



Procurement Manual

Saint Louis Public Schools
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Overview

St. Louis Public Schools recognizes the importance of a sound fiscal management program and expects District staff to maximize the resources available for the district's educational program and to be good stewards of public funds by exercising fair, competitive purchasing practices. The St. Louis Public Schools (SLPS) will respect its financial obligations and will also require that service providers/vendors meet their obligations to provide quality products and services in a timely manner.

SLPS Finance Division Mission Statement

We endeavor to support improved student achievement and organizational excellence in the SLPS through the provision of transparent, accurate and timely financial information, the development of fiscal policies and internal controls that safeguard the district's assets and ensure compliance with both generally accepted accounting principles and all applicable state and or federal laws.

Values and Principles

The SLPS Procurement Department adheres to the following values and principles (adopted from the National Institute for Public Procurement):

1. **Accountability:**

Taking ownership and being responsible to stakeholders for our actions

Principles:

- Practice due diligence
- Promote effective, economic, and efficient acquisition
- Use procurement strategies to optimize value to stakeholders

2. **Ethics:**

Acting in a manner true to these values...essential to preserve the public's trust

Principles:

- Act and conduct business with honesty and integrity, avoiding even the appearance of impropriety
- Maintain consistency in all processes and actions

3. **Impartiality:**

Unbiased decision-making and action...essential to ensure fairness for the public good

Principles:

- Be open, fair, impartial, and non-discriminatory in all processes

4. **Professionalism:**

Upholding high standards of job performance and ethical behavior

Principles:

- Professional development through education, mentorship, innovation, and partnerships
- Seek continuous improvement through on-going training, education, and skill enhancement

5. **(Customer) Service:**

Obligation to assist stakeholder

Principles:

- Be a crucial resource and strategic partner within the organization and community
- Develop collaborative partnerships to meet public needs
- Maintain a customer-service focus while meeting the needs, and protecting the interests, of the organization and the public

6. **Transparency:**

Easily accessible, clear policies and procedures, which are essential to demonstrate responsible use of public funds

Principles:

- Maintain current and complete policies, procedures, and records
- Provide timely access to procurement policies, procedures, and records

SLPS Expectations of all District Personnel when engaging the Business Community

1. Demonstrate a personal commitment to the highest ethical standards when communicating with suppliers, vendors, contractors, purveyors, or other business professionals.
2. Follow District policies and internal procedures in making recommendations and decisions about District business matters.
3. Operate fairly without any personal agenda in all matters involving the business relationships of the district.
4. Obey the law in its word, spirit, and intent at all times.
5. Exercise great care and good professional judgment in order to avoid situations that may compromise the reputation of the district.
6. Seek guidance, advice, and training from experts regarding current school business practices.
7. Treat all vendors, businesses in the community, and business partners fairly and equitably, taking care not to use District resources (facilities, employees, communication ability, etc.) to promote the interests of any company.
8. Do not solicit District vendors for donations, favors, or other items of value to avoid the appearance of biased procurement practices.

Ethics in Procurement – Conflict of Interest

This Section prescribes rules governing conflict of interest and code of conduct of Saint Louis Public Schools (SLPS) employees involved in procurement process. This is reflective of the SLPS Purchasing policies and procedures. The policy and this section should be read and understood collectively.

All Saint Louis Public Schools Personnel shall:

- Never accept for themselves or their families, favors, or benefits under circumstances which might be construed by responsible persons as influencing the performance of their SLPS duties.
- Make no private promises of any kind binding upon the duties of office, since an SLPS employee has no private work which can be binding on public duty.
- Do engage in business with SLPS directly or indirectly which is inconsistent with the conscientious performance of their duties.
- Never use any information divulged to them confidentially in the performance of SLPS duties as a means of making private profit.
- Expose corruption whenever discovered

Additional Procurement Guidelines to ensure that materials and services are efficiently and economically obtained and in compliance with the provisions of applicable law and regulations:

- No employee, officer or agent of the SLPS shall participate in selection or in the award or administration of a contract supported by SLPS funds if a conflict of interest, real or apparent, is involved.
- Conflicts of interest arise when any of the following has a financial or other interest in the firm selected for the award:
 - The employee, officer, or agent;
 - Any member of his / her immediate family
 - His or her partner; or
 - Any organization which employs or is about to employ any of the above
- The SLPS employees, or agents shall neither solicit nor accept gratuities or favors of more than nominal value from contractors, potential contractors, or parties to sub agreements.
- As permitted by law or regulations, the SLPS shall provide for penalties, sanctions, or other disciplinary actions for violations of these standards by employees or their agents, or by the contractors or the contractor's agents.

The General purpose of this section is to protect procurement integrity. Employees of SLPS must discharge their duties impartially and in such a manner as to assure fair and competitive access to SLPS procurement by responsible vendors. Moreover, these employees must conduct themselves in such a manner as to foster public confidence in the integrity of the SLPS Procurement System. Unlawful Actions in General:

- Collusion – Conspiracy in restraint of free and open competition in transactions with the SLPS or collusion is prohibited by law
- Bribery – An individual who gives to any person acting for or on behalf of the SLPS any benefit, reward, or consideration to which he is not entitled, with the purpose of influencing that individual in the performance of any act related to the functions of his office or employment shall be guilty of bribery. An SLPS employee may be guilty of bribery if he / she solicits or receives such benefit, reward, or consideration.

Fraud in Delivery of Services: If any vendor of any goods, services, or construction project procured by the SLPS attempts to willfully or fraudulently evade the specifications for the procurement of any items or willfully or fraudulently fails to deliver quantity or quality as specified through alteration or otherwise; SLPS may in its discretion, disqualify or debar such vendor from any further transactions with the SLPS.

Awarding Contracts to Employees

As stated in the Board Policy; The Board of Education shall not award a contract to a former employee within two years of service or employment with the district.

Procurement Supervision

The Chief Financial Officer (CFO) serves as the District's Procurement Officer or will designate a Procurement Officer. The CFO and or Procurement Director supervises direct purchases of products and services and may authorize purchases on behalf of the district that comply with the budget as adopted by the Board.

The Superintendent of Schools, in consultation with the CFO and or Procurement Director, develops administrative procedures to implement the Board's procurement related policies and administrative regulations, in a manner that will meet the district's needs, while protecting the district's resources. These administrative procedures comply with all applicable Federal and State laws and provide oversight of all District purchasing decisions.

Prohibited Activity and Reporting Requirements

The district expects all staff members to comply with the letter and intent of all district policies and procedures regarding purchasing. Under no circumstances may employees use district funds to make unauthorized or personal purchases. Staff members may not artificially divide purchases to avoid bidding requirements or design bid specifications to favor a particular provider.

All district employees must report suspected fraud, theft, or misuse of district funds to the Superintendent or Procurement Director immediately. The Superintendent will make all decisions regarding what action to take when employees misuse District funds or resources during the procurement process.

Procurement Process and Source Selection

Once a need for a good or service has been identified, the procurement process begins with the preparation of a requisition by an authorized individual at a school or department via the SLPS financial system-BusinessPLUS. A requisition is a request to purchase goods or services. Completion of a requisition is required for most purchases. The SLPS BusinessPLUS system automatically verifies that the school or department has the funds to purchase the good or

service before the requisition is created (released). Once the requisition is created the funds then become “committed” and restricted for that purchase. The requisition is then routed electronically for approval via BusinessPLUS. Required approval levels include a Principal or

Department Head, Finance Management Office, Accounting Office, and Procurement. Once the requisition is approved at the required levels, one of two things occur:

1. For **non-contractual** requisitions, the Procurement Staff will create a purchase order and send the purchase order to the vendor primarily via BusinessPLUS. Once the goods are received at the school or department, the requestor enters a goods receipt, vendor submits an invoice to AccountsPayable@slps.org, and the Accounts Payable Department generates a vendor check or electronic payment upon receipt of the signed invoice from the vendor.
2. For **contractual** requisitions, the Procurement staff will generate a purchase order and send it to the vendor primarily via BusinessPLUS. Once services are rendered and the vendor submits invoices for payment, school administrator or department head will sign the invoices, submit the signed invoices to the Accounts Payable Department at AccountsPayable@slps.org, and Accounts Payable will generate a check or electronic payment to the vendor.

Types of Goods and Services

Contracted Goods and Materials:

The purchase of all goods, equipment, food items, office and other supplies such as art, furniture, textbooks, instructional aids, and other materials for education

Construction Services:

All contracting relating to buildings, facilities, and other erected structures on real estate of St. Louis Public Schools such as new construction, rehabilitation

Non-Professional Services:

Purchasing of advertisements, printing, non-construction repairs, computer and information systems, shipping, mailing, courier, storage, travel, and other non-professional services

Professional Services

Consultants, auditors, architectural engineers, and any other services whose applicable selection criteria require a license or other certificate of competency

Authorized Exclusions:

There are certain items that are excluded from the competitive bid process but are necessary purchases for SLPS. These may include fees for ***professional membership, postage, Metro bus passes, public utilities, professional development, textbooks, instructional services: Equipment, Books and Materials, Student Activities, Field Trips, Student Incentives, professional services***, and such items.

Technology

To ensure the District's network operations and instructional processes run smoothly, specific equipment and materials have been standardized. The Technology Department has prepared an approved pricing list for computer-related items. Receipt of items that meet the District's standards will be processed immediately. However, if any requested items are not on the approved standard list, they will require review by the Technology Department before processing.

Textbook and Instructional Services purchases

Textbook Purchases:

Recommendations for textual materials are made by the curriculum facilitators to the director of teaching and learning support. A curriculum advisory committee will be established, composed of teachers, administrators, parents and when appropriate, students. The curriculum facilitators and advisory committee shall examine all textual materials and make selections based on goals and objectives. For more information review the board policy for [Textbooks](#)

Instructional Services: Equipment, Books and Materials:

The Board of Education, upon the recommendation of the superintendent, shall make provisions for the selection and acquisition of appropriate textbooks, supplementary instructional materials, teaching aids, art supplies, musical instruments, athletic equipment, laboratory equipment, audiovisual equipment, standardized tests and questionnaires and similar materials needed for the district's instructional program. For more information review the board policy [Instructional Services: Equipment, Books and Materials](#).

SLPS Vendors

As a public purchasing entity, we embrace a fundamental obligation to the general public to ensure that all procurement practices are accomplished in accordance with the intent of the laws enacted by the appropriate legislative body. SLPS procurement procedures are conducted in a fair and impartial manner. The SLPS vendor types are as follows:

Preferred Vendor:

A preferred vendor is a vendor who has responded to a Request for Proposal (RFP) or related process for a particular category and has been awarded and selected via that process. Click [here](#) for the most current list.

Cooperative (CO-OP) Vendor:

A CO-OP vendor is within a cooperative purchasing organization that offers pre-bid goods and services. Government Agency or Cooperative Purchasing Organizations are used to lower prices and administrative costs and obtain more favorable terms and conditions. SLPS CO-OP partnerships include: Click [here](#) for the most current list.

- Applied States
- Missouri cooperative procurement program
- 1 Government Procurement Alliance (1GPA)
- Omnia Partners
- Sourcewell
- The Interlocal Purchasing System (TIPS)
- Buyboard
- NPPGOV
- E & I
- MO state – Office of Administration
- NASPO Value Point
- Educationplus
- Choice Partners

SLPS “NON-RFP” Approved Vendor:

A SLPS “NON-RFP” approved vendor has been approved by the Procurement Department to purchase goods or services. However, such vendors do not have a formal agreement and have not responded to an invitation to bid (ITB) or Request for Proposal (RFP) process. The

transactions are limited to a certain dollar amount. To see guidelines process and quote guidelines, click [here](#)

BusinessPLUS Punchout Vendor:

PunchOut helps streamline the purchasing process by allowing you to shop directly on a vendor's website using negotiated pricing and catalogs, therefore a quote is not needed. The current approved punchout vendors for SLPS are:

- Amazon
- Office Essentials
- School Specialty
- Lakeshore Learning
- Dell

Dollar Value Thresholds for Determining Method of Procurement

Regardless of the source of funds, SLPS procurement procedures apply to the procurement of goods and services by all school and central office locations. We highly recommend utilizing a SLPS preferred or CO-OP vendors for purchases.

Goods and Materials

- Purchase requests for goods and supplies or related items are generally entered into BusinessPlus as a standard PO “P” type purchase requisitions with a quantifiable measure of unit (example: each, carton, box).
- Quotes are required to ensure the purchase order (PO) detail matches vendor pricing. When the PO does not match the vendor prices, the order is delayed until the PO detail is corrected. Attaching the vendor quote minimizes purchase delays. ***The only exception is Punchout vendors.***
- **Sealed Bid or Request for Proposal Exceptions:** SLPS Preferred, and CO-OP vendors have already been approved through an RFP process. A list of Preferred and CO-OP vendors is posted on the Procurement website. RFP selected, Preferred and CO-OP vendors are the fastest options.
- **Board Resolution Process:** Requisitions greater than \$5,000 must be entered into BoardDocs. (Except for Preferred or COOP Vendors).

Purchase Requisition (PR) Amounts:

1. Purchase Requisitions less than \$3,000 require one quote from the selected vendor.
 - a. Contact the vendor to get a quote for the items you are requesting.
 - b. Use the quote information gathered in your purchase requisition, including any freight.
 - c. Attach the quote internally to your purchase requisition. One quote needed for the selected vendor.
 - d. No board resolution is required.
 - e. The purchase order serves as a contract for your approved order.
2. Purchase Requisitions between \$3,000 - \$5,000 require three vendor quotes (except Preferred and CO-OP). Multiple quotes ensure better District pricing and opportunities for more vendors.
 - a. Contact the vendors to get quotes for the items you are requesting.
 - b. Use the quote information gathered in your purchase requisition, including any freight charges. One quote for the selected vendor and two (2) additional competitive quotes.
 - c. Attach the quotes internally to your purchase requisition.

- d. No board resolution is required.
 - e. The purchase order serves as a contract for your approved order.
3. Purchase Requisitions over \$5,000 require sealed bids solicited through the Invitation to Bid (ITB) or Request for Proposal process (except Preferred and CO-OP). Contact the Procurement Department for assistance as soon as possible. The sealed bid process can take 1-6 months. Resume the process after vendor selection.

Sealed Bid or RFP Process (Step 1):

- a. Complete the sealed bid or RFP template and submit to the Procurement Department.
- b. Once approved, the Sealed Bid or RFP will be posted on SLPS district website.
- c. Sealed Bid/RFP opening process, bid conference and finally the awarding.

Board Resolution Process (Step 2):

- a. Complete a board resolution to be approved by the Board of Education.
- b. Complete the SLPS contract or service agreement template.
- c. Obtain vendor signature and forward to the Procurement department for review and required District signature. This is required before requisition will be approved.
- d. Ensure vendor is established in BusinessPlus.

School/Central Office Process (Step 3):

- a. Contact the vendor to get a quote for the items you are requesting.
- b. Use the quote information gathered in your purchase requisition, including any freight charges.
- c. Attach the quote *internally* to your purchase requisition.
- d. Enter a goods receipt after items are received.
- e. Forward your approved invoices to Account Payable at AccountsPayable@slps.org to ensure vendor payment.

Services, Contracts and Agreements

- Purchase requests for services, contracts and agreements are generally entered into BusinessPlus as contracts “C” or blanket “B” contracts.
- Forward all vendor signed contracts to the Procurement Department for review. Procurement will obtain required District signatures. A signed contract is required before your purchase requisition will be approved.
- Do not authorize vendor work without a completed and signed contract.
- **Sealed Bid or Request for Proposal Exceptions:** SLPS Preferred, and CO-OP vendors have already been approved through an RFP process. A list of Preferred vendors is posted on the Procurement website. RFP selected, Preferred and CO-OP vendors are the fastest options.
- **Board Resolution Process:** Requisitions greater than \$5,000 must be entered into BoardDocs for District information. Requisitions greater than \$50,000 must be approved by the Board.

Purchase Requisition (PR) Amounts:

1. Purchase Requisitions less than \$3,000 require one quote from the selected vendor.
 - a. Complete the SLPS contract or service agreement.

- b. Obtain vendor signature and forward to the Procurement department for review and required district signature(s).
 - c. Enter your contract/blanket in BusinessPlus and attach the contract *internally*.
 - d. Forward your approved invoices to Accounts Payable for vendor payment.
 - e. No board resolution is required.
2. Purchase Requisitions between \$3,000 - \$50,000 require three vendor quotes (except Preferred and CO-OP). Multiple quotes ensure better District pricing and opportunities for more vendors.
 - a. Complete a board resolution for all contracts over \$5,000. This is for District information only and generally will not need to be approved by the Board of Education.
 - b. Complete the SLPS contract or service agreement.
 - c. Obtain vendor signature and forward to the Procurement department for review and required District signature.
 - d. Enter your contract/blanket in BusinessPlus and attach the contract *internally*.
 - e. Forward your approved invoices to Accounts Payable at AccountsPayable@slps.org to ensure vendor payment.
3. Purchase Requisitions over \$50,000 require sealed bids solicited through the Invitation to Bid (ITB) or Request for Proposal process (except Preferred and CO-OP). Contact the Procurement Department for assistance as soon as possible. The sealed bid process can take from 1-6 months from start to finish. Resume the process after the vendor is recommended.

Sealed Bid/RFP Process (Step 1):

- a. Complete the appropriate sealed bid template and submit to the Procurement Department.
- b. Once approved the sealed bid will be posted on SLPS district website.
- c. Bid opening process, bid conference and finally the awarding.

Board Resolution Process (Step 2):

- a. Complete a board resolution to be approved by the Board of Education.
- b. Complete the SLPS contract or service agreement.
- c. Obtain vendor signature and forward to the Procurement department for review and required District signature(s). This is required before requisition will be approved.
- d. Ensure vendor is established in BusinessPlus.

School/Central Office Process (Step 3):

- a. Enter your contract/blanket in BusinessPlus and attach the contract *internally*.
- b. Forward your approved invoices to Accounts Payable at AccountsPayable@slps.org to ensure vendor payment

E-Procurement

The district has partnered with Bonfire Interactive to create a new procurement portal that will allow you to receive notifications of business opportunities and submit bids and proposals to St. Louis Public Schools electronically.

Vendors are requested to visit **St. Louis Public Schools Procurement Department website** <https://www.slps.org/Page/76881>, then follow the link <https://slps.bonfirehub.com> to the Bonfire vendor registration page to register your company to participate.

Registration is easy and free. Please be sure to select **NIGP Commodity Codes** associated with your type of business or organization. Our solicitations will be set up using those codes and

will be matched to vendors and contractors with the same codes.

Please note: Effective 07/01/2023, bids will only be accepted electronically.

Methods of Procurement

Formal Sealed Bid Solicitations

The formal sealed solicitation process is required for goods and materials greater than \$5,000 and for services, contracts, and agreements greater than \$50,000. This process is a lengthy process that results in the best value for the district. Sound acquisition planning is the key element in the success of formal sealed solicitations along with the development of quality specifications. Below is a summary of the general responsibilities of the originating school or department and the Procurement Department as they relate to this process:

School and Central Office Responsibilities:

- Determine the need for the good or service.
- Determine the funding source and availability.
- Develop specifications.
- Submit specifications to the Procurement Department on the RFP Worksheet ([here](#))
- Create a requisition in SLPS financial on-line system (BusinessPLUS)
- Create a Board Resolution, if applicable
- Monitor vendor performance.

Procurement Department Responsibilities:

- Review the draft solicitation with the originating department, and possibly legal review.
- Make revisions as appropriate after review.
- Develop a draft solicitation in Bonfire our E-Procurement system.
- Determine the date bids and proposals are to be received.
- Post the solicitation to the SLPS website via Bonfire.
- Receive sealed bids and proposals via Bonfire.
- Conduct public opening of sealed bids and proposals via Microsoft Teams
- Tabulate and review sealed bids and proposals.
 - Identify the lowest responsive and responsible bidder.
 - Identify the proposal that meets the identified need of the district.
- If the total cost of a Bid or Proposal is the following, a board resolution is created and submitted to the Board for approval.
 - Good and Materials – greater than \$5000
 - Service, Contracts and Agreements – greater than \$50,000
- After Board approval, a purchase order is created and forwarded to vendor for processing.

Invitation to Bid (ITB)

An ITB enables SLPS to acquire goods and/or commodities at a low price. This type of solicitation generally focuses solely on price. The originating school or department develops products or service specifications that are specific to service performance and expected outcomes and or the design of a good.

Negotiation is not normally used with competitive sealed bidding. The ITB is evaluated according to costs; ITBs are best used when no negotiation is required among responsive

bidders, and the contract will be awarded solely based on price.

An ITB can only result in one of the following types of fixed-price contracts:

- a firm-fixed-price contract
- a fixed-price contract with economic price adjustment
- a fixed-price contract with prospective price redetermination

Requests for Proposals (RFP)

A Request for Proposal (RFP) process may be used when the scope of the work cannot be completely defined by the district. Contract award for Request for Proposals **is not based solely upon price**. Other factors, such as:

- qualifications and experience of principals and staff
- methodology and management approach
- understanding of the project and the district's objective
- technical superiority
- financial stability
- experience
- history of the firm, among others, are taken into consideration

RFP requirements

- Generally, four weeks (28 calendar days) public notice of the Request for Proposals will be given. In scenarios of extenuating circumstances, the public notice can be reduced to three weeks (21 calendar days). However, the CFO must approve this exception.
- A register of proposals shall be prepared and made available for public inspection after the award of the contract.
- The RFP shall state the relative importance of the ***scope of services, price, and other evaluation factors***.
- All information provided by vendor in RFP response is subject to Missouri Sunshine Request statute. Vendors must identify any submitted information that is proprietary in nature (information that they do not want to share with the public) by writing on the top of each applicable page,
"THIS INFORMATION IS PROPRIETARY, AND NOT TO BE SHARED WITH THE PUBLIC"

RFP Evaluation

- The Procurement Department with the assistance of the originating department will determine the composition of the evaluation committee. The evaluation committee is made up of subject matter experts selected from within the school district who are knowledgeable enough to perform evaluation of applicable proposals.
- The Procurement Department, with the assistance of the originating department will prepare an evaluation plan prior to the start of evaluation that allows for scoring of the proposals according to the evaluation factors and their weighted values.
- It is mandatory that the Procurement staff must be in attendance for all vendor proposals, bid conferences, or walkthroughs. These conferences are conducted in support of answering questions from interested vendors. This mandate is driven by the standard procurement practice of ensuring that all vendors are shepherded through SLPS's procurement process of fairness and equity

Rejection of Bids/Proposals

SLPS reserves the right to reject any bids or proposals submitted in response to any solicitation document, to reject any portion thereof, or to waive any minor irregularity.

RFP Award

An award will be made to the responsible offeror whose proposal is determined in writing to be in the best interest (best value to) of SLPS, taking into consideration price and other evaluation factors as set forth in the Request for Proposal document. No other factors or criteria are used in the evaluation. The contract file will maintain the basis on which the award was made.

ITB/RFP PROCESS TIMELINE

Process Steps	Owner	Action	RFP Duration
1	RFP Requestor	Complete the SLPS templates and submit the completed template form to the Procurement Department for review	
2	Procurement Office	Procurement will review submitted template and legal review if necessary	10
3	Procurement Office	Procurement will then post in Bonfire (E-Procurement System)	10
4	Procurement Office	Bid conference scheduled in Microsoft Teams	1
5	Procurement Office	Public Bid Opening	1
6	RFP Requestor & Evaluation Team	Respond to Bid Conference questions	5
7	Procurement Office & Evaluation Team	Review and evaluate the proposals	5
	Procurement Office & Evaluation Teams	Vendor Selection	5
8	RFP Requestor & Legal Team	Contract negotiations	10
9	SLPS School Board	Board Approval Process	30 - 60
10	Procurement Office	Post vendor selections/award notice	2
11	Vendor	Vendor review and sign the contract	5
12	Superintendent/CFO	The Superintendent or Chief Financial Officer (CFO) Signature and the execution of the contract	5
13	RFP Requestor	Enter fully executed contract in SLPS Financial System - BusinessPLUS	5

Duration: 90 - 124 days

Board Resolution Process (Boarddocs)

Goods and materials greater than \$5,000 and services, contracts, and agreements greater than \$50,000 must go through the Board Resolution process and be entered in BoardDocs. Every Department has a point of contact for BoardDocs entry.

Contract Management

The district utilizes the following contractual templates, as approved by legal counsel:

1. Memorandum of Understanding
2. Contractual Agreement
3. Agency Agreement
4. Service Agreement

Memorandum of Understanding

A memorandum of understanding (MOU) is an agreement between the SLPS and some other external party and/or group of parties in the form of a legal document. No money is exchanged. All SLPS MOU's must contain the following elements:

1. Identify the legal name of the contracting parties
2. Spell out the subject matter of the agreement and its objectives
3. Summarize the essential terms of the agreement
4. Be signed by the contracting parties (must be pre-approved by the Board of Education)

Contractual Agreement

A contract is a voluntary, deliberate, and legally binding agreement between the SLPS and an external party. It is generally originated by the external party using the districts templates for the provision of goods and or services.

Agency Agreement

An agency agreement is an agreement between the SLPS and some other external party and or group of parties in the form of a legal document. Money is exchanged, generally as a pass through from a federal source. All SLPS agency agreements must contain the following elements:

1. Identify the legal name of the contracting parties
2. Spell out the subject matter of the agreement and its objectives
3. Summarize the essential terms of the agreement and the terms and timelines of the monies to be exchanged
4. Signed by the contracting parties (must be pre-approved by the Board of Education)

Service Agreement

A service agreement is an agreement between the school or department and some other external party and/or group of parties in the form of a legal document. Money is exchanged, generally in small amounts up to - \$1,000. All SLPS service agreements must contain the following elements:

1. Identify the legal name of the contracting parties
2. Spell out the subject matter of the agreement and its objectives
3. Summarize the essential terms of the agreement and the terms/timelines of the monies to be exchanged
4. Be signed by the contracting parties

Contract Execution

The vendor and Superintendent/Board President or designee sign all contracts, and all copies of the contract are sent to the applicable department. The Procurement Department serves as the repository for all original signed vendor contracts. All vendor contracts, (consultant, services, leasing, maintenance, and construction) are kept on the E-procurement Bonfire repository in the Procurement Department. All requests for the use of vendors (greater than \$5,000) must comply with the competitive bid process (with the exception of those identified previously identified in the authorized exclusions category).

The district has made a concerted effort to align contracts with its fiscal year: **July to June** the

process for submitting a contractual agreement for consultative and/or technical services (after Board approval) is detailed below:

1. Complete a contractual agreement form.
2. Obtain the vendor's signature.
3. Submit contractual agreement to Procurement Department for review.
4. Procurement Department will facilitate legal review (if necessary)
5. Procurement Department will obtain signatures from CFO/Superintendent/Board President
6. Procurement Department distributes signed copies of contract
7. Generates and send the purchase order

Contract File Documentation

Any contract involving the expenditures of public funds is subject to review or audit to ensure that SLPS received the goods or services solicited and is satisfied with the results. The Procurement Department will maintain an organized electronic file system in Bonfire.

Monitoring Vendor Performance

Monitoring vendor performance is one of the basic responsibilities of the end user, whether it is a school or a central office department. Generally, the end user is engaged in the daily interaction with the vendor. As such, the Procurement Department relies on the end user to provide feedback relative to vendor performance. The vendor must be held accountable to perform at acceptable levels, as should the district be responsible for its contractual promises. A vendor performance report form is **required** for contract renewals.

Contract Renewals and Non-Renewals

The Procurement Department will notify the school or department of the imminent contract expiration. The school or central office location is ultimately responsible for making the decision to renew the existing contract, or to re-solicit the services.

The Procurement Department will:

1. Renew the contract if the services are needed; and vendor performance was satisfactory; and the renewal option is available; or,
2. Allow the contract to end because no further services are needed; or,
3. Allow contract to terminate and re-solicit. Prepare specifications to re-solicit.

Professional Services

1. Professional Services are services provided by a person or firm that is of a professional nature, with special licensing, educational degrees and unusual or highly specialized expertise.
2. All proposed service agreements or contracts must be reviewed by the Procurement Department to ensure contract and procurement compliance. The Procurement Department will determine what contract documentation is required and/or negotiate additional or revised contract terms if deemed appropriate.
3. All professional services agreements or contracts must be approved and signed by the Superintendent.

Emergency Purchases

The Superintendent or designee must approve all emergency purchase requests. At least three (3) informal bids must be obtained for emergency repairs that exceed \$50,000. The requests **must be approved prior to work being performed by vendors**. Emergency purchases include:

1. Board property damaged through fire, vandalism, windstorm, hail, earthquake, or other force majeure

2. Failed or broken-down Board property that has placed the safety of staff and students in immediate jeopardy.
3. A location, amenity, or piece of equipment that cannot be used for educational purposes but is necessary to carry out the educational program.

Any individual who attempts to obligate the District without the Superintendent's prior approval may be subject to disciplinary action and may be personally liable for the unauthorized purchase.

Sole and Single Source

On occasion, it may be necessary to purchase equipment, supplies or services from a single or sole source vendor. Click [here](#) to complete the Single/Sole Source request form.

Sole Source is a good or service that is only available from one source, with no other options available (e.g., vendor/manufacturer, etc.)

For **Single Source**, circumstances dictate use of this vendor despite other potential options (e.g. availability, timeliness, locality, etc.)

Examples of a sole source purchase include:

1. Licensed or patented
2. One-of-a-kind
3. Sole Distributor
4. Compatibility
5. Replacement Part
6. Warranty
7. Unique Design
8. Emergency

Licensed or patented	The supplier has a license or patent that makes them the sole provider.
One-of-a kind	The commodity or service has no competitive alternatives available on the market and is available from only one supplier.
Sole Distributor	The supplier is the sole distributor for the region or municipality.
Compatibility	The commodity or service must match existing brand of equipment for compatibility and is available from only one supplier.
Replacement Part	For a specific brand or existing equipment.
Warranty	Sole provider of a factory authorized warranty service.
Unique Design	The commodity or service must meet physical design or quality standards and is available from only one supplier.
Emergency	URGENT NEED for the item or service does not permit soliciting competitive bids

Suspension and Debarment (SAM.GOV)

The District will not do business with providers who have been suspended or debarred on a state or federal level unless the Superintendent authorizes the transaction and provides the Board of Education with written justification. Authorized District employees are directed to verify that selected providers are in good standing before making a purchasing decision. The method of verification used by SLPS is by checking the contractor's status on the U.S. General Administration's website <https://sam.gov/content/exclusions> before contracting or purchasing. Failure to comply could result in the district having to repay federal dollars.

Suspension

- Effective immediately
- A temporary measure, there is a twelve-month limit.
- Usually used pending the completion of investigation or legal proceedings
- Based upon adequate evidence, usually an indictment.

Debarment

- Usually, three years in length
- Based upon a preponderance of the evidence, usually a conviction.

Procurement Cards

Authorized District employees and Board of Education members may use credit cards or purchasing cards issued to the district to make purchases for the District or to pay for reasonable travel expenses incurred when performing job duties. Authorized employees and Board of Education members will not use these cards to circumvent the bidding and purchasing requirements established by law and Board policy. All purchases made using District cards must be attributed to the appropriate budget code and must conform to the Board adopted budget.

Unauthorized Purchases Corrective Actions

A purchase is declared an unauthorized purchase when it has been made without a valid purchase order issued by the Procurement Department. A purchase is also deemed unauthorized when the Purchasing Department receives a requisition and has evidence that goods or services have already been ordered, received, and performed prior to the issuance of a valid purchase order.

Memo to Administrator

If the Procurement Department has determined that an unauthorized purchase has been made, a memo will be sent to the responsible school or department advising the end user of the unauthorized purchase. The Superintendent of Schools shall receive a copy of the memo.

Memo to Superintendent

The responsible school or department shall prepare a memo explaining the reasons why proper procurement procedures were not followed. The memo will be attached to the purchase documentation and a copy of the memo will be sent to the Superintendent.

Letter to Vendor

The Procurement Director will also send a letter to the vendor who provided either unauthorized services or goods. The letter will advise the vendor that payment may not be made for the unauthorized purchase. The Board Attorney will be copied on the letter.

Open Records Request

All public records are subject to inspection under the provisions of the Missouri Sunshine Law. If a school or department receives such a request relative to a procurement document,

they should forward the request to the Office of Institutional Advancement (OIA). The pricing sheets relative to Bids and RFP's may be read during public openings. The contents of Bid tabulations and RFP evaluation scoring are not available for public inspection. If a vendor requests such records, they must send their request to the Public Affairs Department.

School-Based Activity Funds Accounts

Schools are authorized to establish a school activity fund. The Principal is responsible for and has supervision over all monies belonging to the school activity fund. The Principal will ensure that all legitimate school debts are promptly paid. The Principal is also responsible for all other expenditures from the school fund.

The principal shall not accept as a gift to the school any books, furniture, equipment, or other items, unless the acquisition of such items has been authorized by the Board of Education, the Superintendent of Schools or his designee.

Parent Teacher Organization (PTO) funds should not be commingled with the school activity fund. The Parent Teacher Organization should establish its own separate bank account with its own separate signature authority. SLPS is not responsible for obligations made by any school Parent Teacher Organization (PTO).

Student Based Activity Funds Accounts must adhere to all SLPS Procurement Guidelines.

State and Federal Procurement:

The procurement of materials and services are guided by; Title 2 of the Code of Federal Regulations, Part 200 (2 CFR Part 200). Saint Louis Public Schools Procurement Policies Cost Threshold / Competitive Procurement are more restrictive than the Procurement Policies Guidance within Part 200 (2 CFR 200). Therefore, other than exceptional circumstances, (if SLPS Procurement is less restrictive than Part 200), SLPS will follow the SLPS Procurement Procedures when procuring services or materials with State and or Federal Funds. See Section titled "Explanation of State and Federal Title 2 of the Code of Federal Regulations, Part 200 (2 CFR Part 200)" for clarity.

Procurement Thresholds for Federal Funds (Effective January 1, 2023)

The Uniform Guidance (UG) updates from the Federal Office of Management and Budget increased the Micro-purchase procurement method from \$3,500 to \$10,000 and increased the Small Purchase Procedures threshold from \$150,000 to \$250,000, effective June 20, 2018. Under UG, non-Federal entities must comply with the more restrictive Federal, state, and entity-level requirements. The following table outlines the procurement methods to be used for the acquisition of goods and services when using Federal funds.

*Note: Federal and state acquisition thresholds are adjusted periodically.
(See Chart below)*

Procurement Method 2 CFR 200.320	Goods/Supplies	Services	Requirements 2 CFR 200.320
Micro-purchase Informal (No quotes required)	Less than \$10,000 Note: Must use more restrictive Federal threshold instead of no state requirements under \$12,200	Less than \$10,000 Note: Must use more restrictive \$10,000 Federal threshold instead of state exemption for services	<ul style="list-style-type: none"> • Cost considered to be reasonable. • Distribute equitably among suppliers to the extent practical • Prudent person test
Small Purchase Procedures (Relatively simple and informal)	\$10,000 - \$22,500 Note: Must use more restrictive \$10,000 Federal threshold instead of \$22,500 state threshold	\$10,000 - \$249,999 Note: Must use more restrictive \$10,000 Federal threshold instead of state exemption for services	<ul style="list-style-type: none"> • Obtain/document price or rate quotations from a reasonable number of qualified sources (at least three per 24 PS 8.807.1) • Written or documented quotes
Sealed Bids (Formal advertising)	\$22,500 or more Note: Must use more restrictive \$22,500 state threshold instead of \$250,000 Federal threshold	N/A	<ul style="list-style-type: none"> • Bids are publicly solicited • Firm fixed price contract awarded to the responsible bidder lowest in price • Cost or price analysis for purchases in excess of the Simplified Acquisition Threshold (\$250,000)
Competitive Proposals (Formal RFPs)	N/A	\$250,000 or more Note: Must use more restrictive \$250,000 Federal threshold instead of state exemption for services	<ul style="list-style-type: none"> • Conducted with more than one source submitting an offer • Price in not used as sole selection factor. • Fixed price or cost-reimbursement type contract is awarded • Cost or price analysis for purchases in excess of the Simplified Acquisition threshold
Non-competitive Proposals	Appropriate only when these circumstances apply: <ul style="list-style-type: none"> • Available only from a single source (sole source) • Public exigency or emergency • After soliciting from a number of sources, competition is deemed inadequate 		<ul style="list-style-type: none"> • Solicitation from only one source • Used only when qualifying circumstances apply • Fixed price or cost-reimbursement type contract is awarded



PROCUREMENT MANUAL

Saint Louis Public School