



Procurement Department

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The School District of Greenville County

General Procurement Guidelines

2019-2020

The Board of Trustees of The School District of Greenville County and the Superintendent have delegated to the Procurement Department, the responsibility for the procurement, transfer and disposal of all equipment, materials and services required to operate its schools and offices and to administer related property (Board Policy DJE).

The information in the pages that follow is in accordance with the District's Procurement Code and Regulations which is substantially similar to the South Carolina Consolidated Procurement, Code of Laws, 1976, as amended as approved by the South Carolina Legislature. The District is required by Section 11-35-70 of the South Carolina Code of Laws to maintain and adhere to its own Procurement Code and Regulations. Every three years the District is audited by the State Budget and Control Board or its designee to determine if the District is adhering to the statutes.

This document is intended as a general overview of the approved procurement processes to be used when spending public funds. Questions concerning specific situations should be directed to the Procurement Department.

The purchase of any product, service or other expenditure using District funds must be processed in accordance with the District's Procurement Code and Regulations. The level of competitive solicitations varies by the total potential dollar amount to be expended. Use of the Purchasing Card (P-Card) is not exempt from the price competition rules.

GENERAL INFORMATION

Individuals shall not commit any District funds before a Purchase Order is issued. Individuals that authorize material to be delivered or services performed before a Purchase Order is approved and issued, may be held responsible for paying the costs related to the commitment that they have made, (Regulation Three).

Employees should not send copies of requisitions or other contractual documents to vendors prior to receiving a signed Purchase Order (PO). All proposed agreements/contracts must be reviewed and approved by the Procurement Department or the District's General Counsel. **No other employee has the authority to enter into any contractual arrangement at any time.**

THE PROCUREMENT DEPARTMENT

The District's Procurement Officers are assigned the responsibility to analyze and approve all specifications, communications, solicitations and requisitions pertaining to the acquisition of material and services used by the District. Specifications for materials and services are to be developed so as to allow for fair and public competition.

The District's Procurement Officers are the only individuals authorized by the Board of Trustees, the Superintendent and the Procurement Code and Regulations to:

1. Authorize the expenditure of public funds.
2. Enter into contracts with vendors.
3. Issue formal solicitations (when the estimated expenditure exceeds \$10,000).
4. Negotiate with or commit to, suppliers on matters pertaining to the expenditure of District funds.
5. Oversee all vendor related issues.
6. Transfer and dispose of District property.

It is important for all employees to remember that Procurement is the only department authorized by policy to enter into contractual arrangements on behalf of the District pertaining to the expenditure of public funds. In select instances, this authority may be delegated to others, as prescribed by the Procurement Code and Regulations.

School/departmental personnel are responsible for soliciting and obtaining quotes for materials and services when the potential expenditure is less than \$10,000. All quotes are subject to a final review and approval by a Procurement Officer.

PURCHASE ORDERS

Purchase Orders (POs) are required for any expenditure of District funds. A PO must be established **prior to** ordering and/or receiving the material or a service. A PO will not be issued after the fact.

The failure to obtain an approved PO for any material(s)/service(s) that is ordered or received is a violation of Procurement Regulation Three and may result in the employee paying for the material/services out of their own pocket.

A PO is not required when a District issued Procurement Card is used.

SOLICITATION METHODS, COMPETITION AND PRICE REASONABLENESS

Purchases shall not be artificially divided in order to circumvent the following solicitation requirements. The Procurement Officers will not approve requisitions that appear to have been the result of "order splitting".

1. Purchases not in excess of \$1,500

Purchases not exceeding \$1,500 do not require competitive quotations if the prices are considered to be reasonable by the school/location management and/or the Procurement Department. Such purchases must be distributed equitably among qualified suppliers. The Finance Department has authorized the use of a "P-Card" for many of these types of expenditures.

2. Purchases from \$1,500.01 to \$5,000.00

Solicitation of VERBAL or WRITTEN quotes from a minimum of three (3) qualified suppliers must be made by the school. Documentation of the quotes must be forwarded to the Procurement Department. The award must be made to the lowest pricing, responsible supplier that meets the requirements of the school.

3. Purchases from \$5,000.01 to \$10,000.00

Solicitation of WRITTEN quotes from a minimum of three (3) qualified vendors must be conducted by the school. Copies of the actual quotes must be forwarded to the Procurement Department. The award must be made to the lowest pricing, responsible supplier. When prices are solicited, the suppliers must be requested to furnish written evidence of their quotations.

4. Purchases from \$10,000.01 and up.

Solicitations estimated to be in excess of \$10,000 must be processed by the Procurement Department's staff. Schools and departments will be able to participate in the vendor selection/award process.

Please note that the District is not required to conduct business with the vendor quoting the lowest price. The District is required to conduct business with the "responsible" vendor quoting the lowest price that can meet the actual requirements of the District. Any award of business will be based upon the original request communicated to the vendor. Written justification stating why a lower priced quote was not accepted should be sent to the Procurement Department for final review and approval.

SOLE SOURCE PROCUREMENT

A Purchase Order may be awarded for a supply, service, equipment or construction item without competition when the Director of Procurement and an employee above the level of the Director of Procurement determine in writing that there is only one source for the required item or service.

A vendor's statement that they are a sole source provider is not sufficient for this method of procurement; proof is required. It is the responsibility of the school to seek and document attempts to gain competitive prices. This information shall be attached to a Sole Source Justification form and sent to the Director of Procurement for review.

The application of the Sole Source process applies to the **generic category** of the product or service being sought, **not** the specific item.

In all instances, the Procurement Officers will make the decision as to whether a vendor qualifies as a Sole Source provider. Sole Source purchases may only be authorized based upon the criteria noted below.

1. There is evidence of a lack of competition for the product or service.
2. It is a unique, one-of-a-kind product or service.

3. The product or service;
 - A. has patented or proprietary rights that provide superior capabilities not obtainable from similar products or services, and
 - B. it is not marketed through other wholesalers, distributors or other sources whose competition could be sought.
4. The product is an approved exempt item or service.

In all cases, requisitions for Sole Source purchases shall be accompanied by a completed Sole Source Justification form signed by the Principal or the department manager. A written justification with sound reasons to support the selection of the particular vendor must be noted on the form, prior to a Procurement Officer's approval.

EMERGENCY PROCUREMENT

The Emergency Procurement method may be used when there is an immediate threat to the health, welfare, safety of individuals and/or property or when the immediate threat may lead to a serious disruption of District operations. The District officials who determine that an emergency exists are limited to the Director of Procurement, the Procurement Officers and other employees designated by the Superintendent. Emergency Procurements must be made with as much pricing competition as is practicable under the circumstances. An Emergency Procurement Justification form must be completed by the requesting school and sent to the Procurement Department for final review and written approval. A requisition is required within one week of the situation occurring to complement the Emergency Procurement Justification form.

EXEMPTIONS

The Board of Trustees may exempt specific supplies or services from the required solicitation procedures or withdraw any exemptions. A Procurement Officer should be contacted regarding any expenditure that the Principal or Departmental Head believes may be exempt from price competition as the Procurement Officer has the final authority to determine and approve the application of an exemption.

BASIC OPERATIONAL INFORMATION

CHANGE ORDERS

Without invalidating a Purchase Order or a contract, the District may process certain changes to a Purchase Order consisting of terms pertinent to the original document. Schools and departments must use Change Order Form 130-3 to request a change to an existing Purchase Order. Once the form is completed by the school/department, the form should be sent to the Budget Department who will then forward it to Procurement. Change Orders and the related actions are subject to final approval by a Procurement Officer.

- A Change Order form shall not be used to circumvent the expenditure competition levels.
- A Change Order cannot be used to add or modify material or services that have not been competitively solicited.
- The Change Order form shall be used in all instances when the total sum price of the original Purchase Order is increased or decreased.

- The Change Order form must be completed by describing the desired change, having a signature of a Principal, Assistant Principal or Department Head and it must be submitted to the Budget Services Department.
- Change Orders that materially alter the basic scope of the original Purchase Order or an awarded solicitation shall not be approved.

INVOICE APPROVAL

Employees of the Procurement Department will not approve invoices for schools/departments or invoices for personal expenditures. Invoices for goods or services procured for a school or a department other than the Procurement Department must be processed for payment by the initiating school/department.

NON-DISTRICT PURCHASING GROUPS

Self-described “purchasing alliances” or “cooperatives” are not recognized or approved by the District. Such groups have not adhered to the Board-approved District Procurement Code and Regulations. Except for a very few instances, only District or South Carolina state contracts may be used. The Procurement Department should be contacted if a vendor offers an “alliance”, a “cooperative contract”, “state contract” or other types of questionable pricing as this is to the detriment of our local vendors.

NON-DISTRICT PURCHASES

The Procurement staff will not enter into any negotiations or become involved in the purchase of anything for the personal use of District employees or for PTAs or booster clubs. The Procurement Officers will be glad to offer advice related to any transaction that concerns a school or department.

LOCAL FUNDS

The Procurement Code and Regulations do not generally apply to funds defined by the Administration as “local funds”. Vendor relations and proper methods of processing local funds transactions can be found in the information provided by the Business Services department.

ADVISORY GROUPS

The Procurement Officers may appoint advisory groups, consisting of school administrators, teachers or other appropriate personnel to assist with creating specifications prior to buying certain supplies or services. The Procurement Department makes every reasonable effort to ensure contracts are developed as will best suit the interests of the District’s employees, giving due emphasis to users’ needs, total costs and the competitive methods of public purchasing requirements.

CONFLICT OF INTEREST

It is the responsibility of each employee of the District to take appropriate steps to ensure that the District does not knowingly enter into any commitment that could result in a conflict of interest related to business transactions with an employee or the employee’s family or friends. The Procurement staff will bring any questionable situations to the attention of the proper authorities.

PUBLIC ACCESS TO PROCUREMENT INFORMATION

Procurement information is considered a public record to the extent required by the South Carolina Code of Laws, Chapter 4 of Title 30, "The Freedom of Information Act", with the exception of certain commercial, personal or financial information. Please be aware that any document/record or written communication regarding the expenditure of public funds may be "discoverable" and could be made public. You are not required to gather and assemble information for release. The law only pertains to actual pre-existing documents.

MINORITY BUSINESS ENTERPRISE

The District has established practices that ensure that small and/or disadvantaged businesses and those businesses owned and operated by minorities and/or qualifying individuals are afforded the opportunity to participate in the procurement process. The District operates in a manner that will enhance the opportunity of small, minority and disadvantaged firms and individuals to participate in the process of being awarded contracts and subcontracts in order to enhance capital ownership and overall District and state economic development.

Two Liaison Officers from the Procurement Department are available to assist any small, minority and/or disadvantaged entity with reaching the goal of participating fully in the procurement opportunities of the District. The District works with local and state organizations to include small, minority and disadvantaged businesses and individuals in the solicitation process.

SURPLUS PROPERTY, EQUIPMENT, MATERIAL AND SUPPLIES

District property may be declared surplus by the Director of Procurement when it is deemed unusable for District purposes, is obsolete or the cost of maintenance is excessive. Surplus property may include real property/land, buildings, equipment, materials or supplies.

Principals, department heads or other personnel do not have the authority to sell, give away, destroy, trade, transfer or donate any District-owned property.

NOTE: No item of District property shall be given, leased, loaned, donated or sold to an employee of the District, a private individual, charity, student, parent or any other entity without a Procurement Officer's prior approval. Generally, there must be a public announcement of the intended disposal and sale of the property. No employee of the District shall receive any special or private consideration regarding the disposal of District property. Employees may acquire such property only as members of the general public during their non-working hours.

CONCLUSION

The foregoing is not an all-inclusive list of Procurement requirements, but rather a brief outline to assist you in your responsibilities. Please contact the Procurement Department with any questions that may arise as we are here to assist you in acquiring the needed supplies and services in accordance with District policies. We can be reached at 355-1279 or by individual email.

PROCUREMENT DEPARTMENT ORGANIZATION CHART

