the Purchase Order/Requisition.
5. **Description of Items, Services, Costs and Catalogue Numbers** – Items and/or services requested are to be described clearly with correct and up-to-date catalog numbers/ISBN and costs. Brand name, model numbers, colors, sizes and other descriptive items are required.
6. **Grant Funding** – If funded by a grant (Fund 20), the source must be included (i.e., ESSA, IDEA, Perkins, etc.). Include CIP Code on all Perkins grant P.O.s
7. **Shipping Costs**--Shipping and handling costs are to be added to all purchase orders. Please read the catalog, review the vendor website 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: **"Shipping and Handling Included"**

8. **Delivery Address--Attention of** -- The delivery address should include a name of a person or a specific department.
9. **Delivery, Types of** --- The Board of Education recognizes three (3) types of delivery.

PLATFORM DELIVERY

Items are delivered to a platform or loading dock area and are taken off the truck by maintenance personnel and placed on a platform or loading dock area. Passaic County Technical-Vocational Schools personnel will bring items in the school or office building storage area.

INSIDE-DELIVERY

Items are to be delivered to a Passaic County Technical-Vocational Schools location and taken off the truck by maintenance personnel and brought to a designated area inside the school or office building.

SPOTTED DELIVERY

Items are to be delivered to a Passaic County Technical-Vocational Schools location and taken off the truck by maintenance personnel and brought to a designated area inside the school or office building. Maintenance personnel or specialized individuals are responsible to then uncrate, set up, assemble items to determine good working order and removing all debris to the satisfaction of the Passaic County Technical-Vocational Schools within three (3) working days.

- 10 **Budget Account Number** -- Please be sure the correct Budget Account Number is typed on the requisition.
- 11 **State Contract Orders** -- When ordering through NJ START State Contract vendors (minimum order \$100.00), please note the following:
 - a. State Contract Number must be included on the requisition;
 - b. **1NJCP** must be included on all State Contract requisitions and purchase orders;
 - c. Shipping and Handling Included; and
 - d. Appropriate documentation when required.

Special guidance will be issued as it pertains to State Contract purchases.

A reminder, the minimum order amount for a State Contract purchase is \$100.00

- 12 **Quotations** -- If quotations are obtained, please attach to the purchase order a copy of each written quotation received. Please type the quotation date and the quotation number.
- 13 **Bids** -- If bids are obtained, please include the following on the requisition:
 - a. Bid Date; Bid Number and Board Approved Resolution Date.
- 14 **New Jersey State Sales Tax—School Districts Exempt**
 The Board of Education is exempt from paying New Jersey Sales Tax. New Jersey local school districts are political subdivisions of the State of New Jersey. Their purchases, are exempt from New Jersey sales and use taxes. The board is not exempt from paying out of state sales and use taxes.

ST-5 TAX Form Not Required

An exempt organization ST-5 certificate or number is not required for the local school district, public school or board of education to make tax-exempt purchases. ST-5 Exempt Organization Certificates are never issued to New Jersey government entities, including public schools. Their official letterhead or official purchase order, signed by a school official, is sufficient proof to the vendor that they are exempt from paying sales taxes. Payment must be made by a school check, including a student activity fund check, or a school voucher.

Reference—NJ Division of Taxation Tax Bulletin TB-49

B. Responsibilities of Administrator, Director, Supervisor or Principal

Administrators, directors, supervisors and principals must ensure the following before the requisition is sent to the Business Administrator and Superintendent:

1. Funds Available

They must check to determine if funds are available in their budget to cover the requisition and purchase order.

2. Requisition/Purchase Order Completion

They must check to determine that items 1-14 previously noted (Responsibilities of the Originator) have been properly completed.

3. Signature on Purchase Order

The purchase order must be electronically approved by the Superintendent and *sent to the Business Administrator's Office*. By electronically approving the requisition, the administrator, director, or principal is certifying that funds are available in the budget account line to cover the cost of the purchase.

4. Approval of Principal

Administrators and directors have been notified that whenever they order materials, textbooks, and equipment for the instructional staff of the various schools, the requisition for these items must be approved by the *school principal first*. The principal must electronically approve the requisition.

It is the responsibility of the administrator/director to obtain the approval of the principal.

5. Originator Copy

The originator copy of the requisition remains in the office of the administrator, director, or principal.

6. Receiving Copy

Once the purchase order has been posted and mailed to the vendor, the Business Office will send the Receiving Copy (Green) of the requisition back to the school or office. If you do not receive the Receiving Copy within two (2) weeks of signing the requisition, please contact the Business Office.

C. Responsibilities of the School Business Administrator

The School Business Administrator reviews and determines the educational or operational value of each purchase. If satisfied the mandated requirements are met, the purchase order is signed by the Superintendent, and the School Business Administrator.

D. Responsibilities of Business Office

The Business Administrator reviews each requisition. Special attention is given to the following:

1. **What is being ordered and the cost** - The Business Administrator reviews the financial aspects of the requisition/purchase order to ensure compliance with State Law and the PCTVS 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 following limits or thresholds:

Quotation Limit	\$6,600.00
Bid Limit	\$44,000.00

2. **Review of Requisition** - The requisition is also reviewed for technical aspects such as:
 - a. Account number missing or incorrect;

- b. Shipping charges added;
- c. Signatures missing;
- d. State contract numbers incorrect/missing;
- e. Other items as listed in Section A.

Incomplete or improper requisitions will be returned with a memo explaining deficiencies. See copy of memo in the appendix. If the Business Administrator is satisfied, he signs the requisition.

The Business Office will then:

- Issue a purchase order number;
- Mail the purchase order to the vendor.

3. Document Check

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)
- Iran Financial Disclosure Form
- IRS W-9 Form
- Other Federal Procurement Documents.

Purchase Order Process--Deliberative Process—Five to Ten Days

The purchase order process, as explained, may take 5 – 10 days to complete. Public school purchasing takes time, as it is a deliberative process, designed to be in compliance with law and also to limit fraudulent activities. Please plan accordingly.

Transfer of Funds--The Business Office processes purchase orders only if there are appropriate funds to cover the purchase. Requisitioner must contact the Business Office to request transfer of funds if the insufficient amount in the proper line.

All transfers of funds have to be approved by the Board of Education at a public meeting. In certain cases, some transfer of funds requests must be sent to the State Department of Education for review. 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.

E. 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 | ● Invoice |
| ● All Packing Slips | ● Receiving Copy (Pink) Signed |

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.

ACCOUNTS PAYABLE SECTION

Receipt of Goods/Services

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

The purchase order is made of five (5) 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 Business Office Software System).

Copy	Color	Disposition
Vendor Copy	White	Sent to vendor to order items/ provide services
Voucher	Yellow	Sent to vendor for signature
Receiving Copy	Green	Sent to school/ office; returned to Business Office upon receipts of goods/services
Duplicate Voucher	Pink	Remains on file in Business Office
Duplicate Receiving Copy	Blue	Signatures authorizing purchase remains on file in the Business Office
Originator Copy	White	Remains with office of administrator or supervisor

B. Receipt of Goods and Services

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

➤ **Receipt of Items Ordered**

It is important that all items received be **immediately checked**. Please note the following:

- Obtain receiving copy (green) of the 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 the packing slip to the receiving copy of the purchase order.
- The school administrator should sign the receiving copy (green), scan & email it with the packing slip to the PCTVS Accounts Payable.

All receiving copies (green) of purchase orders and packing slips should be signed, scanned & emailed to Accounts Payable within seven (7) days of receipt of items.

The Passaic County Technical-Vocational Schools has an excellent reputation for paying its bills in a timely fashion. We ask that all employees assist in maintaining this fine reputation.

Paying Bills in a Timely Fashion—within 30-60 days

Paying Bills Pursuant to State Law—within 90 days N.J.S.A. 18A:18A-10.1

Please note: the failure to pay vendor bills pursuant to N.J.S.A. 18A:18A-10.1, may lead to interest being charged by the vendor because of late payments.

Problems Encountered with Receipt of Goods

Problem	Process to Follow
<p>Back Orders Sometimes items ordered will not be received in the first shipment. This is known as a backorder. The packing slip will have backorder written on those particular items.</p>	<p>If the order is incomplete because there is a backorder, do not wait for the next shipment. Please do the following:</p> <ul style="list-style-type: none"> ➤ 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. ➤ Email the original receiving copy and packing slip to the Business Office. ➤ Upon receipt of the back order in the next shipment, check off your copies of the receiving copy and the packing slip and email both copies to the Accounts Payable/Business Office.
<p>Items Missing from Order Sometimes items are marked on the packing slip that they were delivered but are missing from your shipment.</p>	<ul style="list-style-type: none"> ➤ Call the company and tell them what was missing. ➤ Mark on the receiving copy and packing slip what items were missing. ➤ Make and keep a copy of your receiving copy and the packing slip. ➤ Email the original receiving copy and packing slip to the Accounts Payable ➤ Upon receipt of the missing item in the next shipment, check off your copies of the receiving copy and the packing slip and email both copies to the Business Office.
<p>Items Damaged: Wrong Item Sometimes you will receive items that are damaged or the wrong item.</p>	<ul style="list-style-type: none"> ➤ Call the company and ask them what the procedure is for returning damaged or wrong items. ➤ Return the item(s) to the company. ➤ On the receiving copy and the packing slip, mark what items were returned and the reasons for being returned. Please note how the items were returned (UPS/PO/Vendor Pick Up). ➤ Email the receiving copy and packing slip to Accounts Payable. ➤ Upon receipt of the missing item in the next shipment, check off your copies of the receiving copy and the packing slip and email both copies to Accounts Payable.
<p>Discontinued Item Sometimes the items you requested have been discontinued.</p>	<ul style="list-style-type: none"> ➤ Mark on the receiving copy of the purchase order "discontinued." ➤ Do not call the company for a replacement item. You must complete a new purchase order.

End of Year Billing/Cancellation of Purchase Orders

Administrators are to work with contracted services vendors so that end of the year invoices are submitted to the Business Office in a timely fashion. This is imperative. In order to comply with State of New Jersey, Department of Education requirements, the district has adopted a policy of canceling open purchase orders at the end of the fiscal year. All invoices must be billed within thirty (30) days of services to meet the State Department of Education deadline. If we are not in receipt of your invoice within the thirty (30) day deadline, we will not be able to process payment in a timely fashion and the corresponding purchase order may be canceled, thereby causing a delay in payment.

↻ APPENDIX ↻

- A. Formal Bid Process
- B. Emergency Purchases/Contracts
- C. Memorandum--Return of Purchase Order
- D. Chart--Purchase Order Requirements
- E. Vendor Letter--Unauthorized Purchases
- F. Federal Contracts
 - 1. Federal Programs for School District
 - 2. Compliance with 2 CFR 200.317 et seq.
 - 3. Federal Funds Procurement Methods
 - 4. Debarment and Suspension for Federal Contacts
 - 5. Stevens Amendment
- G. Federal Contracts - Chart of Thresholds

FORMAL BID PROCESS

Process	TimeLine
Initial request to bid made by Administrator, Director or Principal Certification that funds exist.	One Day
Review of specifications, fully outlining items, materials or services to be bid by the Business Administrator/Coordinator of Purchasing/Bidding	One Week
Return of reviewed specifications to Administrator, Director or Principal for final approval. Administrator, Director or Principal signs off final approval.	One Week
Bid package prepared by the Business Administrator/Coordinator of Purchasing/Bidding	One Week
Legal advertisement sent to the newspaper.	Three Day Advance Notice
Bid Date/Time -- must be at least 10 days after Legal Ad appears in the newspaper. Bids are opened and read publicly.	10-20 Days
Bid results are reviewed by: a. Administrator, Director or Principal b. Business Administrator	One Week
Administrator, Director or Principal prepares spreadsheet showing lowest bidders and recommends award of bid. The Business Administrator reviews the bids. Resolution is prepared.	One-Two Weeks
Bids are reviewed at PCTVS Board Agenda meeting for the Regular Public Meeting approval.	One Week
Requisitions and Purchase orders are prepared by Administrator, Director and Principal.	One Week

The formal bidding process takes about 6-8 weeks from start to finish.

Please note: Bids for Public Works/Construction Projects take longer as a request for wage determination must be formally made to the State of New Jersey.

(Appendix A)

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. Federal and State of New Jersey *Declarations of Emergencies* may also apply. The school business administrator will contact the board attorney for guidance on such declarations.

C. Process in Declaring an Emergency**1. Superintendent of Schools Notified**

The Superintendent of Schools is notified by the employee, Administrator, Director or Principal requesting a declaration of emergency.

2. School Business Administrator/Purchasing Agent Notified

The official in charge of the building or facility, wherein the emergency occurred shall notify the Business Administrator 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 School Business Administrator or Superintendent

If the School Business Administrator or the Superintendent is satisfied the emergency exists, the Business Administrator or the Superintendent by State Law is authorized to award the contract.

4. Filing of Documents with State and County by the 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. Acknowledgment by Board of Education

The PCTVS Board of Education, at its next regular Board of Education Public Meeting, shall review and acknowledge said emergency purchase. This may be done by board resolution.

(Appendix B)

Return of Requisition(s) or Purchase Orders

MEMORANDUM

To: _____

From: **Richard Giglio** School Business Administrator

Date: _____

Re: **Return of Requisition(s) or Purchase Orders**

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

- Account Number Incorrect; Please use Account Code # _____
- Bid Number, Quotation Number--Not Included
- PCTVS Board Approval Date
- Description of Item(s), Service Needed
- Funds; Federal/State - Title of Grant Program - Type on Purchase Order/Requisition
- Minimum State Contract Order \$100.00
- Proposal/Contract Missing -- Attach to Purchase Order
- Quotation Needed--Please contact me to discuss process
- Shipping Charges Not Added
- Shipping Charges Not Needed. Type on P.O. "Shipping and Handling Included"
- Signature Missing--Administrator, Supervisor, Principal
- State Contract Number Incorrect, Missing--State Contract Documentation Missing
- Textbook Documentation Missing
 - _____ Website Documentation / Board Resolution
- Unauthorized Order--Please contact me at Ext. 4218
- As Per Attached Memo
- Other _____

Please make the adjustments needed and return the requisition/purchase order with this form to my office.

(Appendix C)

PURCHASE ORDER REQUIREMENTS

CONTRACT/PURCHASE ORDER THRESHOLDS (AGGREGATE)	AFFIRMATIVE ACTION EVIDENCE (AA)	BUSINESS REGISTRATION CERTIFICATE (BRC)	CHAPTER 271 PCD (PAY TO PLAY) (271)
Up to \$ 6,600	(a)	No	No
\$ 6,600 - \$17,499	(a)	YES	No
\$17,500 - \$43,999	(a)	YES	YES
\$44,000 – and over	YES	YES	YES

Affirmative Action Evidence Exemptions	Business Registration Certificate Exemptions	Chapter 271 (PCD) Exemptions
<ul style="list-style-type: none"> Contracting Units Subject to Title 40A:11 State of New Jersey Contract Purchases Boards of Education including Educational Services Commissions Other contracting units, e.g. County and State Colleges and local authorities, boards, etc. 	<ul style="list-style-type: none"> Contracting Units Subject to Title 40A:11 State of New Jersey Contract Purchases Boards of Education including Educational Services Commissions Other contracting units, e.g. County and State Colleges and local authorities, boards, etc. Non-profit Organizations <p><u>Exempt Situations</u></p> <ul style="list-style-type: none"> Emergency Purchases – No payment unless BRC is on file. Employee settlements paid to attorneys; Establishments that are out of state & business being conducted takes place out of state, e.g. hotels, band camps, seminars, theatres, etc. Purchase made entirely through School Student Activity Funds. 	<ul style="list-style-type: none"> Contracting Units Subject to Title 40A:11 State of New Jersey Contract Purchases Boards of Education including Educational Services Commissions Other contracting units, e.g. County and State Colleges and local authorities, boards, etc. Non-profit Organizations New Jersey School Boards Association Contract Renewals Public Utilities, e.g. PSE&G <p><u>Exempt Situations</u></p> <ul style="list-style-type: none"> Emergency purchases; Litigation payments to parties through a court order.

(a) It is suggested that Affirmative Action evidence is on file from vendors and contractors. It is suggested that school districts request from all vendors the Iran Disclosure Form!

(Appendix D)

Sample

ANYTOWN PUBLIC SCHOOLS
Office of the Superintendent
Address
City, State, Zip

Sample

TO: All Vendors

Date: _____

UNAUTHORIZED ORDERS

Official Notification

Authorized Purchases

The Board of Education only recognizes purchases made through the approved purchase order process. All purchases made by the Board of Education require:

- ***Written Purchase Order;***
- ***Purchase Order Number; and an***
- ***Authorized Signature (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.

Vendors' Responsibility

• **Do NOT Honor Requests!**

Vendors are not to honor or accept any requests for goods or services unless the vendor receives a written purchase order with an authorized signature and a purchase order number.

• **Contact the Business Office!**

Please alert _____ at _____ if any Board employee attempts to place an order without an authorized purchase order.

• **You will NOT Get Paid!**

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

Authorized Signatures

The Board of Education will only recognize purchase orders signed by:

School Business Administrator

(Appendix E)

↻ FEDERAL CONTRACTS ↻**Examples of Federal Funding Sources—Every Student Succeeds Act (ESSA)**

- Title I, Part A – Improving Basic Programs Operated by LEA’s
- Title II, Part A – Teacher and Principal Training and Recruiting
- Title III– English Language Acquisition and Language Enhancement
- Title III—Immigrant Education Program
- Title IV, Part A – Student Support and Academic Enrichment Program

Other Examples of Federal Funding Sources

- I.D.E.A. Part B Handicapped
- Perkins Vocational Education
- National School Lunch Program
- National School Breakfast Program
- ESSER Act—Elementary and Secondary School Emergency Relief Act 2020
- CARES Act—Coronavirus Aid, Relief and Economic Security Act 2020

Federal Procurement Guidelines—Federal Regulations 2 CFR Part 200.318 et seq.

School districts, when procuring goods and services using federal funds, shall comply with Federal Regulations Procurement Standards 2 CFR 200.318 et seq., and the New Jersey Public School Contracts Law.

Methods of Procurement—When Using Federal Funds

All procurement transactions must be conducted in a manner providing full and open competition.

Examples of procurement methods to be used:

- **Micro-purchases—Purchases less than \$6,600.00**

The Purchasing Agent shall use sound business practices for purchases in the aggregate that do not exceed \$6,600.00. Reference--2 CFR 200.320 (a) (1) and 2 CFR 200.67

- **Small Purchase Procedures—\$6,600 through \$43,999**

The Purchasing Agent shall use the competitive quotation process as outlined in N.J.S.A. 18A:18A-37 (a) or the Request for Proposal process, when applicable, in procuring goods and services in the aggregate of more than \$6,600.00 and less than \$43,999. Reference--2 CFR 200.320 (a) (2) and 2 CFR 200.88

- **Sealed Bids—\$44,000 or more**

The Purchasing Agent shall use the competitive bid process to procure those contracts which in the aggregate exceed the \$44,000 bid threshold. The contract shall be awarded to the vendor who submits the lowest responsible bid for a firm fixed contract price—lump sum or unit cost. Reference--2 CFR 200.320 (b) (1).

- **Competitive Proposals—\$44,000 or more**

The Purchasing Agent shall use the Request for Proposal (RFP) or competitive contracting process when procuring certain contracts which in the aggregate exceed the \$44,000 bid threshold, which is to be awarded by an evaluative process, rather than a firm-fixed contract price. Reference--2 CFR 200.320 (b) (2) and N.J.S.A. 18A:18A-4.1 et seq.

- **Non-competitive Proposals (Sole Source)**

Although the Federal government recognizes contracts may be awarded to sole source vendors through non-competitive proposals, the Purchasing Agent shall use the competitive proprietary bid process or the competitive contracting process for sole or single-source contracts. Reference 2 CFR 200.320 (c) and N.J.S.A. 18A:18A-15. The amounts listed are subject to change.

New Jersey Department of Education Guidance on Federal Spending

All grant administrators of the school district are to comply with federal regulations and the Public School Contracts Law and should adhere to the guidance as provided by the New Jersey Department of Education in the publication entitled *Navigating the Uniform Grant Guidance*.

Food Services Directors

The USDA and the New Jersey Department of Agriculture—Food and Nutrition, have announced through various documents and forms, new procedures for the procurement of goods and services for the Food Services program in every school district.

Debarment and Suspension for Federal Contracts

Debarment and Suspension (E.O. 12549 and E.O. 12689) – A contract award (see 2 CFR 180.220) will not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM.gov.) Purchase orders will be verified through SAM.gov.

The district will review vendors for suspension/debarment. According to UGG, 2 C.F.R. § 200.213, non-Federal entities (LEAs) are subject to non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 C.F.R. part 180

Federal Programs--Include on Requisitions/Purchase Orders

Purchase orders using Federal Funds shall include on the document:

- Name of Federal Program
- Quotation, bid number, if applicable
- Name of Cooperative Purchasing Entity; if applicable
- Board approval date; if applicable
- Location(s) of equipment
- Federal funding account number easily identified if split funding
- Approved CIP Code; if required

Stevens Amendment—Statement on Bid Advertisement

The Board of Education recognizes its obligation as it pertains to the Stevens Amendment, Section 8136 of the Department of Defense Appropriations Act (P.L. 104-134, Sec.507) which requires the board of education to state clearly the percent (%) of the total cost of this project will be financed through **Name of Federal Grant**.

Federal Contracts—Chart of Thresholds

<u>Description of Goods/Services</u>	<u>Amount</u>	<u>Procurement Method</u>
Goods and Services	Less than \$6,600	Sound Business Practice
Goods and Services	\$6,600-\$43,999	Quotation or Bid
Goods and Services	\$44,000 or more	Bid
Professional Services	Less than \$6,600	Simple Proposal
Professional Services	\$6,600-\$43,999	Request for Proposals (RFP)*
Professional Services	\$44,000 or more	Competitive Contracting
Educational Consultant Services	Less than \$6,600	Simple Proposal
Educational Consultant Services	\$6,600 - \$43,999	Request for Proposals (RFP)*
Educational Consultant Services	\$44,000 or more	Competitive Contracting
Instructional Improvement Services	Less than \$6,600	Simple Proposal
Instructional Improvement Services	\$6,600 - \$43,999	Request for Proposals (RFP)*
Instructional Improvement Services	\$44,000 or more	Competitive Contracting
Professional Development Services	Less than \$6,600	Simple Proposal
Professional Development Services	\$6,600 - \$43,999	Request for Proposals (RFP)*
Professional Development Services	\$44,000 or more	Competitive Contracting
Sole Source (Proprietary) ^(a)	Less than \$6,600	Simple Proposal
Sole Source (Proprietary) ^(a)	\$6,600 - \$43,999	Proprietary Quotation
Sole Source (Proprietary) ^(a)	\$44,000 or more	Proprietary Bid
Services Provided by Government Units/Schools	Less than \$6,600	Simple Proposal
Services Provided by Government Units/Schools	\$6,600 - \$43,999	Request for Proposals (RFP)*
Services Provided by Government Units/Schools	\$44,000 or more	Competitive Contracting
Construction; Public Works	Less than \$6,600	Written Proposal; PW Documents
Construction; Public Works	\$6,600-\$43,999	Quotation or Bid
Construction; Public Works	\$44,000 or more	Bid

***RFPs must be publicized when federal funds are being used.**

(Appendix G)