BP 3310 PURCHASING PROCEDURES (Second Reading)

Note: Pursuant to A.S. 14.14.060 and 14.14.065, city and borough school districts may establish their own procedures for purchase of supplies and equipment. A.S. 14.08.101 empowers regional school boards to establish their own fiscal procedures, including the purchase of supplies and equipment. All contracts made under federal awards must comply with the Office of Management and Budget's procurement procedures found in 2 CFR 200.317-326. Prior to any purchase, the District should review the federal funding award or grant to determine if it requires compliance with OMB's procurement procedures.

The School Board desires to ensure that maximum value is received for money spent by the District and that records are kept in accordance with law. The Superintendent or designee(s) may issue and sign purchase orders. Purchase orders in excess of $~~10,000~~ 25,000will require prior approval of the Board. Purchases may not be segmented in order to circumvent the requirement for prior approval.

All purchases under federal awards will meet general standards as follows:

1. The District will maintain written procurement policies and procedures that meet the following standards and any other applicable laws and regulations.
2. Costs incurred must be necessary and cost-effective.
3. All procurement transactions must provide full and open competition.
4. The District will maintain written standards of conduct covering conflicts of interest.
5. The District will maintain documentation addressing cost and price analysis, and vendor selection, as applicable for the selected method of procurement.

(cf. 3310 - *Bids)*

No employee, officer, or agent of the District may participate in the selection, award, or administration of a contract supported by a federal award 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 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. The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-substantial gifts of nominal value may be accepted if the item is non-solicited.

Employees in violation of this conflict of interest section are subject to disciplinary measures set forth in statute, board policy, and applicable negotiated agreements, up to and including termination.

(cf. 3300 - *Expenditures/Expending Authority)*

(cf. 3400 - *Management of District Assets)*

(cf. 3460 - *Financial Reports and Accountability)*

(cf. 4118 – *Suspension/Disciplinary Action)*

(cf. 4218 - *Dismissal/Suspension/Disciplinary Action)*

(cf. 9270 - *Conflict of Interest)*

Note: A.S. 36.15.050 establishes a preference for purchasing Alaskan agricultural and fisheries products. A.S. 14.03.085 makes school districts, except REAA's, subject to A.S. 29.71.050, which establishes a preference for purchasing recycled Alaska products.

The School Board encourages the selection of Alaskan products when such products meet the needs of the district and shall adhere to state law regarding purchasing preferences for Alaskan products.

(cf. 3311 - *Bids)*

(cf. 3312 - *Contracts)*

Note: A U.S. Supreme Court decision (City of Richmond v. J. A. Croson Co.) indicates that before enacting an affirmative action purchasing program, the district would have to have strong evidence of past district discrimination against minority contractors and the district's program would have to be narrowly tailored to accomplish its remedial purpose.

Legal Reference:

ALASKA STATUTES

14.08.101 Powers (Regional school boards)

14.14.060 Relationship between borough school district and borough

14.14.065 Relationship between city school district and city

14.17.190 Restrictions governing receipt and expenditure of money from public school foundation account

29.71.050 Procurement preferences for recycled Alaska products

36.30. State Procurement Code

37.05 Fiscal Procedures Act

COURT DECISIONS

City of Richmond v. J.A. Croson Co., 488 U.S. 469 (1989)

AASB Revised: 9/97

AASB Revised: 3/18

CSD ADOPTED: 03/05/2009

CSD REVISED: 04/12/2023

CSD REVISED 11/11/2026

Cordova School District