Central Bucks School District - Policy Committee Meeting

Thursday, September 10, 2026 6:00 PM
Board Room: Educational Services Center, 16 Welden Drive, Doylestown, PA 18901

1. **NOTE: Responsible Contractor Policy (RCP) will be discussed at the September 30th, 2026 Policy Committee Meeting**
2. **CALL TO ORDER**
3. **PUBLIC COMMENT**
4. **REVIEW OF PREVIOUS MEETING REPORT**
5. **DISCUSSION AND REVIEW**

5.A. For First Read: Policy 123.3 (NEW) Athletic Trainers
5.B. For First Read: Policy 210 Use of Medications
5.C. For Second Read: Policy 249 Bullying/Cyberbullying
5.D. For Second Read: Policy 810 Transportation
5.E. Information Item: Updated Procurement Attachment for Policy 626 Federal Fiscal Compliance

6. **ADJOURNMENT**

6.A. Upcoming Policy Committee Meetings:
Wednesday, September 30, 2026
Thursday, October 8, 2026

CENTRAL BUCKS SCHOOL DISTRICT POLICY COMMITTEE MEETING REPORT
Thursday, August 13, 2026
6:00 p.m.
Location: CBSD Educational Services Center
16 Welden Drive, Doylestown, PA 18901

In Attendance:
Karen Smith, Chairperson
Katrina Filiatrault, Committee member
Susan Gibson, Committee member
David Comalli, Board member
Daniel Kimicata, Board member
Amanda O'Connor, Board Member
Heather Reynolds, Board member
Joanna Wexler, Ph.D., Superintendent
Charles Malone, Ed.D., Assistant Superintendent for Secondary
Helen Zaleski, Ed.D., Assistant Superintendent for Elementary
Wayne Gehris, Chief Financial Officer
Thomas Hanna, Capital Projects Manager
Peter Amuso, Solicitor
Stephanie Radcliffe, Board Secretary

1. CALL TO ORDER: The meeting was called to order at 6:06 p.m.

2. PUBLIC COMMENT:

1) Dina Maiben, Buckingham, spoke in support of a Responsible Contractor Policy.
2) Gordon Muller, Buckingham, spoke in support of a Responsible Contractor Policy.
3) Veronica Morrison of the law firm McNees Wallace and Nurick, LLC spoke in opposition to a Responsible Contractor Policy. Ms. Morrison presented a handout to board members which is attached to the August 13, 2026 Policy Committee Meeting Report.
4) Diane Marseglia, Bucks County Commissioner, spoke in support of a Responsible Contractor Policy.
5) Shannon Sticker, Buckingham, spoke in support of a Responsible Contractor Policy.
6) Steve Santarsiero, Lower Makefield, spoke in support of a Responsible Contractor Policy.
7) Cynthia Jones, New Britain, spoke in support of a Responsible Contractor Policy.
8) Chip Taylor, Falls Township, spoke in support of a Responsible Contractor Policy.
9) Dan Cornell of A.H. Cornell & Son, Warwick, spoke in opposition to a Responsible Contractor Policy.
10) Patty Bray, Plumstead, spoke in opposition to a Responsible Contractor Policy.

11) Candace Biofore, Buckingham, spoke in opposition to a Responsible Contractor Policy.
12) James Keenen, Bedminster, spoke about apprenticeship programs and having a trained and skilled workforce.
13) Matt Heiple, New Britain, spoke in support of a Responsible Contractor Policy.
14) Petro Gusupit, Plumstead, spoke in support of a Responsible Contractor Policy.

3. REVIEW OF PREVIOUS MEETING REPORT: The report from the previous committee meeting was reviewed.

4. <u>DISCUSSION AND REVIEW</u>

4.A. **School Board Policy 123.3 Athletic Trainers (NEW)** – Mrs. Reynolds spoke about defining more injuries within bullet #8 on page 3 under "Practice Standards". Policy 123.3 will be brought back to Committee.

4.B. School Board Policy 210 Use of Medications – Dr. Malone discussed the language suggestions submitted by our Nursing Coordinator. Dr. Malone plans to add in language around field trips; therefore, Policy 210 will be brought back to Committee.

4.C. School Board Policy 249 Bullying/Cyberbullying – Mrs. Filiatrault spoke about bullying definitions and about patterns of harassment and its cumulative effects. Mrs. O'Connor spoke about parents who have shared experiences that their children have had in their schools and asked if we are addressing those experiences in this policy. Mrs. O'Connor discussed including information in the new Navigate courses. The Committee agrees to move Policy 249 to the full Board for First Read.

4.D. School Board Policy 810 Transportation – The Committee agrees to move Policy 810 to the full Board for First Read.

4.E. School Board Policy 823 Responsible Contractors (NEW) – Mrs. Smith described how policies are usually adopted or revised at CBSD. Mrs. Reynolds read aloud a statement she had prepared about her support for developing a Responsible Contractor Policy for CBSD. Mrs. Gibson discussed defining the word "responsible" and said there are other ways to make sure there are check lists. Mrs. Gibson discussed safety on job sites, quality work, safety of staff and students post-work, and financial responsibility and suggested that there be more detailed discussion about this topic. Mrs. Smith suggested that proposed Policy 823 be brought back for further discussion. Mrs. Smith said that a decision will be made as to whether it will be brought back to a future scheduled policy

committee meeting, scheduled school board meeting, or a separate, additional policy committee meeting.

5. ADJOURNMENT: The meeting was adjourned at 7:18 p.m.

5.A. Next scheduled Policy Committee Meeting: Sept. 10, 2026

Veronica Morrison
hand-out
8/13/2026

McNees Wallace & Nurick LLC
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

Veronica L. Morrison
Direct Dial: 717.237.5359
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vmorrison@mcneeslaw.com

July 20, 2026

VIA EMAIL

Gregory R. Heleniak, Esquire
Central Bucks School District Solicitor
CGBAG Law
Seven Neshaminy Interplex, Suite 215
Trevose, PA 19053
gheleniak@cgbaglaw.com

Re: Central Bucks School District Responsible Contractor Policy Considerations

Dear Attorney Heleniak:

It was a pleasure meeting you at the June 18, 2026 meeting of the Central Bucks School District ("CBSD") Policy Committee ("Committee"). As you will recall, I attended the meeting on behalf of several local contractors to assist in expressing their concerns regarding the termed Responsible Contractor Policy ("RCP") included in the agenda materials and discussed in the meeting. I am writing to follow up on some matters raised during the meeting and to provide additional insight on behalf of the local contractors and their families.

In my statement to the Committee, I raised concerns about documented negative impacts similar policies have had for public bodies contracting for construction services, primarily in the form of reducing competition, reducing the number of bidders, and increasing costs. Certain Committee members followed up during the discussion of the RCP to request available data in this regard. We agree that aggregating statistical data can be complicated and, depending on the nature of the data, can be gathered and presented in a way to support one position or another. So, I write to provide some insight which is more in the form of anecdotal evidence of the impacts to which I was referring.[1]

Looking locally in Bucks County, you may be aware of the responsible contractor policies or ordinances (I'll generally refer to them as "RCOs" for ease of reference) passed by Morrisville Borough, Township of Lower Makefield, and Bristol Borough. These RCOs, after being adopted, were later amended or repealed due to complications with getting enough bids or any bids that were within budget. In October 2018, Morrisville Borough, after adopting an RCO that contained the requirement for bidders to participate in Class A

[1] I am also including, as Attachment A, information that was compiled regarding projects bid by CBSD. This data reveals that: (1) out of the 26 projects reviewed, 118 bids received were from open shop (non-union) contractors whereas only 31 bids received were from union contractors; (2) for 11 projects, no union contractors submitted bids; and (3) for 2 projects there was only 1 bidder and, in each instance, the bidder was an open shop. This data does not bode well for CBSD receiving qualified bids if it adopts the RCP. Also, the data shows that, out of the 14 projects where union contractors bid the job, 10 were awarded to an open shop contractor as the low bidder. This does not bode well for cost containment if CBSD adopts the RCP.

apprenticeship programs, like the requirement at hand, amended the RCO to remove that requirement due to a lack of qualifying bids, see Ordinance No. 1023. Similarly, Township of Lower Makefield amended their RCO in 2010 to remove the Class A apprenticeship program participation requirement, and the RCO is again under reconsideration to increase the threshold amount for the remaining requirements. Just this year in March, Bristol Borough Council voted to eliminate the Borough's previously adopted RCO, which included requirements very similar to the one under consideration here for the same reasons cited by others. Other local municipalities that have adopted RCOs have had to repeatedly amend the RCOs to increase dollar thresholds and have taken to issuing waivers when the municipality cannot get enough bids, within budget, to complete a project.

Contracting authorities in surrounding counties and counties across Pennsylvania have experienced similar negative results after adopting RCOs. For example, in 2019, just one year after adopting an RCP, Colonial School District in Montgomery County found that it had obtained only two bids for a large construction project, both of which were over budget and the lowest by over $4.5 million, such that it had to waive the policy and rebid the project without the RCO requirements. Similarly, in 2024, Reading City was required to waive its RCO requirements for work on the Pagoda. This arose due to issues getting bids and the possibility of losing critical funding for the project. Like some other municipalities, Reading City has a baked in waiver provision that requires the City to solicit bids under the RCO and then, when the solicitation fails, to seek a waiver and rebid the project. Imagine the amount of time and taxpayer dollars expended on this process!

In just the last few years, Centre County and State College Borough have adopted RCOs. Opponents met with the municipalities in advance of their adopting the RCOs to share their concerns and experience. Neither listened. Now both municipalities have had major issues completing projects under their respective RCOs and have had to seek ways around the requirements. Centre County has begun using COSTARS to qualify bidders and avoid the RCO requirements. State College Borough, which just adopted its RCO in 2024, solicited bids last year for a road project, put the project out for bid twice, and both times bids failed to come within budget. The Borough had to suspend the RCO and put the project out for bid without those requirements. Now again, *just on July 7, 2026*, the Borough voted again to suspend the requirements of the RCO due to the inability, after two rounds of bidding, to get qualified bids for a project. The Borough Manager revealed that, <u>since the RCO went into effect, 5 projects have been put out for bid and the Borough has ***not received a single qualified bid for any of those 5 projects***</u>. I would encourage you and the Board to watch the discussion that occurred at the July 7 meeting, linked below[2], starting at 2:20:59 to 2:38:14.

Just this evening, State College Borough voted to amend their RCO. I'm attaching the proposed amendments as Attachment B. These amendments have now been adopted by the Borough as a corrective

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[2]https://videoplayer.telvue.com/player/GNduNoua2rBThhw6N4PRP9OCSPf6B2ru/playlists/4822/media/962514?showtabssearch=true&fullscreen=true

A couple notes. There is a discussion in the linked meeting about having non-qualified bidders submit bids and get awarded only if no qualified bids are received. The amount of time and money contractors put into bidding a project is extraordinary. I would bet that <u>more</u> than 9 times out of 10 no contractor who is "not qualified" under an RCO is going to expend time and money bidding a project where preference will be given to other termed "qualified" contractors and they are not being afforded a fair shot, which is exactly what that is. Also, there is a statement about costs associated with these apprenticeship programs and non-union contractors not investing in the programs due to those costs. That is often not the case. Many times, apprenticeship programs that would qualify are simply not meaningfully available to a particular nonunion company (e.g., the closest qualified program open to non-union workers for a particular trade is over two hours away).

measure to fix the issues about which they had been warned before adopting the RCO. They learned the hard way, but CBSD doesn't have to.

While proponents of the RCP might be inclined to argue that Centre County and State College Borough are in the middle of the State and not around Philadelphia. First, that has not appeared to change the outcome in local municipalities (see discussion above regarding Morrisville Borough, etc.). Secondly, the Philadelphia area admittedly has a larger concentration of union contractors. *If* this were to be the saving grace for an RCP here in CBSD (which by Attachment A it appears it might not be), *should it be*? And even so, if there is less competition, bids are going to be higher—this is basic economics. Do we want taxpayers to pay for District-sponsored discrimination against nonunion contractors?

For all of this anecdotal evidence that these kinds of policies create issues for public bodies attempting to bid construction projects, there is no evidence that such discriminatory policies are necessary to protect the soliciting body or individuals working on a project. Thorough, ordinary vetting of contractors will effectively prevent the vast majority of safety incidents that occur on public projects, whereas the placement of a termed responsible contractor policy will not effectively prevent every conceivable accident. In jurisdictions where there haven't been any recent major safety incidents, these policies have simply created issues that didn't previously exist. Here, CBSD is potentially going to attempt to solve one perceived problem—that, while quite tragic, is a clear outlier and exception—only to create a host of other *known* issues, not the least of which is preventing its own dedicated, hardworking residents from working on CBSD projects.

Additionally, as members of the Policy Committee noted, the proposed RCP goes too far. CBSD can adopt a policy that will help bring attention to safety and responsible payment practices without discriminating in favor of union (Philadelphia-based) contractors over non-union contractors. I am enclosing an **alternative proposal** for the Committee's consideration (as Attachment C) which can be paired with any variation of other responsible contractor certification requirements contained in the RCP that make sure a firm meets all appropriate, reasonable qualifications. My clients would ask that, if CBSD is inclined to adopt any policy, that it consider something more along these lines.

If I recall correctly, Attorney Heleniak, the one project you referenced as being successfully bid under a responsible contractor policy was a $13 million project. What happens with the smaller projects, between, say, $250,000 and $1 million, when there are only a handful of local contractors who want to bid the project (because of the margins) and the union workforce, who conveniently would qualify under the RCP, is tied up working on a data center or a State project? Or even a project between $5 million and $10 million where the contractors who would qualify under this proposed RCP are busy working on and pursuing larger projects across the region? There are a number of these; so many, in fact, that the Commonwealth has claimed there will be a shortage of workers to work on its anticipated $375 million project happening over the next five years. When no qualifying contractors are available, will CBSD be left to rebid its projects and ultimately waive the RCP requirements anyway? Is this how CBSD wants to answer to its residents?

Further, as testimony during the Policy Committee meeting revealed, the vast majority of CBSD projects fall within the $500,00 to $1 million range, which must be completed within 8 to 10 weeks, and those responsible for implementing the projects expressed repeated concerns about the administrative burden of implementing the proposed RCP on those projects. CBSD is not alone. The ongoing certification requirements contained in these trendy RCOs are often not only extremely burdensome to maintain but ultimately lead to violations because it is nearly impossible to keep continuous tabs on who on a project has and hasn't completed a Class A Apprenticeship Program—who are we even relying upon to provide this information?

Importantly, under this proposed RCP, students from this District who graduate with certifications from Middle Bucks Institute of Technology will not qualify toward the 70% journeyman or apprenticeship requirement. A CBSD graduate of 10 years who owns his or her own construction firm but does not participate in a "Class A Apprenticeship Program" will not be qualified to bid on a CBSD project. Is this what CBSD wants to see for its graduates?

CBSD and the Policy Committee should see this proposed RCP for what it is—a political ploy to provide favor to union contractors. It also raises legal concerns. Immediately following my comment in which I indicated these ordinances and policies are illegal *under Pennsylvania law*, you mentioned a Third Circuit case which you argued upheld an ordinance like this. I believe the case you may've been referring to is *Associated Builders and Contractors, Eastern Pennsylvania Chapter Inc. v. County of Northampton*, 808 Fed.Appx. 86 (3d Cir. 2020). If so, I will point out that that case was decided under the Equal Protection Clause ("EPC") of the 14th Amendment to the *U.S. Constitution*, not under Pennsylvania law, which is more robust in its protections of free and open competition. As you know, the test under the EPC is very liberal and inquires only whether a law has any conceivable rational basis. On the other hand, Pennsylvania's Constitution and laws specifically guard against favoritism or discrimination in public bidding. Although many of these protections are afforded to citizens against the Commonwealth as a State actor, the case law that has developed in Pennsylvania, even over the last two years, is particularly skeptical of policies that place Pennsylvania workers on unequal footing with one another, as this policy, if adopted, will do. Many of the cases on this subject which have previously been filed have failed on procedural rather than substantive grounds. With recent challenges to similar policies, ABC, both Eastern and Keystone, have seen greater success in the courts.

Hopefully this situation does not develop in that direction and the Board and those charged with advising the Board will work toward a middle ground solution that does not ultimately harm the goals of everyone involved. The local contractors of this District want nothing more than to serve their community and to be given a fair chance to do so. That is, quite literally, all they are asking for here. I trust that CBSD wants this for them, too.

Please feel free to reach out to me to discuss this matter further in advance of the August 13, 2026 Policy Committee meeting.

Yours truly,

Veronica L. Morrison
MCNEES WALLACE & NURICK LLC

VLM/tw
Attachments
Cc: Central Bucks School District Board Members
A.H. Cornell & Son, Inc.
B. Blair Corporation
T. Schiefer Contractors, Inc.
GoreCon, Inc.

Harris Blacktopping
Associated Paving Contractors
A. Giuliani & Co.
Giuliani & Sons
Twining Construction Co., Inc.
Maggie Rose Baldwin, Esquire

School Board Bidder Impact Analysis

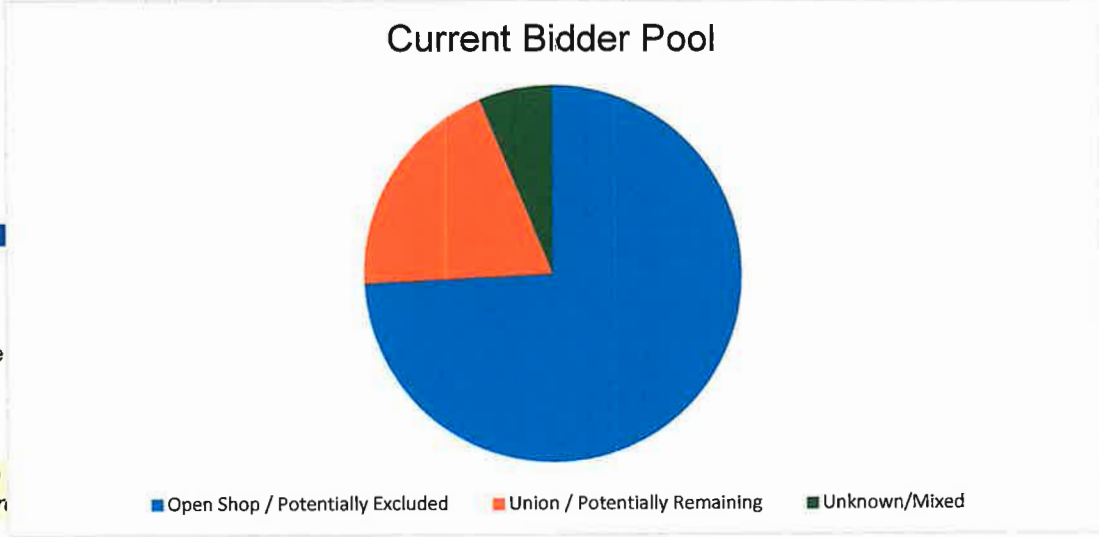
Purpose: *Show how many recent school construction/public work bidders may be excluded if an RCO requirement limits eligible contractors.*

How to use: *1) Enter contractors in Contractor Lookup. 2) Enter bid tab rows in Bid Data. 3) Add each project name once in Project Summary. This dashboard updates from formulas.*

Metric	Value
Projects Reviewed	**26**
Total Bidder Entries	**159**
Open Shop Bidder Entries	**118**
Union Bidder Entries	**31**
Unknown/Mixed Bidder Entries	**10**
% Open Shop / Potentially Excluded	**74.2%**
% Union / Potentially Remaining	**19.5%**
Lowest Bids by Open Shop	**22**
Lowest Bids by Union	**4**

Category	Count
Open Shop / Potentially Excluded	118
Union / Potentially Remaining	31
Unknown/Mixed	10

RCO Impact Statement		
Current Total Bidders	**159**	Formula
Potential Eligible Bidders After RCO	**31**	Union bidders only, unless verified otherwise
Potential Bidders Lost	**118**	Open shop bidders
% Bid Pool Lost	**74.2%**	Open shop / total bidders
Suggested Talking Point	*Based on the bid tabs entered, an 74.2% of the current bidder pool fr*	



Project Name	Bid Date	Project Type	Contractor Name	Union/Open Shop	Bid Amount	Bid Rank	Winning Bidder?	Local to District?	Source / Bid Tab Link	Notes
Pine Run Water Line	4/2/2026	Utility	A.H. Cornell & Son Inc	Open Shop	$175,450	1	Yes	Yes		
Pine Run Water Line	4/2/2026	Utility	Passerini & Sons Inc	Open Shop	$198,300	2	No	Yes		
Pine Run Water Line	4/2/2026	Utility	Franchelli Ent. Inc	Open Shop	$200,172	3	No	No		
Pine Run Water Line	4/2/2026	Utility	J.D. Fedele	Union	$202,710	4	No	No		
Pine Run Water Line	4/2/2026	Utility	AKC Mechanical LLC	Open Shop	$216,300	5	No	Yes		
Pine Run Water Line	4/2/2026	Utility	Doli Construction	Open Shop	$224,884	6	No	Yes		
2026 Paving Program	3/4/2026	Paving	Harris Blacktoping	Open Shop	$416,309	1	Yes	Yes		
2026 Paving Program	3/4/2026	Paving	G&B Construction	Mixed/Verify	$425,762	2	No	No		
2026 Paving Program	3/4/2026	Paving	James D. Morrissey	Union	$431,295	3	No	No		
2026 Paving Program	3/4/2026	Paving	Sacks & Sons	Open Shop	$452,430	4	No	No		
2026 Paving Program	3/4/2026	Paving	Barker & Barker	Open Shop	$479,975	5	No	No		
2026 Paving Program	3/4/2026	Paving	Giuliani & Sons	Open Shop	$480,981	6	No	Yes		
2026 Paving Program	3/4/2026	Paving	Heidelberg Materials	Union	$481,312	7	No	No		
2026 Paving Program	3/4/2026	Paving	Land-Tech	Open Shop	$494,470	8	No	Yes		
2026 Paving Program	3/4/2026	Paving	GoreCon	Open Shop	$518,401	9	No	Yes		
2026 Paving Program	3/4/2026	Paving	A.H. Cornell & Son Inc	Open Shop	$519,341	10	No	Yes		
2026 Paving Program	3/4/2026	Paving	T. Schiefer	Open Shop	$524,817	11	No	Yes		
2026 Paving Program	3/4/2026	Paving	Associated Paving Contractors	Open Shop	$539,765	12	No	Yes		
2026 Paving Program	3/4/2026	Paving	Construction Masters Services	Open Shop	$575,650	13	No	No		
2026 Paving Program	3/4/2026	Paving	Blooming Glen Contractors	Open Shop	$605,298	14	No	Yes		
Warwick Elem - Exterior Repairs	5/7/2026	Building	Watts Restoration	Union	$97,840	1	Yes	Yes		
Warwick Elem - Exterior Repairs	5/7/2026	Building	Duall Building Restoration Inc	Open Shop	$111,325	2	No	No		
Warwick Elem - Exterior Repairs	5/7/2026	Building	Palmer Waterproofing Inc	Union	$133,645	3	No	No		
Warwick Elem - Exterior Repairs	5/7/2026	Building	DiLemmo Construction	Open Shop	$141,425	4	No	No		
Warwick Elem - Exterior Repairs	5/7/2026	Building	Restoration Corporation	Unknown	$188,000	5	No	No		
Warwick Elem - Exterior Repairs	5/7/2026	Building	Merit Project Solutions	Open Shop	$199,244	6	No	No		
Warwick Elem - Exterior Repairs	5/7/2026	Building	Dugan Restoration	Union	$221,475	7	No	No		
2026 Summer Flooring	5/6/2026	Building	Barb-Lin Carpet One	Open Shop	$196,150	1	Yes	Yes		
2026 Summer Flooring	5/6/2026	Building	Continental Flooring Company	Open Shop	$198,245	2	No	No		
2026 Summer Flooring	5/6/2026	Building	Crowd Field Services	Open Shop	$242,500	3	No	No		
2026 Summer Flooring	5/6/2026	Building	DiLemmo Construction	Open Shop	$296,223	4	No	No		
CB East UST Closure	4/30/2026	Demolition	Associated Paving Contractors	Open Shop	$87,750	1	Yes	Yes		
CB East UST Closure	4/30/2026	Demolition	The Ambient Group	Open Shop	$105,735	2	No	No		
CB East UST Closure	4/30/2026	Demolition	Brightfields, INC	Open Shop	$121,600	3	No	No		
CB East UST Closure	4/30/2026	Demolition	Bluestone Environmental	Open Shop	$127,476	4	No	No		
CB East UST Closure	4/30/2026	Demolition	Empire Services	Union	$155,897	5	No	No		
CB East UST Closure	4/30/2026	Demolition	Pine Run Construction Corp	Open Shop	$179,400	6	No	Yes		
CB East UST Closure	4/30/2026	Demolition	DiLemmo Construction	Open Shop	$185,645	7	No	No		
CB East UST Closure	4/30/2026	Demolition	Buckeye Elm Contracting	Union	$191,180	8	No	No		
Generator & ATS - Barclay, Pine Run, CB East	4/2/2026	Other	Blooming Glen Contractors	Open Shop	$419,567	1	Yes	Yes		
Generator & ATS - Barclay, Pine Run, CB East	4/2/2026	Other	Yates Electrical Service	Mixed/Verify	$621,750	2	No	No		
2026 Playground Renovations	5/31/2026	Other	Couzins Inc	Open Shop	$687,300	1	Yes	No		
2026 Playground Renovations	5/31/2026	Other	Premier Builders Inc	Open Shop	$712,560	2	No	No		
2026 Playground Renovations	5/31/2026	Other	T. Schiefer	Open Shop	$737,260	3	No	Yes		
2026 Playground Renovations	5/31/2026	Other	SLC Excavating LLC	Open Shop	$792,004	4	No	No		
2026 Playground Renovations	5/31/2026	Other	G&B Construction	Mixed/Verify	$979,250	5	No	No		
Kutz & Linden Roof Replacement	2/5/2026	Building	Hulton Contracting	Open Shop	$487,990	1	Yes	Yes		
Kutz & Linden Roof Replacement	2/5/2026	Building	Sky General Construction	Open Shop	$599,960	2	No	No		
Kutz & Linden Roof Replacement	2/5/2026	Building	Winchester Roofing Corp	Open Shop	$636,567	3	No	No		
Kutz & Linden Roof Replacement	2/5/2026	Building	Alan Kunsman Roofing and Siding	Open Shop	$638,950	4	No	No		
Kutz & Linden Roof Replacement	2/5/2026	Building	Munn Roofing Corp	Open Shop	$644,260	5	No	No		
Kutz & Linden Roof Replacement	2/5/2026	Building	Union Roofing Contractors, Inc	Union	$702,840	6	No	No		
Kutz & Linden Roof Replacement	2/5/2026	Building	Mike Kobithen Roofing & Insulation	Open Shop	$704,772	7	No	No		
Kutz & Linden Roof Replacement	2/5/2026	Building	United States Roofing Corporation	Mixed/Verify	$794,800	8	No	No		
Kutz & Linden Roof Replacement	2/5/2026	Building	Noble Roofing	Unknown	$896,745	9	No	No		
Kutz & Linden Roof Replacement	2/5/2026	Building	D.A. Nolt, Inc.	Mixed/Verify	$1,053,914	10	No	No		
Hollcong Chiller	2/3/2026	Building	Allstates Mechanical LTD	Union	$1,390,000	1	Yes	No		
Hollcong Chiller	2/3/2026	Building	Tri-County Mechanical, Inc	Open Shop	$1,484,799	2	No	No		
Hollcong Chiller	2/3/2026	Building	LGB Mechanical Inc	Open Shop	$1,582,000	3	No	No		
Hollcong Chiller	2/3/2026	Building	JBM Mechanical Inc	Open Shop	$1,582,000	4	No	No		
Hollcong Chiller	2/3/2026	Building	GEM Mechanical Services Inc	Union	$1,593,616	5	No	No		
Hollcong Chiller	2/3/2026	Building	Myco Mechanical Inc	Open Shop	$1,617,000	6	No	No		
Hollcong Chiller	2/3/2026	Building	Dolan Mechanical	Union	$1,888,750	7	No	No		
Hollcong Chiller	2/3/2026	Building	General Asphalt Paving Co.	Union	$2,061,250	8	No	No		
2026 Elevator Modernization	1/6/2026	Building	Elite Elevator Services LLC	Union	$554,640	1	Yes	No		
2026 Elevator Modernization	1/6/2026	Building	Cap Elevator, LLC	Open Shop	$570,000	2	No	No		
Hollcong UST Closure	5/1/2025	Demolition	The Ambient Group	Open Shop	$42,750	1	Yes	No		
Hollcong UST Closure	5/1/2025	Demolition	Bluestone Environmental	Open Shop	$68,233	2	No	No		
Hollcong UST Closure	5/1/2025	Demolition	TTI Environmental Inc.	Open Shop	$70,875	3	No	No		
Hollcong UST Closure	5/1/2025	Demolition	Pine Run Construction Corp	Open Shop	$71,500	4	No	Yes		
Hollcong UST Closure	5/1/2025	Demolition	Northstar Environmental Services	Open Shop	$86,655	5	No	No		
2025 Playground Renovation	4/3/2025	Other	T. Schiefer	Open Shop	$772,500	1	Yes	Yes		
2025 Playground Renovation	4/3/2025	Other	Premier Builders Inc	Open Shop	$882,288	2	No	No		
2025 Playground Renovation	4/3/2025	Other	Ply-Mar Construction Co., Inc.	Open Shop	$930,750	3	No	No		
2025 Paving Program	3/6/2025	Paving	A.H. Cornell & Son Inc	Open Shop	$1,019,160	1	Yes	Yes		
2025 Paving Program	3/6/2025	Paving	B. Blair Corp	Open Shop	$1,129,602	2	No	Yes		
2025 Paving Program	3/6/2025	Paving	NJS Concrete	Mixed/Verify	$1,206,745	3	No	No		
2025 Paving Program	3/6/2025	Paving	Construction Masters Services	Open Shop	$1,324,563	4	No	No		
2025 Paving Program	3/6/2025	Paving	Harris Blacktoping	Open Shop	$1,384,719	5	No	Yes		
2025 Paving Program	3/6/2025	Paving	Gaver Industries Inc	Open Shop	$1,436,229	6	No	No		
2025 Paving Program	3/6/2025	Paving	Gorecon	Open Shop	$1,480,901	7	No	Yes		
2025 Paving Program	3/6/2025	Paving	James D. Morrissey	Union	$1,537,769	8	No	No		
2025 Paving Program	3/6/2025	Paving	T. Schiefer	Open Shop	$1,540,677	9	No	No		
2025 Paving Program	3/6/2025	Paving	Associated Paving Contractors	Open Shop	$1,704,025	10	No	No		
2025 Paving Program	3/6/2025	Paving	Donald E. Reisinger, Inc.	Open Shop	$1,735,779	11	No	No		
Generator Upgrade Ops/Transport Bldg	3/5/2025	Building	Apollo Group Inc.	Open Shop	$194,449	1	Yes	No		
Generator Upgrade Ops/Transport Bldg	3/5/2025	Building	AJM Electric, Inc.	Union	$215,215	2	No	No		
Generator Upgrade Ops/Transport Bldg	3/5/2025	Building	C. Bentz Electrical Contractor, Inc	Open Shop	$241,425	3	No	No		
Generator Upgrade Ops/Transport Bldg	3/5/2025	Building	S & S Electrical Services	Open Shop	$268,900	4	No	No		
Generator Upgrade Ops/Transport Bldg	3/5/2025	Building	Pelman Electric, Inc.	Union	$291,510	5	No	No		
Generator Upgrade Ops/Transport Bldg	3/5/2025	Building	Hubbs & Company, Inc.	Union	$382,429	6	No	No		
Facade Repairs and Roofing at Hollcong	3/4/2025	Building	Island Contracting, Inc	Open Shop	$1,483,000	1	Yes	No		
Facade Repairs and Roofing at	3/4/2025	Building	Pro Com Roofing and Construction	Open Shop	$1,878,057	2	No	Yes		
Facade Repairs and Roofing at Hollcong	3/4/2025	Building	Firstline Contracting Inc	Open Shop	$1,888,139	3	No	No		
Facade Repairs and Roofing at Hollcong	3/4/2025	Building	JONES MASONRY RESTORATION	Open Shop	$2,496,000	4	No	No		
Facade Repairs and Roofing at Hollcong	3/4/2025	Building	D.A. Nolt, Inc.	Mixed/Verify	$2,858,029	5	No	No		
2025 Summer Flooring	3/4/2025	Building	Barb-Lin Carpet One	Open Shop	$171,197	1	Yes	Yes		
HVAC Equipment Replacement	12/10/2024	Building	Integrity Mechanical Inc	Union	$496,480	1	Yes			
HVAC Equipment Replacement	12/10/2024	Building	General Asphalt Paving Co	Union	$514,200	2	No			
HVAC Equipment Replacement	12/10/2024	Building	LGB Mechanical, Inc.	Open Shop	$522,630	3	No			
HVAC Equipment Replacement	12/10/2024	Building	GEM Mechanical Services Inc	Union	$553,729	4	No			
HVAC Equipment Replacement	12/10/2024	Building	Guy M Cooper, Inc	Open Shop	$566,650	5	No			
HVAC Equipment Replacement	12/10/2024	Building	Dolan Mechanical	Union	$571,150	6	No			
HVAC Equipment Replacement	12/10/2024	Building	Myco Mechanical Inc	Open Shop	$576,000	7	No			
HVAC Equipment Replacement	12/10/2024	Building	Gaudelli Bros., Inc.	Open Shop	$605,994	8				
HVAC Equipment Replacement	12/10/2024	Building	Mccloskey mechanical Contractors Inc	Union	$676,200	9				
Exterior Envelope Repairs	5/20/2024	Building	Preferred Masonry Restoration inc.	Open Shop	$611,440	1	Yes			
Kutz Forcemain replacement	5/14/2024	Utility	Barrasso Excavation Inc	Open Shop	$204,400	1	Yes	No		
Kutz Forcemain replacement	5/14/2024	Utility	Doli Construction	Open Shop	$218,500	2	No	Yes		
2024 Paving	4/16/2024	Paving	A.H. Cornell & Son Inc	Open Shop	$964,405	1	Yes	Yes		
2024 Paving	4/16/2024	Paving	James D. Morrissey	Union	$977,245	2	No	No		
2024 Paving	4/16/2024	Paving	Sacks & Sons	Open Shop	$1,027,868	3	No	No		
2024 Paving	4/16/2024	Paving	Gorecon	Open Shop	$1,050,392	4	No	Yes		
2024 Paving	4/16/2024	Paving	T. Schiefer	Open Shop	$1,098,502	5	No	Yes		
2024 Paving	4/16/2024	Paving	Gaver Industries Inc	Open Shop	$1,130,118	6	No	No		
2024 Paving	4/16/2024	Paving	Construction Masters Services	Open Shop	$1,258,106	7	No	No		
2024 Paving	4/16/2024	Paving	Associated Paving Contractors	Open Shop	$1,500,004	8	No	Yes		
2024 Paving	4/16/2024	Paving	Harris Blacktoping	Open Shop	$1,626,736.00	9	No	Yes		
Interior Renovations -MULTI PRIME	4/16/2024	Building	Chris Wolff Plumbing, Inc.	Open Shop	$88,994	1	Yes	Yes		
Interior Renovations -MULTI PRIME	4/16/2024	Building	LGB Mechanical, Inc.	Open Shop	$131,525					
Interior Renovations -MULTI PRIME	4/16/2024	Building	Pinnacle Electrical Construction	Open Shop	$166,810					
Interior Renovations -MULTI PRIME	4/16/2024	Building	Wise Electrical Contractors LLC	Mixed/Verify	$172,975					
Interior Renovations -MULTI PRIME	4/16/2024	Building	AJM Electric, Inc.	Union	$209,000					
Interior Renovations -MULTI PRIME	4/16/2024	Building	Hirschberg Mechanical	Open Shop	$275,700					
Interior Renovations -MULTI PRIME	4/16/2024	Building	Craftsource, Inc	Open Shop	$309,000					

Interior Renovations -MULti PRIME	4/16/2024	Building	Myco Mechanical Inc	Open Shop	$316,330		
Interior Renovations -MULti PRIME	4/16/2024	Building	Dane and Son Construction Inc	Open Shop	$318,234		
Interior Renovations -MULti PRIME	4/16/2024	Building	L.J. Paolella Construction	Open Shop	$350,255		
Interior Renovations -MULti PRIME	4/16/2024	Building	Premier Builders Inc	Open Shop	$360,000		
Interior Renovations -MULti PRIME	4/16/2024	Building	PARKOROURKE Associates Inc	Open Shop	$367,025		
Interior Renovations -MULti PRIME	4/16/2024	Building	Twining Constructio Co., Inc.	Open Shop	$378,418		
Interior Renovations -MULti PRIME	4/16/2024	Building	Donald E. Reisinger, Inc	Open Shop	$454,230		
2024 Summer Flooring	4/9/2024	Building	Barb-Lin Carpet One	Open Shop	$202,994	1 Yes	Yes
2024 Playground Renovation	3/18/2024	Other	T. Schiefer	Open Shop	$1,175,000	1 Yes	Yes
2024 Playground Renovation	3/18/2024	Other	Premier Builders Inc	Open Shop	$1,421,718	2 No	No
2024 Playground Renovation	3/18/2024	Other	DEPAUL AND COMPANY INC.	Union	$1,601,021	3 No	No
Boiler Replacement at Butler	3/12/2024	Building	Tri-County Mechanical, Inc	Open Shop	$364,000	1 Yes	
Boiler Replacement at Butler	3/12/2024	Building	Five Star Inc	Union	$404,000		
Boiler Replacement at Butler	3/12/2024	Building	Guy M Cooper, Inc	Open Shop	$413,000		
Boiler Replacement at Butler	3/12/2024	Building	GEM Mechanical Services Inc	Union	$419,087		
Boiler Replacement at Butler	3/12/2024	Building	Worth and Company	Open Shop	$423,000		
Boiler Replacement at Butler	3/12/2024	Building	Myco Mechanical Inc	Open Shop	$438,000		
Boiler Replacement at Butler	3/12/2024	Building	Allstates Mechanical LTD	Union	$443,812		
Boiler Replacement at Butler	3/12/2024	Building	Chadwick Service Company	Union	$485,000		
Boiler Replacement at Butler	3/12/2024	Building	LGB Mechanical, Inc	Open Shop	$503,450		
Boiler Replacement at Butler	3/12/2024	Building	Mccloskey mechanical Contractors Inc	Union	$766,000		
Cold Spring Outdoor Classroom	2/22/2024	Building	T. Schiefer	Open Shop	$89,500	1 Yes	Yes
Cold Spring Outdoor Classroom	2/22/2024	Building	Premier Builders Inc	Open Shop	$90,900	2 No	No
Cold Spring Outdoor Classroom	2/22/2024	Building	John G. Moser & Son, Inc.	Open Shop	$103,899	3 No	
Cold Spring Outdoor Classroom	2/22/2024	Building	Dane and Son Construction Inc	Open Shop	$106,767	4 No	
Cold Spring Outdoor Classroom	2/22/2024	Building	A.H. Cornell & Son Inc	Open Shop	$108,744	5 No	Yes
Cold Spring Outdoor Classroom	2/22/2024	Building	Twining Construction Co., Inc.	Open Shop	$140,867	6 No	Yes
Paving and Running Track Improvements - Cb South	12/7/2023	Paving	A.H. Cornell & Son Inc	Open Shop	$839,828	1 No	Yes
Paving and Running Track Improvements - Cb South	12/7/2023	Paving	Construction Masters Services	Open Shop	$941,237	2 Yes	No
Paving and Running Track Improvements - Cb South	12/7/2023	Paving	Schlouch Inc.	Open Shop	$1,034,221	3 No	No
Paving and Running Track Improvements - Cb South	12/7/2023	Paving	T. Schiefer	Open Shop	$1,061,878	4 No	Yes
Paving and Running Track Improvements - Cb South	12/7/2023	Paving	Geyer Industries Inc	Open Shop	$1,067,950	5 No	No
Paving and Running Track Improvements - Cb South	12/7/2023	Paving	Grace Industries	Open Shop	$1,082,628	6 No	No
Paving and Running Track Improvements - Cb South	12/7/2023	Paving	Gorecon	Open Shop	$1,120,473	7 No	Yes

Project Name	Bid Date	Total Bidders	Open Shop	Union Bidders	Unknown/Mixe	% Open Shop	% Union	Lowest Bidder	Lowest Bid Amount	Projected Bidders
Pine Run Water Line	4/2/2026	6	5	1	0	83.3%	16.7%			5
2026 Paving Program	3/4/2026	14	11	2	1	78.6%	14.3%			11
Warwick Elem - Exterior Repairs	5/7/2026	7	3	3	1	42.9%	42.9%			3
2026 Summer Flooring	5/6/2026	4	4	0	0	100.0%	0.0%			4
CB East UST Closure	4/30/2026	8	6	2	0	75.0%	25.0%			6
Generator & ATS - Barclay, Pine Run, CB East	4/2/2026	2	1	0	1	50.0%	0.0%			1
2026 Playground Renovations	5/31/2026	5	4	0	1	80.0%	0.0%			4
Kutz & Linden Roof Replacement	2/5/2026	10	6	1	3	60.0%	10.0%			6
Holicong Chiller	2/3/2026	8	4	4	0	50.0%	50.0%			4
2026 Elevator Modernization	1/6/2026	2	1	1	0	50.0%	50.0%			1
Holicong UST Closure	5/1/2025	5	5	0	0	100.0%	0.0%			5
2025 Playground Renovation	4/3/2025	3	3	0	0	100.0%	0.0%			3
2025 Paving Program	3/6/2025	11	9	1	1	81.8%	9.1%			9
Generator Upgrade Ops/Transport Bldg	3/5/2025	6	3	3	0	50.0%	50.0%			3
Facade Repairs and Roofing at Holicong	3/4/2025	5	4	0	1	80.0%	0.0%			4
2025 Summer Flooring	3/4/2025	1	1	0	0	100.0%	0.0%			1
HVAC Equipment Replacement	12/10/2024	9	4	5	0	44.4%	55.6%			4
Kutz Forcemain replacement	5/14/2024	2	2	0	0	100.0%	0.0%			2
2024 Paving	4/16/2024	9	8	1	0	88.9%	11.1%			8
Interior Renovations	4/16/2024	0	0	0	0					0
Interior Renovations -MULti PRIME	4/16/2024	14	12	1	1	85.7%	7.1%			12
2024 Summer Flooring	4/9/2024	1	1	0	0	100.0%	0.0%			1
2024 Playground Renovation	3/18/2024	3	2	1	0	66.7%	33.3%			2
Boiler Replacement at Butler	3/12/2024	10	5	5	0	50.0%	50.0%			5
Cold Spring Outdoor Classroom	2/22/2024	6	6	0	0	100.0%	0.0%			6
Paving and Running Track Improvements - Cb South	12/7/2023	7	7	0	0	100.0%	0.0%			7

Affiliation	Yes/No	Bid Result	Project Type
Open Shop	Yes	Low Bid	Sitework
Union	No	2nd	Paving
Unknown		3rd	Utility
Mixed/Verify		Other	Building
			Demolition
			Athletic Fields
			Other

§ 1-1502. Responsible Contractor Requirements. [Ord. No. 2226, 10/21/2024]

a. This Part shall apply to public works projects undertaken directly by the Borough (but not municipal or other authorities) for construction, demolition, alteration, renovation, modernization, service or maintenance of buildings, structures or facilities valued at ~~$250,000~~ $500,000 or more in total that are subject to competitive bidding under the State College Purchasing Code but does not include road maintenance paving work that is limited to milling, patching, paving, and nominal related road repairs, as well as any culvert maintenance and repair work, roadway drainage piping or earthwork for stormwater management or stream restoration. All contractors and subcontractors of any tier that perform work on such projects, regardless of value of individual contract or subcontract packages shall meet the requirements of this Part.

b. All firms engaged in public works contracts subject to this Part, including general contractors, construction managers, other lead or prime contractors, and subcontractors at any level, shall be qualified, responsible contracting firms that have sufficient capabilities in all respects to successfully perform contracts on which they are engaged, including the necessary experience, equipment, technical skills and qualifications and organizational, financial and personnel resources. Firms bidding or otherwise participating in public works contracts shall also be required to have a satisfactory past performance record and a satisfactory record of law compliance, integrity and business ethics.

~~c. The firm will pay all craft employees on the project, at a minimum, the applicable wage and fringe benefit rates, as established for the classification in which the worker is employed, in accordance with the Pennsylvania Prevailing Wage Act, 43 P.S. § 165-1 et seq. These wages shall also be paid to employees performing any custom fabrication work for the project. For purposes of this subsection, custom fabrication shall mean the fabrication, assembly modification or other production of non-standard goods, or materials, including components, fixtures, or parts thereof, that are fabricated assembled or modified offsite, but produced specifically for a project covered by this Part. Fabrication shall include items specific for a project covered by this Part and not standard building materials that are typically purchased for unspecified projects. Fabrication shall also include the fabrication, assembly or other production of components or structures prefabricated to specifications for a particular project covered by this Part.~~

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Borough of State College, PA

§ 1-1503. Contractor Responsibility Certifications. [Ord. No. 2226, 10/21/2024]

a. As a condition of performing work on a public works contract subject to this Part, a general contractor, construction manager or other lead or prime contractor seeking award of a contract shall submit a Contractor Responsibility Certification as specified herein.

b. The Contractor Responsibility Certification shall be completed on a form provided by the Borough and reference the project for which a bid is being submitted by name and contract or project number.

c. In the Contractor Responsibility Certification, the construction manager, general contractor or other lead or prime contractor shall confirm the following facts regarding its past performance and work history and its current qualifications and performance capabilities:

(1) The firm and its employees have all licenses, registrations, certificates or other credentials required by federal and state law and the laws of the Borough with respect to the contract work it seeks to self-perform.

(2) The firm meets the bonding requirements for the contract required by law or contract specifications, as well as applicable insurance requirements for the contract, including general liability, workers compensation, and unemployment insurance.

(3) The firm has not been debarred or suspended by any federal, state or local government agency or authority in the past three years.

(4) The firm has not defaulted on any project in the past three years.

(5) The firm has not had any type of business, contracting or trade license, registration, or certification revoked or suspended in the past three years.

(6) The firm and its principals/owners have not been convicted of any crime relating to its contracting business in the past 10 years.

(7) Within the past three years, the firm has not been found in violation of any law applicable to its contracting business, including, but not limited, to licensing laws, tax laws, wage and hour laws, prevailing wage laws, environmental laws or others, where the result of such violation was the payment of a fine, back pay damages or any other type of penalty in the amount of $5,000 or more.

(8) The firm will employ a sufficient number of craft labor personnel required to successfully perform any project work it self-performs or shall use qualified subcontractors to meet this requirement.

(9) The firm shall ensure that all craft labor it employs on the project will have completed, prior to working on the project the OSHA 10-hour training course for safety established by the U.S. Department of Labor and at least one person with OSHA 30 training.

(10) The construction manager, general contractor, or other lead or prime contractor responsible for the project shall ensure that at least 70% of the craft labor workforce employed on the project workforce shall be comprised of either journeyperson, workers who have successfully completed an apprenticeship training program registered with

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and approved by the U.S. Department of Labor or a state apprenticeship agency or registered apprentices currently enrolled in such programs.

(a) The intent of these craft labor requirements is that the great majority of the craft labor personnel employed on the project have the requisite skills and qualifications to perform the project work as they will be participants in or graduates of bona fide apprenticeship training programs in each trade or craft in which their services are utilized.

(b) For purposes of this subsection, apprenticeship training programs may include those which are subject to the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001 et seq. ("ERISA"), or non-ERISA programs.

(c) To demonstrate compliance with this section, the firm shall provide, with this certification, a list of all trades or classifications of craft employees it will employ on the project and the names and addresses of all applicable apprenticeship programs relating to craft personnel utilized on the project.

(d) An exemption to the requirements of this Section 1510.10, shall be approved under one of the following conditions:

(1) Submission of Experienced Modified Rate (EMR) of 1.0 or less. This rate is an experience modification rating calculation used by insurance firms to price the cost of workers' compensation premiums and is recognized as an industry standard for safety; or

(2) A majority of workers on job site is able to demonstrate sufficient training and/or continuing education in worker classification, including, but not limited to, completion or participation in a Class A registered apprenticeship program; completion of a relevant post-secondary education degree or certificate; evidence of completion of relevant curriculum from the National Center for Construction Education & Research; or evidence of more than ten (10) years of relevant job experience; or

(3) Evidence of successful completion of a relevant public works project in the Borough.

(11) The firm shall assign workers to perform only work in their respective craft or trade for which they have sufficient skills and training or shall use qualified subcontractors to meet this requirement.

(12) The firm shall comply with the wage requirements set forth in § 1-1502, Subsection c of this Part. The minimum wage for custom fabrication work shall be the same as the wage paid for project work in accordance with each applicable trade or classification.

(13) The firm has all other technical qualifications and resources, including equipment, personnel and financial resources, to successfully perform the referenced contract and shall maintain such capabilities throughout the duration of the project, or will obtain same through the use of qualified, responsible subcontractors, or vendors.

(14) The firm will maintain all qualifications, resources and capabilities referenced in this certification throughout the duration of the project.

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Borough of State College, PA

(15) The firm shall notify the Borough within seven days of any material changes in its operation that relates to any matter attested to in this certification.

(16) The firm understands that the Contractor Responsibility Certification required by this section shall be executed by a person who has sufficient knowledge to address all matters in the certification and shall include an attestation stating, under the penalty of perjury, that the information submitted is true, complete and accurate.

d. Execution of the Contractor Responsibility Certification required by this Part shall not establish a presumption of contractor responsibility, and the Borough may require any additional information it deems necessary to evaluate a firm's status as a responsible contractor, including information regarding the firm's technical qualifications, financial capacity or other resources and performance capabilities. The Borough may require that such information be included in a separate Statement of Qualifications and Experience or as an attachment to the Contractor Responsibility Certification.

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e. The submitting firm shall stipulate in the Contractor Responsibility Certification that, if it receives a Notice of Intent to Award Contract, it will provide a Subcontractor List and required subcontractor information as specified in § 1-1505 of this Part.

f. If the submitting firm has ever operated under another name or is controlled by another company or business entity or in the past five years controlled or was controlled by another company or business entity, whether as a parent company, subsidiary or in any other business relation, it shall attach an appendix to its Contractor Responsibility Certification that explains in detail the nature of any such relationship. Additional information may be required from such an entity if the relationship in question could potentially impact contract performance.

g. If a firm fails to provide a Contractor Responsibility Certification required by this section, it shall be disqualified from bidding. No action of any nature shall lie against the Borough because of its refusal to accept a bid for this reason.

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7/20/26

Proposal to Amend Language in Draft RCP – CBSD

1. Remove Paragraph 9 and replace with the following:

   (a) The firm maintains OSHA-10 certifications for all of craft employees and shall maintain onsite, at all times while work is being performed under the contract, a foreman, project manager, project superintendent or the equivalent who is OSHA-30 certified; and (b) the firm maintains an Experience Modified Rate (EMR) of 1.0 or less, or is able to demonstrate that 70% of its workforce has sufficient training or continuing education for their craft employee classification, which may include one or any combination of the following: (i) completion or participation in a Class A Apprenticeship Program; (ii) a technical college degree or participation in a technical college degree program; (iii) graduation and certification from a State-certified vocational-technical school such as Middle Bucks Institute of Technology or the equivalent; (iv) participation in National Center for Construction Education & Research curriculum; (v) participation in a certified training program provided by an industry provider relevant to the equipment/material that craft employees will use on the site; or (vi) no less than 10 years of experience in the relevant trade.

2. Insert the following commitment:

   The firm working on any project shall engage a third party safety inspector approved by the district to perform weekly safety inspections of the work and shall report to the district and correct, within twenty-four (24) hours, any deficiency identified by such safety inspector.

Edit for clarity: Remove 70% requirement related to Class A Apprenticeship Program on page 4 of the proposed policy.

BOARD POLICY

123.3 Athletic Trainers

POLICY NUMBER	VERSION	DOCUMENT STATUS	WORKFLOW
123.3	v1.1	DRAFT	Administrative Review

PRINTED
9/3/2026

Purpose

The Board is committed to protecting and enhancing the health and welfare of the District's student athletes by providing the highest quality and most expedient health care.

The Board recognizes that athletic trainers are part of a team of healthcare professionals to work with student athletes to prevent, treat, and rehabilitate injuries and medical conditions with the ultimate goal of returning student-athletes to the activity they enjoy as safely and quickly as possible.

Definitions

Athletic training services are the management and provision of healthcare services under the direction of a licensed physician. Services shall include: [1][2]

1. The rendering of emergency care, development of injury prevention programs and providing appropriate preventative and supportive devices for the student athlete.
2. The assessment, management, treatment, rehabilitation and reconditioning of the student athlete whose conditions are within the professional preparation and education of a licensed athletic trainer.
3. The use of modalities, such as: mechanical stimulation, heat, cold, light, air, water, electricity, sound, massage and the use of therapeutic exercise, reconditioning exercise and fitness programs.
4. Services do not include surgery, invasive procedures or prescription of any medication or controlled substance.

Licensed athletic trainer shall mean a person who is licensed to perform athletic training services by the Board or the State Board of Medicine. [1][2]

Written Protocol shall mean: [1][2]

A written agreement or other document developed in conjunction with one or more supervising physicians, which identifies and is signed by the supervising physician and the licensed athletic trainer, and describes the manner and frequency in which the licensed athletic trainer regularly communicates with the supervising physician and includes standard operating procedures, developed in agreement with the supervising physician and licensed athletic trainer, that the licensed athlet
supervising physician.

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Guidelines

Requirements for Athletic Trainers

All athletic trainers either employed or contracted by the District must hold an active athletic trainer license through the Pennsylvania Board of Medicine and maintain athletic trainer certification through the Board of Certification for the Athletic Trainer (BOC).

The athletic trainers will keep current on all continuing education requirements and must maintain CPR/AED certification to maintain certification and licensure.

Athletic trainers must comply with all applicable state laws and regulations and adhere to professional standards and best practices, including, but not limited to, the following:

1. The State of Pennsylvania Board of Athletic Training Statutes in the Commonwealth of Pennsylvania State, including the Osteopathic Medical Practice Act, as amended by Act 123 of 2011, and the Medical Practice Act, as amended by Act 124 of 2011 [3][4];
2. The Board of Certification, Inc. Standards of Professional Practice, and
3. The National Athletic Trainers' Association Code of Ethics.

Compliance with the P.I.A.A.

As all district secondary (grades 7-12) interscholastic sports programs are governed by the Pennsylvania Interscholastic Athletic Association (P.I.A.A.), athletic trainers must follow the current P.I.A.A. practices and procedures outlined in the P.I.A.A. Sports Medicine Guidelines. [5]

Injury/Illness Management

Student athletes that report to the licensed athletic trainers with an injury or illness will be evaluated and assessed to determine the appropriate medical plan of action. Based on the athletic trainer's reliance on the guidelines and practices listed in this policy, clinical judgement, and severity of medical condition, the student may be required to consult with a licensed physician for further evaluation.

If a student-athlete is required to see a licensed physician for an injury or illness that affects their athletic participation or physical activity, written medical clearance from the licensed physician must be obtained before returning to the activity.

Athletic trainers shall supervise the rehabilitation and treatment of student-athletes following an injury in accordance with physician orders and this policy. Trainers may communicate with physicians, coaches, school nurses, academic staff, and administrators to ensure all parties involved in the care or physical wellness of the student have accurate information.

Practice Standards

Athletic trainers shall comply with the following practices: [1][2]

1. Ensure that the student-athlete has secured a
dentist or podiatrist or is subject to a written pro
2. Comply strictly with conditions or restrictions
placed on the athletic training services rendered

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3. Ensure that the student-athlete has undergone a medical diagnostic examination or has had the results of a recently performed medical diagnostic examination reviewed by the referring physician, dentist or podiatrist.
4. Keep a copy of the referral or prescription and the results of the medical diagnostic examination in the student's file.
5. Consult promptly with the referring physician, dentist or podiatrist regarding a new ailment or condition or a worsened ailment or condition of the student-athlete.
6. Consult with the referring physician, dentist or podiatrist upon request of either the referring physician, dentist or podiatrist or the student-athlete.
7. Refer student-athletes with conditions outside the scope of athletic training services to a licensed physician, dentist or podiatrist.
8. In the event of more significant injuries, such as Concussion and/or matters that require further medical attention, the athletic trainer will report each incident to , to a parent/guardian and to the school Athletic Director
9. When a student-athlete requires immobilization devices, medical treatment, or activity restrictions that affect participation during the school day and require school-based accommodations, written medical documentation shall be provided to the school health team. Any documentation originating from the licensed athletic trainers that includes school-day medical-related restrictions shall be issued in accordance with the athletic trainer's written protocols and standing orders under the supervision of district's contracted sports medicine physician and shall include the physician's signature. The documentation shall specify the student's condition, restrictions, and anticipated duration. A written medical clearance releasing the student from such restrictions shall be provided to the school nursing team before the student returns to unrestricted participation.

Records Management

Trainers will keep up-to-date documentation of all student-athlete injuries, illnesses, and treatments. The retention of said documents shall be dictated by board policy and state law.

Legal

1. 49 Pa. Code § 18.501 et. seq.
2. 49 Pa. Code § 25.701 et. seq.
3. Act 123 of 2011
4. Act 124 of 2011
5. District Coaches' Code of Ethics and Coaches' Handbook/Resource Guide

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Legal References

No additional references listed.

Policy saved — content, tracked changes, comments

POLICY

210

BOARD POLICY

Use of Medications

POLICY NUMBER	ADOPTED	REVISED	VERSION
210	11/22/2005	4/24/2018	v1.5
DOCUMENT STATUS	**WORKFLOW**	**PRINTED**	
UNDER-REVIEW	First Reading	9/8/2026	

Purpose

The district shall not be responsible for diagnosis ~~and treatment~~ of student illness. The administration of prescribed medication in accordance with the direction of a parent/guardian ~~or~~ and licensed prescriber to a student during school hours will be permitted only when failure to take such medicine would jeopardize the health of the student or the student would not be able to attend school if the medicine were not made available during school hours.

Medication will be administered in accordance with the guidelines promulgated by the Pennsylvania Department of Health regarding the administration of medication in schools.

Definitions

For purposes of this policy, **medication** shall include all medicines prescribed by a licensed healthcare provider, any over-the-counter medication including ~~prescription medicines as well as over the counter medications and will also include but not limited to~~ minerals, supplements and herbal medications.

~~**Licensed prescriber** shall include a licensed physician, dentist, nurse practitioner, or~~ **Licensed healthcare provider** means any person licensed to administer medication, and includes licensed physicians (MD and DO), podiatrists, dentists, optometrists, certified registered nurse practitioners and physicians' assistants, and ~~other health care provider who is legally authorized to prescribe either prescription or nonprescription (OTC) medications~~.

Licensed nurse shall be defined as any person licensed to administer medication such as a registered or licensed practical nurse.

Certified personnel shall be defined as any school staff who is trained and certified to administer emergency medications upon completion of Pennsylvania State approved training programs.

Possession shall include carrying, storing or controlling medication or equipment necessary for administration of medication.

Self-administration shall mean a student's pre-approved (by the District) administration of medication in accordance with a prescription or written instructions from licensed healthcare provider, parent/guardian approval, and successful completion of a self-carry competency with the school's licensed nurse.

Authority

The Pennsylvania Department of Health has developed certain guidelines for the administration of medicine in schools. Those guidelines, as may be amended from time to time, are incorporated in the accompanying Administrative Regulations.

Before any medication may be administered to or by any student during school hours, the Board shall require the proper completion of the Medication Dispensing Form. Failure of a parent/guardian to provide the documentation will require the parent/guardian to make himself/herself available in the schools to personally dispense the medication.[1][2][3]

Delegation of Responsibility

~~The Superintendent or designee, in conjunction with nurses, shall develop procedures for the administration and self-administration of students' medications.~~

The Superintendent or designee, in consultation with school nurse staff, shall develop Administrative Regulations implementing this Policy consistent with the guidelines outlined below, which shall address the following topics:

1. Procedures that District staff and a parent/guardian must follow before any medication will be administered to a student in accordance with this Policy;
2. Guidelines regarding the storage and maintenance of medications stored on District property; and
3. Record-keeping for medications dispensed by licensed nurses and certified personnel.

All medications shall be administered by a licensed nurse, ~~the Certified School Nurse, or licensed personnel (RN, LPN) trained and certified nursing assistant~~ certified personnel, or shall be self-administered as set forth in this policy.

The administration of non-emergency medication to a student may not be delegated to other school personnel, such as a teacher, principal, or other administrator.

Any district employee involved in administering or supervising ~~of~~ the self-administration of emergency medication ~~only~~ (i.e. an EpiPen) shall receive appropriate training from the licensed nurse ~~Certified School Nurse~~ before engaging in this activity.

~~Building administrators and nurses shall review regularly the procedures for administration and self-administration of medications and communicate and evaluate recordkeeping, efficacy and safety practices.~~

Guidelines

The district shall inform all parents/guardians, students and staff about ~~the~~ this policy and procedures governing the administration of medications.

Any student specific medication to be administered by ~~school personnel must be delivered directly to the Certified School Nurse or licensed personnel (RN, LPN)~~ licensed nursing staff, including both prescription and over-the-counter medications, must be delivered directly to the school health office by an adult. Medications to be administered must be accompanied by a completed Medication Dispensing Form signed by both the parent/guardian and healthcare provider.

Medications (or supplements) in plastic bags, unlabeled containers, bottles, or syringes, aluminum foil, envelopes, old pill bottles, or bottles labeled for another family member will not be accepted or administered.

Only a 30-day supply of medication will be accepted at a time. Medications that are more than one (1) year old or contain an expiration date which has passed will not be accepted nor administered.

With parent/guardian written consent, and under the direction of the District's Medical Director, a licensed nurse is permitted to administer over-the-counter medication including Acetaminophen, Ibuprofen, Calcium Carbonate and Diphenhydramine.

Students shall not carry or otherwise possess prescription or nonprescription medication on school property, at any school-sponsored activity, or on a conveyance providing transportation to or from a school or school-sponsored activity at any other time, unless expressly permitted by this Board Policy.

Any medication given during school hours must be documented on an individual student medication record, which becomes part of the student's School Health Record. The information to be included on each student encounter for medication administration is incorporated in the accompanying Administrative Regulations.

~~All controlled medications must be delivered to the nurse by an adult. The~~ All controlled ~~drug~~ medications must be counted between nursing staff and the parent/guardian and recorded on the student's medication log. ~~The All medication must be brought to school in the original and properly labeled container. Prescription medication will be kept locked in the nurse's office.~~

All medication is to be stored in a locked cabinet and accessible to only licensed nurses and certified personnel. Emergency medication for anaphylaxis, asthma, as well as emergency medication to be administered to an individual believed or suspected to be experiencing an opioid overdose may be stored in an unlocked, but secure location.

In cases where the Medication Dispensing Form is not available and administration of the medication is necessary, ~~registered~~ licensed nurses may obtain verbal orders from the attending physician by phone. Such verbal orders must be documented by the ~~registered~~ licensed nurse on a verbal order form and uploaded to the student's health record ~~the Medication Dispensing Form~~. In order for the medication to be administered the following day, a completed ~~signed~~ Medication Dispensing Form must be made available by the parent/guardian.

Student Self-Administration

In accordance with Act 187 of the School Code and CBSD procedures, students requiring rescue inhalers and Epi-Pens may be permitted to carry and self-administer medications with a signed physician's order, parental permission and adherence to the this district medication policy and according to the accompanying Administrative Regulations.

If the licensed nurse, in their professional judgment and assessment, believes that the student is not capable of safely carrying and/or administering the emergency medication, they will contact the parent/guardian, licensed prescriber, and the District Medical Director, if needed. In these situations, the decision of the District Medical Director shall be final.

To self-administer medication, the student must meet the following criteria:

1. Respond to and visually recognize his/her name.

2. Identify his/her medication.

3. Recognize and verbalize the signs & symptoms of an emergent episode.

4. Demonstrate the proper technique for self-administration of the emergency medications.

5. ~~Students who self-administer emergency medications are required to notify the nurse immediately following each use of an emergency medication.~~

6. Demonstrate a responsible and cooperative attitude in all aspects of medication self-administration.

The student shall be made aware that the asthma inhaler or epinephrine auto-injector is intended for their use only and may not be shared with other students. Students are prohibited from sharing, giving, selling, or using an asthma inhaler or epinephrine auto-injector in any manner other than which it is prescribed during school hours, at any time while on school property, at any school-sponsored activity, and during the time spent traveling to and from school or school-sponsored activities. Violations may result in loss of privileges to self-carry the asthma inhaler or epinephrine auto-injector and disciplinary action in accordance with Board Policy and any applicable student handbook or Code of Conduct.

~~A nurse will not be routinely available to administer medications on field trips. If the parent/guardian of the child needing medication is a chaperone, the parent/guardian will administer the medication. No student shall be prevented from participating in a field trip due to a need for medications during the school outing. If parents choose to have medication administered, the parent should indicate this on the field trip permission form. Parents must package medications at home and deliver to the teacher in a sealed envelope. Controlled drugs must be handed to the teacher by an adult. Parents should indicate on the envelope the child's name, teacher, name of medication, dosage, and time to be administered. The child will self-administer medication under the supervision of the teacher.~~

Students cannot be denied access to school-sponsored activities due to the need for administration of medication.

In the case of a school trip, the District may ask a parent/guardian to accompany their child but cannot require the parent/guardian to do so. Considerations when planning for medication administration during school-sponsored programs and activities include but are not limited to:

1. Assigning licensed nurses or certificated personnel to be available;
2. Addressing with parents/guardians the possibility of obtaining from the licensed prescriber a temporary order to change the time of dose.
3. Asking the parent/guardian to designate an adult (non-employee) to accompany the child on the field trip to administer the medication (i.e. family member, family friend, neighbor, etc.).

Any parent/guardian or parent/guardian designated person who will attend a school sponsored activity or field trip for the purposes of student administration medication must have the proper clearances on file with the District.

The nurse will evaluate each request for medication administration ~~exceptions to this policy~~ based upon medical need, receipt of written orders and documentation of student's correct procedure/technique by the student's licensed prescriber and receipt of parent request. Specific plans may be developed considering individual student health care needs and school implementation.

Legal Footnotes

[1] **1949 Act 14**
LEGAL REFERENCE

[2] **1949 Act 14**
LEGAL REFERENCE

[3] **Pennsylvania Code & Bulletin citation**
LEGAL REFERENCE

Legal References

No additional references listed.

BOARD POLICY

249 for Second Read Bullying/Cyberbullying

POLICY NUMBER	ADOPTED	REVISED	LAST REVIEWED
249 for Second Read	7/27/2004	5/15/2025	8/13/2026
VERSION	**DOCUMENT STATUS**	**WORKFLOW**	**PRINTED**
v1.9	UNDER-REVIEW	Second Reading	9/1/2026

Purpose

The Board is committed to providing a safe, positive learning environment for district students. The Board recognizes that bullying and cyberbullying creates an atmosphere of fear and intimidation, detracts from the safe environment necessary for student learning, and may lead to more serious violence.

Therefore, the Board prohibits bullying and cyberbullying by district students.

Definitions

Bullying means an intentional electronic, written, verbal or physical act or series of acts directed at another student or students, which occurs in a school setting and/or outside a school setting, that is severe, persistent or pervasive and has the effect of doing any of the following:[1]

1. Substantial interference with a student's education.
2. Creation of a threatening environment.
3. Substantial disruption of the orderly operation of the school.

Bullying, as defined in this policy, includes cyberbullying.

Cyberbullying means bullying through electronic technology or communication, including but not limited to electronic devices, networks, email, text messaging, social media, online platforms or other digital means, when the conduct:

- Is directed at another student;
- Is severe, persistent or pervasive; and
- Has the effect of substantially interfering with a student's education, creating a threatening environment, or substantially disrupting the orderly operation of the school.

Cyberbullying may include conduct occurring outside a school setting when the conduct meets the definition of “bullying” above and has the required impact on a student's education, environment, or the orderly operation of the school.

Artificial intelligence-generated or modified media means text, code, images, audio, video or other digital content created or modified through the use of artificial intelligence. Cyberbullying may include conduct involving artificial intelligence-generated or modified media.

School setting means in the school, on school grounds, in school vehicles, at a designated bus stop or at any activity sponsored, supervised or sanctioned by the school.[1]

Authority

The Board prohibits all forms of bullying and cyberbullying by district students.[1]

The Board encourages students who have been bullied or cyberbullied to promptly report such incidents to the building principal or designee.

The Board directs that complaints of bullying and cyberbullying shall be investigated promptly, and corrective action shall be taken when allegations are verified. Confidentiality of all parties shall be maintained, consistent with the district's legal and investigative obligations. No reprisals or retaliation shall occur as a result of good faith reports of bullying.

When a student's behavior indicates a threat to the safety of the student, other students, school employees, school facilities, the community or others, district staff shall report the student to the threat assessment team, in accordance with applicable law and Board policy.[2][3]

Delegation of Responsibility

Each student shall be responsible to respect the rights of others and to ensure an atmosphere free from bullying.

The Superintendent or designee shall develop administrative regulations to implement this policy.

Such regulations shall include procedures for reporting, investigating, documenting, and responding to allegations of bullying and cyberbullying, parent/guardian notification, and compliance with applicable confidentiality requirements.

The Superintendent or designee shall ensure that this policy and administrative regulations are reviewed annually with students.[1]

The Superintendent or designee, in cooperation with other appropriate administrators, shall review this policy every three (3) years and recommend necessary revisions to the Board.[1]

District administration shall annually provide the following information with the Safe School Report:[1]

1. Board's Bullying Policy.
2. Report of bullying incidents.
3. Information on the development and implementation of any bullying prevention, intervention or education programs.

4. Information required by law regarding bullying and cyberbullying incidents, including incidents suspected to involve artificial intelligence-generated or modified media.

Guidelines

The Code of Student Conduct, which shall contain this policy, shall be disseminated annually to students.[1][2][3]

This policy shall be readily accessible. The policy shall be posted in a prominent location within each school building and on the district website, if available.[1]

Upon learning about a bullying incident, the principal or designee will refer to the administrative regulations accompanying this policy which address district reporting procedures.

Confidentiality of all parties shall be maintained consistent with the district's legal and investigative obligations.

Reports of bullying or cyberbullying may be made by students, parents/guardians, employees, or other individuals with knowledge of the alleged conduct. Such reports should be made to the school's principal or designee. Other school staff who receive reports shall forward them to the principal or designee.

Education

The district may develop and implement bullying prevention and intervention programs. Such programs shall provide district staff and students with appropriate training for effectively responding to, intervening in and reporting incidents of bullying.[1][4][5][6]

Such programs may also include instruction and training related to cyberbullying, responsible use of technology, and the misuse of artificial intelligence-generated or modified media.

Interventions

It is the policy of the District to implement appropriate supports and interventions to prevent and/or address student conduct that could lead to bullying or cyberbullying. Interventions and supports might include counseling, mentoring, conflict resolution, skill-building, behavioral supports, increased supervision, classroom seating changes, parent conferences, and any other effective and age-appropriate action or program. The superintendent or designee shall develop administrative regulations to guide teachers and administrators in implementing such interventions.

Consequences for Violations

A student who violates this policy shall be subject to appropriate disciplinary action consistent with the Code of Student Conduct, which may include:[1][2][7]

1. Counseling within the school.
2. Parental conference.

3. Restorative or educational interventions, where appropriate.
4. Loss of school privileges.
5. Transfer to another school building, classroom or school bus.
6. Exclusion from school-sponsored activities.
7. Detention.
8. Suspension.
9. Expulsion.
10. Referral to law enforcement officials.
11. Other actions deemed appropriate by the district and consistent with the Code of Student Conduct, Board policy and applicable law.

Legal Footnotes

[1] **1949 Act 14**
LEGAL REFERENCE

[2] **1949 Act 14**
LEGAL REFERENCE

[3] **Pennsylvania Code & Bulletin citation**
LEGAL REFERENCE

[4] **20 U.S.C. § 7118**
LEGAL REFERENCE

[5] **1949 Act 14**
LEGAL REFERENCE

Legal References

No additional references listed.

CENTRAL BUCKS SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

COMMENCED:

CENTRAL BUCKS SCHOOL DISTRICT
ADMINISTRATIVE REGULATION No. 249

COMMENCED:
REVISED:

Bullying/Cyberbullying Investigation Procedures
Related Policy: 249 Bullying/Cyberbullying
Responsible Administrator: Superintendent or Designee
Applies To: All District Schools, Programs, Activities and Student Conduct Subject to Pol 249

1. Purpose

These administrative regulations establish procedures for receiving, investigating, documenting, and responding to reports of bullying and cyberbullying in accordance with Board Policy 249. The district shall promptly investigate all allegations of bullying and cyberbullying and take appropriate action when conduct is substantiated. Policy 249 prohibits bullying and cyberbullying and requires administrative procedures for investigations, parent notification, and reporting.

Parent/Guardian and Student Responsibility to Report

Students and parents/guardians play an important role in maintaining a safe school environment. Students who believe they have been subjected to bullying or cyberbullying, students who witness bullying or cyberbullying, and parents/guardians who become aware of possible bullying or cyberbullying are expected to promptly report the concern to a teacher, counselor, principal, assistant principal, or other appropriate school employee. Timely reporting allows the district to investigate allegations, implement appropriate safety measures, and provide support to students as quickly as possible.

2. Reporting Procedures

A. Who May Report

Reports may be made by:

- Students
- Parents/guardians
- Employees
- Community members
- Witnesses
- Anonymous reporters

B. Reporting Methods

Reports may be submitted to _____:

- In person
- By email

- By phone
- In Safe2Say
- Through district reporting forms
- Through any other district-approved reporting mechanism

A report may not be dismissed solely because it was submitted informally or anonymously.

C. Employee Duty to Report

Any employee who receives information regarding possible bullying or cyberbullying shall notify the building principal or designee as soon as practicable and no later than the next school day.

3. Immediate Administrative Response

Upon receipt of a report, the principal or designee shall:

A. Conduct Initial Safety Assessment

Determine whether:

- A student is in immediate danger.
- Threats of violence exist.
- Self-harm concerns are present.
- Harassment is ongoing.
- Temporary protective measures are needed.

B. Implement Interim Measures When Appropriate

Such measures may include:

- Increased supervision.
- Seating changes.
- Schedule modifications.
- No-contact directives.
- Counseling support.
- Other reasonable steps necessary to maintain student safety.

Implementation of interim measures shall not be interpreted as a finding that bullying or cyberbullying occurred.

C. Notify and confer with the Title IX Coordinator if the bullying report includes allegations of discrimination or sexual harassment.

D. Notify and confer with the [special education designee] if either party is a student with an IEP.

4. Investigation Timelines

A. Initiation

An investigation shall begin promptly upon receipt of a report.

B. Investigation Goal

The district should make reasonable efforts to complete investigations within ten (10) school days whenever practicable.

Complex investigations involving:

- Multiple students,
- Law enforcement involvement,
- Digital evidence,
- Extensive witness interviews, or
- Significant safety concerns

may require additional time.

5. Investigation Procedures
The principal or designee shall:
Step 1: Review Complaint
Review:

- The initial report.
- Supporting information.
- Available documentation.

Step 2: Identify Students Involved
Determine:

- Alleged target(s).
- Alleged aggressor(s).
- Witnesses.
- Other students directly involved.

Step 3: Conduct Interviews
Interview as appropriate:

- Reporting party.
- Targeted student.
- Alleged aggressor.
- Witnesses.
- Staff with relevant information.

Written statements may be obtained.
Step 4: Review Evidence
Evidence may include:

- Written communications.
- Emails.
- Text messages.
- Social media posts.
- Photographs.
- Videos.
- Audio recordings.
- School records.
- Surveillance footage.
- Artificial intelligence-generated or modified media.

Step 5: Evaluate Applicable Definitions
The investigator shall determine whether the conduct meets the definitions contained in Policy 249 for:

- Bullying
- Cyberbullying
- Retaliation
- False reporting

Step 6: Determine Findings
Each allegation shall be classified as:

- Substantiated
- Unsubstantiated
- Inconclusive

6. Off-Campus Cyberbullying Review
When alleged conduct occurred outside school, administrators shall evaluate:

- Whether conduct was directed toward a student.
- Whether conduct was severe, persistent, or pervasive.
- Whether conduct substantially interfered with education.
- Whether conduct created a threatening environment.
- Whether conduct substantially disrupted school operations.

Administrators shall consider the district's obligations under student speech protections and applicable law when responding to off-campus conduct.

7. Artificial Intelligence-Generated or Modified Media
When electronic content is involved, investigators shall determine whether there is reason to believe the incident involved:

- AI-generated images;
- Deepfake photos or videos;
- AI-generated voice recordings;
- AI-generated text;
- Other AI-generated or modified media.

Where suspected, the district shall document:

- Nature of suspected AI involvement.
- Type of media involved.
- Whether AI use contributed to the cyberbullying determination.

This information shall be maintained for reporting purposes.

8. Documentation Requirements
The principal or designee shall maintain documentation including:
Case Information

- Report date.
- Incident date.
- Building.
- Students involved.

Investigation Information

- Witnesses interviewed.
- Evidence reviewed.
- Investigation timeline.
- Findings.

Notification Information

- Parent notification dates.
- Safety measures implemented.
- Corrective actions taken.

Reporting Information

- Bullying determination.
- Cyberbullying determination.
- Suspected AI involvement.
- Safe Schools reporting fields.

Records shall be maintained in accordance with district record retention procedures and applicable law.

9. Parent/Guardian Notification

A. Substantiated Incidents

When bullying or cyberbullying is determined to have occurred, the principal or designee shall notify the parent/guardian of each student involved as soon as practicable consistent with Policy 249.

B. Notification Content

Notification may include:

- Confirmation that an investigation occurred.
- Confirmation that a determination was made.
- Safety measures implemented.
- Available support resources.

C. FERPA Compliance

Parent notification shall not disclose:

- Personally identifiable information of another student.
- Specific disciplinary consequences imposed upon another student.
- Confidential educational records.

Questions regarding disclosure shall be reviewed with the district solicitor as appropriate.

10. Corrective Action

At the conclusion of the investigation, administrators shall determine appropriate interventions which may include:

Educational Responses

- Counseling.
- Conflict resolution.
- Skill-building interventions.
- Behavioral supports.

Disciplinary Responses

Consistent with:

- Policy 218
- Policy 233
- Student Code of Conduct

Responses may include:

- Detention.
- Loss of privileges.
- Suspension.
- Exclusion from activities.
- Expulsion recommendations.
- Law enforcement referral.

Safety Responses

The district may implement safety plans, supervision plans, or other protective measures as appropriate.

Administrators or delegees will follow up with all parties to confirm that corrective actions have been implemented and are effective, and will adjust remedies as needed.

11. Retaliation

Any retaliation against an individual who:

- Reports bullying or cyberbullying;
- Participates in an investigation; or
- Provides information during an investigation

shall be investigated as a separate violation and may result in disciplinary action.

13. Annual Reporting

District administration shall maintain data necessary for state reporting requirements, including:

- Total substantiated bullying incidents.
- Total substantiated cyberbullying incidents.
- Total cyberbullying incidents suspected to involve AI-generated or modified media.
- Prevention and intervention efforts required for Safe Schools reporting.

BOARD POLICY

810 for Second Read Transportation

POLICY NUMBER	ADOPTED	REVISED	LAST REVIEWED
810 for Second Read	7/23/2002	4/14/2020	8/13/2026
VERSION	**DOCUMENT STATUS**	**WORKFLOW**	**PRINTED**
v1.8	UNDER-REVIEW	Second Reading	9/1/2026

Proposed addition Proposed deletion

Purpose

Transportation for students shall be provided in accordance with law and Board policy.

Definitions

School bus means a motor vehicle that is designed to carry eleven (11) passengers or more, including the driver, and is used for the transportation of preprimary, primary or secondary school students to or from public, private or parochial schools or events related to such schools or school-related activities.[1]

School vehicle means a motor vehicle, except a motorcycle, designed for carrying no more than ten (10) passengers, including the driver, and used for the transportation of preprimary, primary or secondary school students while registered by or under contract to the school district. The term includes vehicles having chartered, group and party rights under the Pennsylvania Public Utility Commission and used for the transportation of school children.[1]

Authority

The Board shall provide transportation for r
12 to the district's public schools and charte
in the district or within the district's transpo

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by law or agreements. The district's transportation boundary is a distance not exceeding ten (10) miles by the nearest public highway outside the school district's border.[2] [3] [4]

The Board shall purchase, lease, equip and maintain school buses/vehicles and/or contract for school bus/vehicle services for transportation of students to and from school at regularly scheduled hours and for field trips and extracurricular activities.[2] [3] [5] [6] [7] **[8] [9] [10]** [11]

The Board shall provide transportation for students living within the prescribed limits when walking conditions to the school are found to be hazardous by the Department of Transportation.[3] [12]

The Board shall provide transportation for students with disabilities, without regard to distance or hazardous walking conditions, when required by the student's individualized education program (IEP) or Section 504 Service Agreement.[13] [14] **[15] [16] [17]**

The Board shall provide **free** transportation for eligible resident students who are enrolled in nonpublic schools or charter schools as required by law. **Transportation provided to charter school students need not be identical to transportation provided to traditional public school students.**[2] [4] **[18]** [19]

The Board shall provide transportation for children in foster care in accordance with federal and state laws and regulations, and the local transportation plan.[20] **[21]**

The Board shall provide transportation for homeless children and youths in accordance with federal and state laws and regulations. **[21]** [22]

The Board prohibits any diesel-powered motor vehicle weighing 10,001 pounds or more to idle for more than five (5) minutes in any continuous sixty-minute period while parked, loading or unloading, except as allowed by law.[23]

The Board shall ensure that permanent signs, notifying drivers of the idling restrictions, are maintained on district property at locations
10,001 pounds or more load or unload. Sig
fifteen (15) or more parking spaces for suc

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Delegation of Responsibility

The school bus/vehicle driver shall be responsible to maintain order while students are being transported.

The school bus/vehicle driver shall report all incidents, including, but not limited to, discipline problems, medical problems, bullying/harassment, safety issues, accidents or injuries, and violations of Pennsylvania's School Bus Stopping Law to the Superintendent or designee as soon as practicable.

The building principal may suspend a student from bus transportation for disciplinary reasons, and the parents/guardians shall be responsible for the student's transportation. [7] Recognizing that very young children need more supervision for their safety, a parent/guardian/responsible adult or older sibling of a kindergarten or first-grade student must be present at a bus stop to receive the child from the bus.

The Superintendent or designee shall be responsible to:

1. Maintain records and make required reports regarding school transportation.[5] [7]
2. Distribute ~~rules~~ expectations governing student conduct during transport; such ~~rules~~ expectations shall be binding on all students transported by the district.[7]
3. Provide each school bus/school vehicle driver with:
   a. The Pennsylvania School Bus Driver's Manual;
   b. The written ~~rules~~ expectations for student conduct on buses/vehicles;
   c. The procedures for evacuation drills; and
   d. Any additional laws and applicable Board policies and administrative regulations which apply to school bus/vehicle drivers.
   e. -
   f. ~~{ } Establish administrative regulations that specify the number of chaperones to accompany students in connection w~~
   g.
4. ~~{ }~~ Prepare a district map or schedule ir

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Guidelines

Student Health Information

When necessary for student safety, or when required by a student's IEP or Section 504 Service Agreement, a school bus/vehicle driver shall be provided with relevant student health and medical information. [16] [17] [27] [28] [29] [30]

School bus/vehicle drivers shall maintain the confidentiality of student health/medical information in accordance with district policies and procedures and applicable law. [31] [32]

Evacuation Drills

Bus evacuation drills shall be conducted twice a year and reported to the Pennsylvania Department of Education, in accordance with law and Board policy.[33] [34] [35]

~~NOTES:~~

~~Title 22, Sec. 23.4 - discipline, field trips, contracted negotiations, records~~

~~Title 22, Sec. 23.6 - authorized passengers~~

~~Computation of distance - 1366~~

~~Field Trips – 24 P.S. Sec. 517 (farm show), 1361 (nonpublic); Title 22, Sec. 23.4~~

~~Ten-mile boundaries - 1361~~

~~Other boundaries - 1 ½ miles - 1362~~

~~Payments/reimbursements - 2541, 2542, Title 22 Sec. 23.31-23.40~~

~~Transportation - Title 22, Chapter 23~~

~~School Buses/Vehicles - Title 67, Chapter 171~~

~~Bus Drivers Minor Children – Title 22 Sec. 23.6~~

~~Definitions of motor vehicle – Vehicle Code~~

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~~If the district has existing language in policy on transportation routes and stops, which addresses students being limited to a single bus stop or single residence, recommend reviewing the language with the solicitor based on recent court cases regarding student transportation and residency (*Watts v Manheim Township SD, Wyland v West Shore SD*). Consult Legal with questions.~~

~~**PSBA Revision 3/26 © 2026 PSBA**~~

Legal Footnotes

[1] 75 Pa. C.S.A. 102
LEGAL REFERENCE

[2] 24 P.S. 1361
LEGAL REFERENCE

[3] 24 P.S. 1362
LEGAL REFERENCE

[4] 24 P.S. 1726-A
LEGAL REFERENCE

[5] 22 PA Code 23.1
LEGAL REFERENCE

[6] 22 PA Code 23.2
LEGAL REFERENCE

[7] 22 PA Code 23.4
LEGAL REFERENCE

[8] Pol. 610 — Purchases Subject to Bid/Quotation
POLICY REFERENCE

[9] Pol. 611 — Purchases Budgeted
POLICY REFERENCE

[10] Pol. 818 — Contracted Services Personnel
POLICY REFERENCE

[11] 75 Pa. C.S.A. 3345.1
LEGAL REFERENCE

[12] 67 PA Code 447.1
LEGAL REFERENCE

[13] 22 PA Code 23.3
LEGAL REFERENCE

[14] 24 P.S. 1374
LEGAL REFERENCE

[15] Pol. 103 — Discrimination/Harassment Affecting Students
POLICY REFERENCE

[16] Pol. 103.1 — Nondiscrimination of Students Eligible for Special Education Services
POLICY REFERENCE

[17] Pol. 113 — Special Education
POLICY REFERENCE

[18] Pol. 140 — Charter Schools
POLICY REFERENCE

[20] 20 U.S.C. 6312
LEGAL REFERENCE

[21] Pol. 251 — Homeless Students
POLICY REFERENCE

[22] 42 U.S.C. 11432
LEGAL REFERENCE

[23] 35 P.S. 4601
LEGAL REFERENCE

[24] 35 P.S. 4608
LEGAL REFERENCE

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[26] Pol. 121 — Field Trips
POLICY REFERENCE

[27] Pol. 209.1 — Food Allergy Management
POLICY REFERENCE

[28] Pol. 209.2
POLICY REFERENCE
Referenced policy is not available in this policy book.

[29] Pol. 210 — Use of Medications
POLICY REFERENCE

[30] Pol. 210.1 — Epinephrine Autoinjector Administration
POLICY REFERENCE

[31] Pol. 113.4 — Confidentiality of Special Education Student Information
POLICY REFERENCE

[32] Pol. 216 — Student Records
POLICY REFERENCE

[33] 24 P.S. 1517
LEGAL REFERENCE

[34] 75 Pa. C.S.A. 4552
LEGAL REFERENCE

[35] Pol. 805 — Emergency Preparedness and Response
POLICY REFERENCE

Legal References

Additional References

Untitled legal reference
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CENTRAL BUCKS SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

COMMENCED:

CENTRAL BUCKS SCHOOL DISTRICT
ADMINISTRATIVE REGULATION

Student Transportation Safety and Bus Rider Expectations

I. Purpose

This Administrative Regulation establishes expectations and procedures for student conduct, safety, and responsibility while using Central Bucks School District-provided transportation. The regulation is intended to promote safe, orderly, and efficient transportation services by clearly defining expectations for students and families at bus stops, while boarding and riding the bus, and when transporting personal items or equipment.

II. Scope and Applicability

This Administrative Regulation applies to all students assigned to District-provided transportation, including transportation to and from school, school-sponsored activities, and other authorized transportation services. These expectations apply at assigned bus stops, while approaching or boarding the bus, while riding the bus, when exiting the bus, and when crossing the roadway where applicable.

Nothing in this Administrative Regulation changes a student's eligibility for transportation under applicable law, Board policy, or any student-specific transportation requirements established through an Individualized Education Program, Section 504 plan, or other legally required accommodation.

III. Bus Stop Expectations

Students are expected to arrive at their assigned bus stop and be waiting at least five minutes prior to the scheduled stop time. Students should be positioned at the designated bus stop location and should not wait inside a home, in a vehicle, or in another location that may prevent the driver from seeing that the student is present and ready to board.

Students shall remain out of the roadway while waiting for the bus. Students should wait in a safe location until the bus has come to a complete stop and the entrance door is open before approaching the bus.

When crossing the roadway is required, students must cross at least ten feet in front of the bus and follow the driver's direction and applicable safety procedures before crossing.

IV. Boarding, Riding, and Exiting the Bus

Students shall board and exit the bus in an orderly manner and shall follow the directions of the bus driver or other authorized District or contracted transportation personnel.

Students are expected to remain seated as directed, keep the aisle clear, and conduct themselves in a manner that supports the safe operation of the vehicle.

Students may not approach the bus until the entrance door is open. Students must follow all applicable loading, unloading, and crossing procedures intended to protect student safety at bus stops and around the vehicle.

V. Items Permitted on the Bus

Students may bring school-related items onto the bus only when those items can be safely carried and stored without obstructing the aisle, limiting seating capacity, or creating a safety concern.

All bags and belongings must fit completely under the seat or on the student's lap in a manner that allows another student to sit on the same seat when needed.

Gym bags, musical instruments, school projects, sports equipment, and similar items are permitted only when they fit on the student's lap or underneath the seat. Items that cannot be safely stored in this manner may not be transported on the bus.

VI. Prohibited Items

Live animals, glass containers, firearms, explosives, weapons, look-alike weapons, toy guns, knives, razors, or any item that could reasonably be considered dangerous, disruptive, or objectionable may not be brought onto the bus.

Balls and other sports equipment are not permitted on the bus unless they fit entirely within the student's school bag and remain secured in the bag at all times while on the bus.

VII. Parent/Guardian Responsibilities

Parents and guardians are responsible for reviewing transportation expectations with their student and ensuring that the student is prepared to follow bus stop, boarding, riding, and exiting procedures. Parents and guardians are also responsible for ensuring that students arrive at the assigned bus stop on time and with only those items that may be safely transported.

Families should understand that bus drivers are responsible for maintaining a safe environment for all riders and may deny transport of items that cannot be safely accommodated or that present a safety concern.

VIII. Transportation Department Responsibilities

The Transportation Department is responsible for communicating transportation expectations, supporting safe and efficient transportation operations, and coordinating with school administration, families, contracted transportation providers, and other District personnel as needed to address transportation-related concerns.

The Transportation Department may review concerns related to student conduct, bus stop safety, prohibited items, or unsafe boarding and exiting practices and may recommend or implement appropriate corrective steps consistent with District procedures and applicable law.

IX. General Provisions

This Administrative Regulation shall be implemented in a manner consistent with applicable law, Board policy, student transportation eligibility requirements, and any legally required student-specific transportation services or accommodations.

Nothing in this Administrative Regulation shall be interpreted to limit the District's ability to make transportation decisions necessary to promote student safety, operational efficiency, compliance, or responsible stewardship of District resources.

CENTRAL BUCKS SCHOOL DISTRICT

ADMINISTRATIVE REGULATION

COMMENCED:

CENTRAL BUCKS SCHOOL DISTRICT
ADMINISTRATIVE REGULATION
Student Transportation Opt-Out Procedures

I. Purpose

This Administrative Regulation establishes procedures for families who elect to opt their student(s) out of Central Bucks School District-provided transportation. It also establishes procedures for the District to temporarily cease transportation services when assigned transportation is not utilized for an extended period of time.

II. Scope and Eligibility

Families may elect to opt their student(s) out of District-provided transportation when transportation is not needed for an extended period of time, including but not limited to alternative school schedules, family-provided transportation arrangements, temporary schedule changes, or other circumstances in which the need for District transportation does not exist. Opting out of transportation does not change a student's school assignment, attendance obligations, eligibility for transportation under applicable law or District policy, or any services required through an Individualized Education Program, Section 504 plan, or other legally required accommodation.

III. Parent/Guardian Opt-Out Request Process

A parent/guardian may request to opt their student(s) out of District-provided transportation by submitting a written request to the Transportation Department. The request should include the student's name, school, grade, effective date of the opt-out, anticipated duration, and parent/guardian contact information. Requests to opt out of transportation shall be submitted by email to transportation@cbsd.org. The Transportation Department will review the request, update transportation records as appropriate, and communicate confirmation to the parent/guardian. Families remain responsible for ensuring the student's regular and timely attendance at school during any period in which District-provided transportation is not being used.

IV. District-Initiated Temporary Discontinuation of Transportation

The District reserves the right to temporarily cease transportation services for students who do not utilize assigned District transportation for a period of ten consecutive school days.
Prior to or following the temporary discontinuation of service, the Transportation Department may update routing records, remove the student from active route assignments, and adjust bus stop information as needed to support operational efficiency, route accuracy, and responsible use of District resources. Temporary discontinuation of transportation due to non-use does not

eliminate the student's underlying eligibility for transportation, when otherwise applicable. It places the service in an inactive status until reinstatement is requested and processed.

V. Reinstatement of Transportation Services

If a family wishes to resume District-provided transportation after opting out or after transportation has been temporarily discontinued due to non-use, the parent/guardian shall submit a written request by email to transportation@cbsd.org. Families should understand that reinstatement of transportation may take a minimum of five business days from the time the request is received by the Transportation Department. Additional time may be required depending on route capacity, routing adjustments, school calendar considerations, staffing, or other operational factors. Once service has been reinstated, the Transportation Department will communicate the effective date of resumed transportation service to the parent/guardian.

VI. Parent/Guardian Responsibilities

During any period in which transportation is inactive, the parent/guardian is responsible for transporting the student to and from school or otherwise ensuring the student's timely arrival and dismissal in accordance with school procedures. The parent/guardian is responsible for notifying the Transportation Department in writing when transportation is no longer needed or when transportation services need to resume. Families should not place a student at a bus stop or expect transportation to resume until the Transportation Department has confirmed the reinstatement date.

VII. Transportation Department Responsibilities

The Transportation Department is responsible for maintaining accurate transportation records, processing opt-out and reinstatement requests, communicating service changes to families, and coordinating route adjustments consistent with operational needs and applicable District procedures. The Transportation Department may coordinate with school administration, registration staff, special education staff, or other District personnel when needed to verify student eligibility, service requirements, or transportation-related accommodations.

VIII. General Provisions

This Administrative Regulation shall be implemented in a manner consistent with applicable law, Board policy, student transportation eligibility requirements, and any legally required student-specific transportation services. Nothing in this Administrative Regulation shall be interpreted to limit the District's ability to make transportation decisions necessary to promote student safety, operational efficiency, compliance, or responsible stewardship of District resources.

Procurement – Federal Programs

This document is intended to integrate standard district purchasing procedures with additional requirements applicable to procurements that are subject to the federal Uniform Guidance regulations, federal guidance of the Office of Management and Budget and/or U.S. Department of Agriculture (USDA) regulations governing school food service programs. The district maintains the following purchasing procedures, in accordance with federal and state laws, regulations and Board policy. (2 CFR 200.102, 200.318-200.325; 7 CFR 210.16, 210.19, 210.21, 215.14a, 220.16; 24 P.S. 120, 24 P.S. 504, 24 P.S. 508, 24 P.S. 521, 24 P.S. 607, 24 P.S. 609, 24 P.S. 751, 24 P.S. 807.1; 62 Pa. C.S.A. 4601 et seq; Pol. 610, 611, 612, 613, 808)

~~2025~~ Procurement Thresholds 2026		
PA State Quotation Threshold	**$~~12,900~~ 13,200**	Adjusted based on Consumer Price Index published in PA Bulletin (24 P.S. Sec. 120)
PA State Bid Threshold	$~~23,800~~ 24,500	Adjusted based on Consumer Price Index published in PA Bulletin (24 P.S. Sec. 120)
Federal Micro-Purchase Threshold	$~~10,000~~ 15,000	Adjusted periodically and published in Federal Register (48 CFR Subpart 2.1) or through guidance of the federal Office of Management and Budget
Federal Simplified Acquisition Threshold	$~~250,000~~ 350,000	Adjusted periodically and published in Federal Register (48 CFR Subpart 2.1) or through guidance of the federal Office of Management and Budget

*Please review this Procurement attachment annually and update amounts accordingly

The district adheres to Federal Unform Guidance which mandates the most restrictive federal or state threshold must be used when spending federal funds.

The district implements exceptions to the Micro-Purchase and Simplified Acquisition Threshold amounts announced by the federal Office of Management and Budget as part of its procurement procedures.

Responsibility for Purchasing

The Board has outlined standard district purchasing responsibility, methods of purchasing, price quotations and bid requirements in the following Board policies and their accompanying administrative regulations or procedures:

Policy 610. Purchases Subject to Bid/Quotation

Policy 611. Purchases Budgeted
Policy 612. Purchases Not Budgeted
Policy 613. Cooperative Purchasing

Purchase Methods

When a request for purchase of equipment, supplies or services has been submitted and approved as outlined below, the procurement method to be used will be determined based on the type of purchase and the total cost of the purchase as further outlined below. This procedure outlines how the cost thresholds for determining when the quote or formal bidding procedures that are required by state law as reflected in Policy 610 must be modified when making purchases for federally funded purposes to which the Uniform Guidance or USDA regulations apply, so as to comply with both state and federal requirements. At each point where requirements for food service-related procurement under USDA regulations differ, a note will refer to the Food Service Program Notes at the end of this procedure. Final determination of which purchasing procedures are to be applied is delegated to the Chief Operating Officer under the authority of the Board.

Standard Procurement Documents and Purchase Request Process

The district shall use purchase orders and requisitions for purchase requests in accordance with the applicable purchase method.

The district shall use electronic purchasing records, which are pre-numbered and are accessible to designated purchasing staff in the Business Office.

Purchase requests by an employee must be submitted to the building administrator or immediate supervisor. Purchase of all budgeted items or items approved by an administrator or supervisor must be initiated by use of a purchase order or requisition submitted to the Chief Operating Officer and Purchasing Agent.

Purchase orders and requisitions shall contain information including, but not limited to:

1. Description of the services to be performed or goods to be delivered.

2. Location ~~of~~ where services will be performed, or goods will be delivered.

3. Appropriate dates of service or delivery.

4. Any other applicable contracting information.

Documentation on purchase orders and requisitions shall be maintained in accordance with the district's Records Management Policy and records retention schedule. (Pol. 800)

Contracts shall be reviewed by the Chief Operating Officer and school solicitor prior to submission to the Board for approval.

Contracts to which the Uniform Guidance apply shall contain the clauses specified in Appendix II to 2 CFR Part 200 (Contract Provisions for Non-Federal Entity Contracts Under Federal Awards), when applicable.

[See Food Service Program Notes below for specific clauses required by USDA regulations to be included in cost reimbursable procurement contracts.]

Micro-Purchases Not Requiring Quotes or Bidding

For purposes of this procedure**, micro-purchase** means a purchase of equipment, supplies or services for use in federally funded programs using simplified acquisition procedures, the aggregate amount of which does not exceed a base amount of $~~10,000~~15,000. The micro-purchase dollar threshold is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register or announced as an exception by the federal Office of Management and Budget shall apply if other than $~~10,000~~15,000 ~~.~~(48 CFR Subpart 2.1).

Note: ~~-~~The micro-purchase maximum for federal purposes is lower than the amount below which the School Code allows purchase for nonfederal purposes to be made without obtaining at least three (3) written or telephonic quotes or using formal competitive bidding.

The micro-purchase method is used in order to expedite the completion of its lowest dollar simplified acquisition transactions and minimize the associated administrative burden and cost. Procurement by micro-purchase is the acquisition of equipment, supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold.

To the extent practicable, the district distributes micro-purchases equitably among qualified suppliers when the same or materially interchangeable products are identified and such suppliers offer effectively equivalent rates, prices and other terms. The Business Manager and Purchasing Agent will be responsible ~~to determine~~ for determining the equitable distribution of micro-purchases.

Micro-purchases may be awarded without soliciting competitive quotations if the district considers the price to be reasonable. The district will maintain evidence of this reasonableness in the records of all micro-purchases. **Reasonable** means that sound business practices were followed and the purchase is comparable to market prices for the geographic area. Such determinations of reasonableness may include comparison of the price to previous purchases of the same item or comparison of the price of items similar to the item being purchased.

Even if the cost of a purchase qualifies it as a micro-purchase, bidding or simplified acquisition procedures may be used optionally when those procedures may result in cost savings.

Simplified Acquisition Procedures

For purposes of this procedure, **simplified acquisition procedures** are those relatively simple and informal procurement methods for securing equipment or supplies that ~~cost more than~~are greater than the~~ the amount qualifying as a~~ micro-purchase threshold of $15,000 but do not exceed $24,500, or in the case cost of services other than construction, maintenance, or repair on school facilities, where the total cost does not exceed the $~~250,000~~ 350,000 federal Simplified Acquisition Threshold at which formal competitive bidding or competitive proposals are required. Simplified acquisition procedures cannot be used for purchases of equipment, supplies, or construction, repair or maintenance services costing $~~23,800~~ 24,500 or more because the School Code requires formal competitive bidding at that level of cost.

The base amount at which bidding is required under state law for purchases of equipment, supplies and construction, maintenance or repair services on school facilities is adjusted for inflation annually, and the adjusted amount most recently determined and published in the Pennsylvania Bulletin shall apply if other than $~~23,8~~24,500~~00~~. (24 P.S. Sec. 120)

The federal Simplified Acquisition Threshold at which competitive bidding or competitive proposals are required is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register or announced as an exception by the federal Office of Management and Budget shall apply if other than $~~250,000~~350,000. (48 CFR Subpart 2.1, 2 CFR 200.102)

Because state law does not require competitive bidding for the purchase of services other than construction, maintenance or repairs on school facilities regardless of total cost, simplified acquisition procedures may be used for procurement of such other services except when the estimated total cost will be at or over the federal threshold at which formal competitive bidding or competitive proposals are required ($~~250,000~~350,000).

[See Food Service Program Notes below for exemption from bidding for purchases of perishable food items costing less than $~~250,000~~350,000.]

If simplified acquisition procedures are used, written or telephonic price or rate quotations are obtained from at least three (3) qualified sources and records of quotes are maintained as provided in Policy 610. (Pol. 610)

Formal Competitive Bidding

Publicly Solicited Sealed Competitive Bids:

For purchases of equipment or supplies, or of services for construction, maintenance or repairs of school facilities, sealed competitive bids are publicly solicited and awarded to the lowest responsive and responsible bidder as provided in Policy 610 when the total cost is estimated to be $~~23,800~~ 24,500 or more. (Pol. 610)

Note: ~~-~~The amount at which formal competitive bidding or competitive proposals are required by federal regulations is much higher than the base amount at which the School Code requires competitive bidding. Therefore, the lower base amount specified by the

School Code, as annually adjusted, is used to determine when bidding will be used for purchases of equipment or supplies, or for obtaining services for construction, maintenance or repairs on school facilities. (24 P.S. Sec. 120)

State law does not require bidding for the purchase of services other than construction, maintenance or repairs on school facilities regardless of total cost. For procurement of such other services for federally funded purposes to which the Uniform Guidance applies, formal competitive bidding or competitive proposals will be used when the estimated total cost will be at or over the federal threshold of $~~250,000~~350,000.

The federal Simplified Acquisition Threshold at which competitive bidding or competitive proposals are required is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register or announced as an exception by the federal Office of Management and Budget shall apply if other than $~~250,000~~350,000. (48 CFR Subpart 2.1, 2 CFR 200.102)

For procurement of services costing at or over the $~~250,000~~ 350,000 federal threshold other than for construction, maintenance or repairs on school facilities, the use of competitive sealed bidding is considered feasible and appropriate when:

1. A complete, adequate, and realistic specification or purchase description is available;

2. Two (2) or more responsible bidders are willing and able to compete effectively for the business; and

3. The procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally on the basis of price.

Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of. Any or all bids may be rejected if there is a sound documented reason.

[See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]

Competitive Proposals

State law does not require public school entities to solicit competitive bids for services other than construction, repairs, or maintenance of school facilities, for which competitive bidding is required if the cost is a base amount of $~~23,800~~ 24,500 or more. State law allows competitive proposals relating to work on facilities in lieu of bidding only in the context of guaranteed energy-savings contracts.

Federal regulations allow the use of competitive proposals as an alternative to formal competitive bidding when conditions are not appropriate for the use of sealed bids.

In the case of services other than for construction, repairs or maintenance of school facilities costing less than that threshold, the district may use simplified acquisition procedures or micro-purchase procedures as applicable based on total cost. A request for proposal (RFP) process can also meet or exceed the simplified acquisition competition requirements under state law and Policy 610 for the acquisition of services other than for construction, repairs, or maintenance of school facilities, and can be used if the total cost ~~will be~~ is less than $~~250,000~~350,000.

When permitted, the technique of competitive proposals is normally conducted with more than one (1) source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. Competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The district shall comply with other applicable state and federal law and regulations, Board policy and administrative regulations regarding purchasing; the district may consult with the school solicitor or other qualified counsel in determining the required process for purchasing through competitive proposals when necessary.

If this method is used, the following requirements apply:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.

2. Proposals must be solicited from an adequate number of qualified sources.

3. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

An alternative form of competitive proposal is permitted only for qualifications-based procurement of architectural and engineering services, in which price is not a selection factor and reasonable compensation is negotiated after source selection. This alternative is not permitted for procurement of other types of services.

Competitive proposals shall be evaluated by the Chief Operating Officer and Federal Programs Coordinator based on factors including but not limited to:

1. Cost.

2. Experience of contractor.

3. Availability.

4. Personnel qualifications.

5. Financial stability.

6. Minority business, women's business enterprise, or labor surplus area firm status.

7. Project management expertise.

8. Understanding of district needs.
9. Contract-specific information deemed necessary.

Evaluations shall be completed in a timely manner, documented and shall be reviewed by the Chief Operating Officer, Federal Programs Coordinator, and school solicitor.

Contract/Price Analysis

The district performs a cost or price analysis in connection with every procurement action in excess of $~~250,000~~350,000, including contract modifications. (2 CFR Sec. 200.323(a)).

A **cost analysis** generally means evaluating the separate cost elements that make up the total price, while a **price analysis** means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the Chief Operating Officer must come to an independent estimate prior to receiving bids or proposals. (2 CFR Sec. 200.323(a)). As part of the analysis, the Chief Operating Officer will enact established business practices which may include evaluation of similar prior procurements and a review process.

Negotiated Profit

In any procurement in which there has been no price competition, or in which a cost-analysis is performed, profit must be negotiated separately as an element of price. Accordingly, solicitations of bids, proposals or quotes shall require that bids, proposals or quotes be limited to costs other than profit, and exclude profit.

To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work. (2 CFR Sec. 200.323(b)).

When profit must be negotiated as a separate element of the total price, it shall be negotiated by the Chief Operating Officer.

Noncompetitive Proposals (Sole Sourcing)

Procurement by noncompetitive proposals means procurement through solicitation of a proposal from only one (1) source and may be used only when one or more of the following circumstances apply:

1. The aggregate amount of the procurement transaction does not exceed the micro-purchase threshold.

2. The item is available only from a single source.

3. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation. An **emergency** exists whenever the time required for the Board to act in accordance with regular procedures would endanger life or property or threaten continuance of existing school classes.

4. The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the district.

5. After solicitation of a number of sources, the district determines the competition is inadequate.

In addition to standard procurement policy and procedures, the district will document the grounds for using the noncompetitive method in lieu of an otherwise required competitive method of procurement, which may include written confirmation from the contractor as the sole source of the item. Documentation must be submitted to and maintained by the Business Office.

All noncompetitive proposals will ultimately be approved by the Board. The district may utilize legal advice from the solicitor regarding noncompetitive proposals.

Profit must be negotiated separately for noncompetitive proposals, and a cost or price analysis will also be performed for noncompetitive proposals when the price exceeds $~~250,000~~350,000.

Purchase Cards

The district approves the use of procurement cards for permissible purchases by designated employees to improve the efficiency of purchasing activities, reduce processing expenses, improve controls for small-dollar purchases, and streamline contractor payment.

Procurement cards may be used for purchases under federal programs. The use of procurement cards is governed by Board policy 625 Procurement Cards and established administrative regulations. (Pol. 625)

Full and Open Competition

All procurement transactions must be conducted in a manner providing full and open competition consistent with 2 CFR Sec. 200.319. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business.

2. Requiring unnecessary experience and excessive bonding.

3. Noncompetitive pricing practices between firms or between affiliated companies.

4. Noncompetitive contracts to consultants that are on retainer contracts.

5. Organizational conflicts of interest.

6. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement.

7. Any arbitrary action in the procurement process.

Minority Businesses, Women's Business Enterprises, Labor Surplus Area Firms

The district must take necessary affirmative steps to ~~assure~~ ensure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include: (2 CFR Sec. 200.321)

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists.

2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources.

3. Dividing total purchasing requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business and women's business enterprises.

4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and women's business enterprises.

5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

6. Requiring the prime contractor, if subcontracts are let, to take the affirmative steps listed above.

Geographical Preferences Prohibited

The district must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or

encourage geographic preference. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

[See Food Service Program Notes below for permissibility of geographic preferences and "Buy American" practices in purchasing certain food products]

Prequalified Lists

The district must ensure that all prequalified lists of people, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the district must not preclude potential bidders from qualifying during the solicitation period.

[**See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]**

Solicitation Language

The district must ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated and identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

Avoiding Acquisition of Unnecessary or Duplicative Items

The district must avoid the acquisition of unnecessary or duplicative items. Additionally, consideration must be given to consolidating or breaking out procurements to obtain a more economical purchase; and, where appropriate, an analysis must be made of leases versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

These considerations are given as part of the process to determine the allowability of each purchase made with federal funds. Such considerations are accessible in the procedure attached to Policy 626: Allowability of Costs – Federal Programs.

Use of Intergovernmental Agreements and Cooperative Purchasing

To foster greater economy and efficiency, the district enters into state and local intergovernmental agreements where appropriate for cooperative purchasing or use of common or shared goods and services, as permitted by the Intergovernmental Cooperation Act, the School Code and the Commonwealth Procurement Code. (Pol. 613; 53 Pa. C.S. Ch. 23; 24 P.S. 521; 62 Pa. C.S. Ch. 19)

When procuring supplies or services for federally funded purposes to which the Uniform Guidance applies, the district shall verify that the organization conducting the procurement pursuant to such agreements complies with the applicable procurement methods, requirements and standards of the Uniform Guidance as outlined in this procedure.

Use of Federal Excess and Surplus Property

The district considers the use of federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

Debarment and Suspension

The district awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

[See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]

The district may not subcontract with or award subgrants to any person or company who is debarred or suspended. For all contracts over $25,000 the district verifies that the contractor with whom the district intends to do business is not excluded or disqualified. (2 CFR Part 200, Appendix II, and 2 CFR Sec. 180.220 and 180.300).

All successful contractors must provide written certification that they have not been suspended or debarred from federal projects. The Chief Operating Officer will be responsible for verification. Such verification may include accessing the online federal System for Award Management (SAM) to determine whether any relevant party is subject to any suspension or debarment restrictions.

Maintenance of Procurement Records

The district must maintain ~~records sufficient~~sufficient records to detail the history of all procurements. These records will ~~include, but~~include but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.

Maintenance of records of procurement will be governed by Board policy 800 Records Management and the district's established records retention schedule. (Pol. 800)

Time and Materials Contracts

The district may use a time and materials type contract only: (1) after a determination that no other contract is suitable; and (2) if the contract includes a ceiling price that the contractor exceeds at its own risk. **Time and materials type contract** means a contract whose cost to the district is the sum of the actual costs of materials, and direct labor hours charged at fixed hourly rates that reflect wages, general and administrative expenses, and profit.

Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the district must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

Settlements of Issues Arising Out of Procurements

The district alone is responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the district of any contractual responsibilities under its contracts. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

Protest Procedures to Resolve Dispute

The district maintains protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency. Protest procedures will be ~~acted on~~ followed in accordance with current state law and regulations, established district administrative regulations and the advice of the solicitor. (Pol. 610)

Food Service Program Notes:

Exemption from Bidding for Perishable Food Items -

The School Code exempts purchases of perishable food items from bidding requirements. Bidding for perishable food items is required only if the cost would be at or over the federal threshold at which formal competitive bidding is required ($~~250,000~~350,000). Simplified acquisition procedures may be used for purchases below $~~250,000~~350,000, or micro-purchase procedures for purchases below $~~10,000~~15,000. Use of bidding should be considered as an option if it is feasible and likely to result in cost savings. (24 P.S. Sec. 504(d))

Geographic Preferences -

The district is permitted to apply ~~a geographic~~geographic preference when procuring unprocessed locally grown or locally raised agricultural products. When a geographic preference is applied, the district has discretion to determine the local area to which the geographic preference option will be applied.

Unprocessed locally grown or locally raised agricultural products means only those agricultural products that retain their inherent character. The effects of the following food handling and preservation techniques shall not be considered as changing an agricultural product into a product of a different kind or character: cooling; refrigerating; freezing; size adjustment made by peeling, slicing, dicing, cutting, chopping, shucking, and grinding; forming ground products into patties without any additives or fillers; drying/dehydration; washing; packaging (such as placing eggs in cartons), vacuum packing and bagging (such as placing vegetables in bags or combining two (2) or more types of vegetables or fruits in a single package); the addition of ascorbic acid or other preservatives to prevent oxidation of produce; butchering livestock and poultry; cleaning fish; and the pasteurization of milk. (7 CFR Sec. 210.21, 215.14a, 220.16)

Buy American -

The district shall purchase, to the maximum extent practicable, domestic commodities or products for food service purposes. The term **domestic commodity or product** means: (7 CFR Sec. 210.21, 220.16)

1. An agricultural commodity that is produced in the United States; and

2. A food product that is processed in the United States substantially using agricultural commodities that are produced in the United States.

Mandatory Contract Clauses -

The following provisions shall be included in all cost reimbursable contracts for food services purchases, including contracts with cost reimbursable provisions, and in solicitation documents prepared to obtain offers for such contracts: (7 CFR Sec. 210.21, 215.14a, 220.16)

1. Allowable costs will be paid from the nonprofit school food service account to the contractor net of all discounts, rebates and other applicable credits accruing to or received by the contractor or any assignee under the contract, to the extent those credits are allocable to the allowable portion of the costs billed to the school food authority;

2. (a) The contractor must separately identify for each cost submitted for payment to the school food authority the amount of that cost that is allowable (can be paid from the nonprofit school food service account) and the amount that is unallowable (cannot be paid from the nonprofit school food service account); or

   (b) The contractor must exclude all unallowable costs from its billing documents and certify that only allowable costs are submitted for payment and records have been

established that maintain the visibility of unallowable costs, including directly associated costs in a manner suitable for contract cost determination and verification;

3. The contractor's determination of its allowable costs must be made in compliance with the applicable departmental and program regulations and Office of Management and Budget cost circulars;

4. The contractor must identify the amount of each discount, rebate and other applicable credit on bills and invoices presented to the school food authority for payment and individually identify the amount as a discount, rebate, or in the case of other applicable credits, the nature of the credit. If approved by the state agency, the school food authority may permit the contractor to report this information on a less frequent basis than monthly, but no less frequently than annually.

5. The contractor must identify the method by which it will report discounts, rebates and other applicable credits allocable to the contract that are not reported prior to conclusion of the contract; and

6. The contractor must maintain documentation of costs and discounts, rebates and other applicable credits, and must furnish such documentation upon request to the school food authority, the state agency, or the department.

Contracts with Food Service Management Companies -

Procedures for selecting and contracting with a food service management company (FSMC) shall comply with guidance provided by the Pennsylvania Department of Education, Division of Food and Nutrition, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts. (7 CFR Sec. 210.16, 210.19, 210.21, 215.14a, 220.16)

Pre-Plated Meals -

Procedures for selecting and contracting with contractors of pre-plated meals shall comply with guidance provided by the Pennsylvania Department of Education, Division of Food and Nutrition, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts. (7 CFR Sec. 210.16, 210.19, 210.21, 220.16)

Procurement – Federal Programs

This document is intended to integrate standard district purchasing procedures with additional requirements applicable to procurements that are subject to the federal Uniform Guidance regulations, federal guidance of the Office of Management and Budget and/or U.S. Department of Agriculture (USDA) regulations governing school food service programs. The district maintains the following purchasing procedures, in accordance with federal and state laws, regulations and Board policy. (2 CFR 200.102, 200.318-200.325; 7 CFR 210.16, 210.19, 210.21, 215.14a, 220.16; 24 P.S. 120, 24 P.S. 504, 24 P.S. 508, 24 P.S. 521, 24 P.S. 607, 24 P.S. 609, 24 P.S. 751, 24 P.S. 807.1; 62 Pa. C.S.A. 4601 et seq; Pol. 610, 611, 612, 613, 808)

2026 Procurement Thresholds		
PA State Quotation Threshold	**$13,200**	Adjusted based on Consumer Price Index published in PA Bulletin (24 P.S. Sec. 120)
PA State Bid Threshold	$24,500	Adjusted based on Consumer Price Index published in PA Bulletin (24 P.S. Sec. 120)
Federal Micro-Purchase Threshold	$15,000	Adjusted periodically and published in Federal Register (48 CFR Subpart 2.1) or through guidance of the federal Office of Management and Budget
Federal Simplified Acquisition Threshold	$350,000	Adjusted periodically and published in Federal Register (48 CFR Subpart 2.1) or through guidance of the federal Office of Management and Budget

*Please review this Procurement attachment annually and update amounts accordingly

The district adheres to Federal Uniform Guidance which mandates that the most restrictive Federal or State threshold must be used when spending Federal funds.

The district implements exceptions to the Micro-Purchase and Simplified Acquisition Threshold amounts announced by the federal Office of Management and Budget as part of its procurement procedures.

Responsibility for Purchasing

The Board has outlined standard district purchasing responsibility, methods of purchasing, price quotations and bid requirements in the following Board policies and their accompanying administrative regulations or procedures:

Policy 610. Purchases Subject to Bid/Quotation

Policy 611. Purchases Budgeted
Policy 612. Purchases Not Budgeted
Policy 613. Cooperative Purchasing

Purchase Methods

When a request for purchase of equipment, supplies or services has been submitted and approved as outlined below, the procurement method to be used will be determined based on the type of purchase and the total cost of the purchase as further outlined below. This procedure outlines how the cost thresholds for determining when the quote or formal bidding procedures that are required by state law as reflected in Policy 610 must be modified when making purchases for federally funded purposes to which the Uniform Guidance or USDA regulations apply, so as to comply with both state and federal requirements. At each point where requirements for food service-related procurement under USDA regulations differ, a note will refer to the Food Service Program Notes at the end of this procedure. Final determination of which purchasing procedures are to be applied is delegated to the Chief Operating Officer under the authority of the Board.

Standard Procurement Documents and Purchase Request Process

The district shall use purchase orders and requisitions for purchase requests in accordance with the applicable purchase method.

The district shall use electronic purchasing records, which are pre-numbered and are accessible to designated purchasing staff in the Business Office.

Purchase requests by an employee must be submitted to the building administrator or immediate supervisor. Purchase of all budgeted items or items approved by an administrator or supervisor must be initiated by use of a purchase order or requisition submitted to the Chief Operating Officer and Purchasing Agent.

Purchase orders and requisitions shall contain information including, but not limited to:

1. Description of the services to be performed or goods to be delivered.

2. Location where services will be performed, or goods will be delivered.

3. Appropriate dates of service or delivery.

4. Any other applicable contracting information.

Documentation on purchase orders and requisitions shall be maintained in accordance with the district's Records Management Policy and records retention schedule. (Pol. 800)

Contracts shall be reviewed by the Chief Operating Officer and school solicitor prior to submission to the Board for approval.

Contracts to which the Uniform Guidance apply shall contain the clauses specified in Appendix II to 2 CFR Part 200 (Contract Provisions for Non-Federal Entity Contracts Under Federal Awards), when applicable.

[See Food Service Program Notes below for specific clauses required by USDA regulations to be included in cost reimbursable procurement contracts.]

Micro-Purchases Not Requiring Quotes or Bidding

For purposes of this procedure**, micro-purchase** means a purchase of equipment, supplies or services for use in federally funded programs using simplified acquisition procedures, the aggregate amount of which does not exceed a base amount of $15,000. The micro-purchase dollar threshold is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register or announced as an exception by the federal Office of Management and Budget shall apply if other than $15,000 (48 CFR Subpart 2.1).

Note: -The micro-purchase maximum for federal purposes is lower than the amount below which the School Code allows purchase for nonfederal purposes to be made without obtaining at least three (3) written or telephonic quotes or using formal competitive bidding.

The micro-purchase method is used in order to expedite the completion of its lowest dollar simplified acquisition transactions and minimize the associated administrative burden and cost. Procurement by micro-purchase is the acquisition of equipment, supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold.

To the extent practicable, the district distributes micro-purchases equitably among qualified suppliers when the same or materially interchangeable products are identified and such suppliers offer effectively equivalent rates, prices and other terms. The Business Manager and Purchasing Agent will be responsible for determining the equitable distribution of micro-purchases.

Micro-purchases may be awarded without soliciting competitive quotations if the district considers the price to be reasonable. The district will maintain evidence of this reasonableness in the records of all micro-purchases. **Reasonable** means that sound business practices were followed and the purchase is comparable to market prices for the geographic area. Such determinations of reasonableness may include comparison of the price to previous purchases of the same item or comparison of the price of items similar to the item being purchased.

Even if the cost of a purchase qualifies it as a micro-purchase, bidding or simplified acquisition procedures may be used optionally when those procedures may result in cost savings.

Simplified Acquisition Procedures

For purposes of this procedure, **simplified acquisition procedures** are those relatively simple and informal procurement methods for securing equipment or supplies that are greater than the

micro-purchase threshold of $15,000 but do not exceed $24,500, or in the case cost of services other than construction, maintenance, or repair on school facilities, where the total cost does not exceed the $350,000 federal Simplified Acquisition Threshold at which formal competitive bidding or competitive proposals are required. Simplified acquisition procedures cannot be used for purchases of equipment, supplies, or construction, repair or maintenance services costing $24,500 or more because the School Code requires formal competitive bidding at that level of cost.

The base amount at which bidding is required under state law for purchases of equipment, supplies and construction, maintenance or repair services on school facilities is adjusted for inflation annually, and the adjusted amount most recently determined and published in the Pennsylvania Bulletin shall apply if other than $24,500 (24 P.S. Sec. 120)

The federal Simplified Acquisition Threshold at which competitive bidding or competitive proposals are required is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register or announced as an exception by the federal Office of Management and Budget shall apply if other than $350,000. (48 CFR Subpart 2.1, 2 CFR 200.102)

Because state law does not require competitive bidding for the purchase of services other than construction, maintenance or repairs on school facilities regardless of total cost, simplified acquisition procedures may be used for procurement of such other services except when the estimated total cost will be at or over the federal threshold at which formal competitive bidding or competitive proposals are required ($350,000).

[See Food Service Program Notes below for exemption from bidding for purchases of perishable food items costing less than $350,000.]

If simplified acquisition procedures are used, written or telephonic price or rate quotations are obtained from at least three (3) qualified sources and records of quotes are maintained as provided in Policy 610. (Pol. 610)

Formal Competitive Bidding

Publicly Solicited Sealed Competitive Bids:

For purchases of equipment or supplies, or of services for construction, maintenance or repairs of school facilities, sealed competitive bids are publicly solicited and awarded to the lowest responsive and responsible bidder as provided in Policy 610 when the total cost is estimated to be $24,500 or more. (Pol. 610)

Note: -The amount at which formal competitive bidding or competitive proposals are required by federal regulations is much higher than the base amount at which the School Code requires competitive bidding. Therefore, the lower base amount specified by the School Code, as annually adjusted, is used to determine when bidding will be used for

purchases of equipment or supplies, or for obtaining services for construction, maintenance or repairs on school facilities. (24 P.S. Sec. 120)

State law does not require bidding for the purchase of services other than construction, maintenance or repairs on school facilities regardless of total cost. For procurement of such other services for federally funded purposes to which the Uniform Guidance applies, formal competitive bidding or competitive proposals will be used when the estimated total cost will be at or over the federal threshold of $350,000.

The federal Simplified Acquisition Threshold at which competitive bidding or competitive proposals are required is adjusted periodically by the federal government, and the threshold most recently established and published in the Federal Register or announced as an exception by the federal Office of Management and Budget shall apply if other than $350,000. (48 CFR Subpart 2.1, 2 CFR 200.102)

For procurement of services costing at or over the $350,000 federal threshold other than for construction, maintenance or repairs on school facilities, the use of competitive sealed bidding is considered feasible and appropriate when:

1. A complete, adequate, and realistic specification or purchase description is available;

2. Two (2) or more responsible bidders are willing and able to compete effectively for the business; and

3. The procurement lends itself to a firm fixed-price contract and the selection of the successful bidder can be made principally on the basis of price.

Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of. Any or all bids may be rejected if there is a sound documented reason.

[See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]

Competitive Proposals

State law does not require public school entities to solicit competitive bids for services other than construction, repairs, or maintenance of school facilities, for which competitive bidding is required if the cost is a base amount of $24,500 or more. State law allows competitive proposals relating to work on facilities in lieu of bidding only in the context of guaranteed energy-savings contracts.

Federal regulations allow the use of competitive proposals as an alternative to formal competitive bidding when conditions are not appropriate for the use of sealed bids.

In the case of services other than for construction, repairs or maintenance of school facilities costing less than that threshold, the district may use simplified acquisition procedures or micro-purchase procedures as applicable based on total cost. A request for proposal (RFP) process can also meet or exceed the simplified acquisition competition requirements under state law and Policy 610 for the acquisition of services other than for construction, repairs, or maintenance of school facilities, and can be used if the total cost is less than $350,000.

When permitted, the technique of competitive proposals is normally conducted with more than one (1) source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. Competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The district shall comply with other applicable state and federal law and regulations, Board policy and administrative regulations regarding purchasing; the district may consult with the school solicitor or other qualified counsel in determining the required process for purchasing through competitive proposals when necessary.

If this method is used, the following requirements apply:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.

2. Proposals must be solicited from an adequate number of qualified sources.

3. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.

An alternative form of competitive proposal is permitted only for qualifications-based procurement of architectural and engineering services, in which price is not a selection factor and reasonable compensation is negotiated after source selection. This alternative is not permitted for procurement of other types of services.

Competitive proposals shall be evaluated by the Chief Operating Officer and Federal Programs Coordinator based on factors including but not limited to:

1. Cost.

2. Experience of contractor.

3. Availability.

4. Personnel qualifications.

5. Financial stability.

6. Minority business, women’s business enterprise, or labor surplus area firm status.

7. Project management expertise.

8. Understanding of district needs.
9. Contract-specific information deemed necessary.

Evaluations shall be completed in a timely manner, documented and shall be reviewed by the Chief Operating Officer, Federal Programs Coordinator, and school solicitor.

Contract/Price Analysis

The district performs a cost or price analysis in connection with every procurement action in excess of $350,000, including contract modifications. (2 CFR Sec. 200.323(a)).

A **cost analysis** generally means evaluating the separate cost elements that make up the total price, while a **price analysis** means evaluating the total price, without looking at the individual cost elements.

The method and degree of analysis is dependent on the facts surrounding the particular procurement situation; however, the Chief Operating Officer must come to an independent estimate prior to receiving bids or proposals. (2 CFR Sec. 200.323(a)). As part of the analysis, the Chief Operating Officer will enact established business practices which may include evaluation of similar prior procurements and a review process.

Negotiated Profit

In any procurement in which there has been no price competition, or in which a cost-analysis is performed, profit must be negotiated separately as an element of price. Accordingly, solicitations of bids, proposals or quotes shall require that bids, proposals or quotes be limited to costs other than profit, and exclude profit.

To establish a fair and reasonable profit, consideration is given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work. (2 CFR Sec. 200.323(b)).

When profit must be negotiated as a separate element of the total price, it shall be negotiated by the Chief Operating Officer.

Noncompetitive Proposals (Sole Sourcing)

Procurement by noncompetitive proposals means procurement through solicitation of a proposal from only one (1) source and may be used only when one or more of the following circumstances apply:

1. The aggregate amount of the procurement transaction does not exceed the micro-purchase threshold.

2. The item is available only from a single source.

3. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation. An **emergency** exists whenever the time required for the Board to act in accordance with regular procedures would endanger life or property or threaten continuance of existing school classes.

4. The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the district.

5. After solicitation of a number of sources, the district determines the competition is inadequate.

In addition to standard procurement policy and procedures, the district will document the grounds for using the noncompetitive method in lieu of an otherwise required competitive method of procurement, which may include written confirmation from the contractor as the sole source of the item. Documentation must be submitted to and maintained by the Business Office.

All noncompetitive proposals will ultimately be approved by the Board. The district may utilize legal advice from the solicitor regarding noncompetitive proposals.

Profit must be negotiated separately for noncompetitive proposals, and a cost or price analysis will also be performed for noncompetitive proposals when the price exceeds $350,000.

Purchase Cards

The district approves the use of procurement cards for permissible purchases by designated employees to improve the efficiency of purchasing activities, reduce processing expenses, improve controls for small-dollar purchases, and streamline contractor payment.

Procurement cards may be used for purchases under federal programs. The use of procurement cards is governed by Board policy 625 Procurement Cards and established administrative regulations. (Pol. 625)

Full and Open Competition

All procurement transactions must be conducted in a manner providing full and open competition consistent with 2 CFR Sec. 200.319. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business.

2. Requiring unnecessary experience and excessive bonding.

3. Noncompetitive pricing practices between firms or between affiliated companies.

4. Noncompetitive contracts to consultants that are on retainer contracts.

5. Organizational conflicts of interest.

6. Specifying only a "brand name" product instead of allowing "an equal" product to be offered and describing the performance or other relevant requirements of the procurement.

7. Any arbitrary action in the procurement process.

Minority Businesses, Women's Business Enterprises, Labor Surplus Area Firms

The district must take necessary affirmative steps to ensure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps must include: (2 CFR Sec. 200.321)

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists.

2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources.

3. Dividing total purchasing requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority business and women's business enterprises.

4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses and women's business enterprises.

5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.

6. Requiring the prime contractor, if subcontracts are let, to take the affirmative steps listed above.

Geographical Preferences Prohibited

The district must conduct procurements in a manner that prohibits the use of statutorily or administratively imposed state, local, or tribal geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or

encourage geographic preference. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criterion provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

[See Food Service Program Notes below for permissibility of geographic preferences and "Buy American" practices in purchasing certain food products]

Prequalified Lists

The district must ensure that all prequalified lists of people, firms, or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. Also, the district must not preclude potential bidders from qualifying during the solicitation period.

[**See Food Service Program Notes below for reference to state requirements regarding contracts with food service management companies and contractors of pre-plated meals.]**

Solicitation Language

The district must ensure that all solicitations incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible.

When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a "brand name or equivalent" description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offers must be clearly stated and identify all requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

Avoiding Acquisition of Unnecessary or Duplicative Items

The district must avoid the acquisition of unnecessary or duplicative items. Additionally, consideration must be given to consolidating or breaking out procurements to obtain a more economical purchase; and, where appropriate, an analysis must be made of leases versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

These considerations are given as part of the process to determine the allowability of each purchase made with federal funds. Such considerations are accessible in the procedure attached to Policy 626: Allowability of Costs – Federal Programs.

Use of Intergovernmental Agreements and Cooperative Purchasing

To foster greater economy and efficiency, the district enters into state and local intergovernmental agreements where appropriate for cooperative purchasing or use of common or shared goods and services, as permitted by the Intergovernmental Cooperation Act, the School Code and the Commonwealth Procurement Code. (Pol. 613; 53 Pa. C.S. Ch. 23; 24 P.S. 521; 62 Pa. C.S. Ch. 19)

When procuring supplies or services for federally funded purposes to which the Uniform Guidance applies, the district shall verify that the organization conducting the procurement pursuant to such agreements complies with the applicable procurement methods, requirements and standards of the Uniform Guidance as outlined in this procedure.

Use of Federal Excess and Surplus Property

The district considers the use of federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

Debarment and Suspension

The district awards contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

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All successful contractors must provide written certification that they have not been suspended or debarred from federal projects. The Chief Operating Officer will be responsible for verification. Such verification may include accessing the online federal System for Award Management (SAM) to determine whether any relevant party is subject to any suspension or debarment restrictions.

Maintenance of Procurement Records

The district must maintain sufficient records to detail the history of all procurements. These records will include but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, the basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.

Maintenance of records of procurement will be governed by Board policy 800 Records Management and the district's established records retention schedule. (Pol. 800)

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Since this formula generates an open-ended contract price, a time-and-materials contract provides no positive profit incentive to the contractor for cost control or labor efficiency. Therefore, each contract must set a ceiling price that the contractor exceeds at its own risk. Further, the district must assert a high degree of oversight in order to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

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The district maintains protest procedures to handle and resolve disputes relating to procurements and, in all instances, discloses information regarding the protest to the awarding agency. Protest procedures will be followed in accordance with current state law and regulations, established district administrative regulations and the advice of the solicitor. (Pol. 610)

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Geographic Preferences -

The district is permitted to apply geographic preference when procuring unprocessed locally grown or locally raised agricultural products. When a geographic preference is applied, the district has discretion to determine the local area to which the geographic preference option will be applied.

Unprocessed locally grown or locally raised agricultural products means only those agricultural products that retain their inherent character. The effects of the following food handling and preservation techniques shall not be considered as changing an agricultural product into a product of a different kind or character: cooling; refrigerating; freezing; size adjustment made by peeling, slicing, dicing, cutting, chopping, shucking, and grinding; forming ground products into patties without any additives or fillers; drying/dehydration; washing; packaging (such as placing eggs in cartons), vacuum packing and bagging (such as placing vegetables in bags or combining two (2) or more types of vegetables or fruits in a single package); the addition of ascorbic acid or other preservatives to prevent oxidation of produce; butchering livestock and poultry; cleaning fish; and the pasteurization of milk. (7 CFR Sec. 210.21, 215.14a, 220.16)

Buy American -

The district shall purchase, to the maximum extent practicable, domestic commodities or products for food service purposes. The term **domestic commodity or product** means: (7 CFR Sec. 210.21, 220.16)

1. An agricultural commodity that is produced in the United States; and

2. A food product that is processed in the United States substantially using agricultural commodities that are produced in the United States.

Mandatory Contract Clauses -

The following provisions shall be included in all cost reimbursable contracts for food services purchases, including contracts with cost reimbursable provisions, and in solicitation documents prepared to obtain offers for such contracts: (7 CFR Sec. 210.21, 215.14a, 220.16)

1. Allowable costs will be paid from the nonprofit school food service account to the contractor net of all discounts, rebates and other applicable credits accruing to or received by the contractor or any assignee under the contract, to the extent those credits are allocable to the allowable portion of the costs billed to the school food authority;

2. (a) The contractor must separately identify for each cost submitted for payment to the school food authority the amount of that cost that is allowable (can be paid from the nonprofit school food service account) and the amount that is unallowable (cannot be paid from the nonprofit school food service account); or

   (b) The contractor must exclude all unallowable costs from its billing documents and certify that only allowable costs are submitted for payment and records have been

established that maintain the visibility of unallowable costs, including directly associated costs in a manner suitable for contract cost determination and verification;

3. The contractor's determination of its allowable costs must be made in compliance with the applicable departmental and program regulations and Office of Management and Budget cost circulars;

4. The contractor must identify the amount of each discount, rebate and other applicable credit on bills and invoices presented to the school food authority for payment and individually identify the amount as a discount, rebate, or in the case of other applicable credits, the nature of the credit. If approved by the state agency, the school food authority may permit the contractor to report this information on a less frequent basis than monthly, but no less frequently than annually.

5. The contractor must identify the method by which it will report discounts, rebates and other applicable credits allocable to the contract that are not reported prior to conclusion of the contract; and

6. The contractor must maintain documentation of costs and discounts, rebates and other applicable credits, and must furnish such documentation upon request to the school food authority, the state agency, or the department.

Contracts with Food Service Management Companies -

Procedures for selecting and contracting with a food service management company (FSMC) shall comply with guidance provided by the Pennsylvania Department of Education, Division of Food and Nutrition, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts. (7 CFR Sec. 210.16, 210.19, 210.21, 215.14a, 220.16)

Pre-Plated Meals -

Procedures for selecting and contracting with contractors of pre-plated meals shall comply with guidance provided by the Pennsylvania Department of Education, Division of Food and Nutrition, including standard forms, procedures and timelines for solicitation, selection and approval of proposals and contracts. (7 CFR Sec. 210.16, 210.19, 210.21, 220.16)