

## **GREEN Charter Schools Procurement Policy and Procedures**

Purpose: To ensure that GREEN obtains the maximum value for each dollar expended and that all equipment, materials, and services are procured in a systematic manner.

### **Conflict of Interest**

GREEN aims to be above suspicion of unethical behavior at all times and avoid any conflict of interest or even the appearance of a conflict of interest in school supplier relationships. All matters in which a possible conflict of interest may exist for a GREEN board member or employee shall be handled in accordance with the South Carolina State Ethics Commission Rules of Conduct, which are set forth by statute at S.C. Code Ann. § 8-13-700 et seq.

### **Purchases**

Purchases not exceeding **ten thousand dollars (\$10,000.00)** may be accomplished without a competitive quotation if the prices are considered to be reasonable. GREEN shall annotate the purchase requisition as follows: "Price is fair and reasonable" and sign such purchase requisition. Such purchases shall be distributed equitably among qualified suppliers. The purchase must be approved by the Executive Director.

Purchases exceeding **ten thousand dollars (\$10,000.01)** may be accomplished if written quotes from a minimum of three qualified sources of supply are made and it is documented that the procurement is to the advantage of GREEN, price and other factors considered, including administrative costs of the purchase. Such documentation shall be attached to the purchase requisition. When prices are solicited by telephone the vendors shall be requested to furnish written evidence of such quotation. The purchase must be approved by the Executive Director and Board Chair or Board Treasurer. The Executive Director/Board Chair will list the purchase as an informational item to GREEN Board of Directors.

Recommendations for engaging a consultant(s) or purchasing of services or products exceeding the total annual cost of \$35,000.00 **MUST** be brought to the Board for approval. The Board will make the final decision.

### **Federal Fund Procurement**

GREEN will follow the procurement process outlined above unless the specific federal funding source has a more restrictive procurement policy involving expenditures. GREEN will also comply with all federal laws and regulations that are mandatory and that are not otherwise contained herein.

## **Exceptions to the Procurement Policy**

GREEN may exempt specific supplies or services from this Policy. The following supplies and services are exempted from this Policy:

- a. Books, periodicals, newspapers, technical pamphlets, standardized tests and other testing materials, copyrighted educational materials, filmstrips, slides and transparencies
- b. Public utilities, such as electricity, water or sewer
- c. Travel
- d. Workshops, seminars, and conferences
- e. Professional journals
- f. Taxes, social security, annuities, and credit unions
- g. Life insurance or supplemental insurance
- h. Refunds on health insurance
- i. Court reporters
- j. Professional dues, registration and membership fees
- k. Diplomas
- l. U.S. postage stamps and post office boxes
- m. Graphic design
- n. Expert witness services
- o. Services and/or supplies provided by the Division of General Services to public procurement units
- p. Professional training
- q. Related services for special education
- r. Temporary facilities rentals

## **Sole Source Procurement**

This method of procurement is the least competitive and, therefore, should have limited use. In those instances, however, where GREEN's needs can only be met by one method, means or item, sole source is an appropriate and necessary method of procurement. Such determination as to whether a procurement shall be made as a sole source shall be made by GREEN. Such determination and the basis thereof shall be in writing and shall include an explanation as to why no other source will be suitable or acceptable to meet the need.

A contract may be awarded for a supply, service or construction item without competition when GREEN determines in writing that there is only one source for the required supply, service or construction item.

## **Emergency Procurement**

Notwithstanding any other provision of this policy, GREEN may make or authorize others to make emergency procurements when there exists a threat to public health, welfare or safety under emergency conditions, or where normal daily operations are affected; provided that such

emergency procurements shall be made with such competition as is practicable under the circumstances. If emergency considerations exist after an unsuccessful attempt to use competitive bidding, an emergency procurement may also be made. A written determination shall be made stating the basis for an emergency procurement and for the selection of the particular vendor. Emergency procurements shall be limited to that of supplies, services or construction items necessary to meet the emergency. Such procurement shall be presented to the board at its next Board meeting.

### **Competitive Sealed Proposal**

The ultimate purpose of this method of procurement is to provide flexibility to GREEN while taking into consideration various options and the costs of each. Proposals shall be solicited through a request for proposals. While price is an important factor, it is considered less significant than fully meeting GREEN's needs.

### **Request for Proposal**

The request for proposal shall be the document used to initiate a competitive sealed proposal procurement and shall include the following:

- Instructions and information to vendors concerning the proposal submission requirements, including the time and date set for receipt of the proposal, the individual to whom the proposal is to be submitted, the address of the office to which proposal is to be delivered, and any other special information
- The purchase description, specifications, delivery and performance schedule, and such inspection and acceptance requirements as are not included in the purchase descriptions
- All contract terms and conditions, including warranty and bonding or other security requirements as applicable
- Instructions to vendors to visibly mark as confidential each part of their proposal which they consider to be proprietary information
- A statement of a vendor's right to protest

### **Public Notice**

Public notice of the invitation for proposal shall be given. Such notice may include publication on GREEN's website or on [scbo.sc.gov](http://scbo.sc.gov). Proposal time will be set to provide the vendors a reasonable time to prepare their proposals. A minimum of seven (7) days shall be provided by GREEN.

### **Bid Opening**

Contents of competing proposals shall not be disclosed during the process of opening or negotiation. Proprietary or confidential information marked as such in each proposal shall not be disclosed without written consent of the offeror.

## **Request for Qualifications**

Prior to soliciting proposals, and after giving adequate public notice, GREEN may issue a request for qualifications, experience, and ability to perform the requirements of the contract from prospective offerors. At a minimum, the request shall contain a description of the goods or services to be solicited by the invitation for proposal and the general scope of the work. The request shall also contain the deadline for submission of information and how prospective offerors may apply for consideration.

## **Negotiations with responsible offerors and revisions to proposals**

As provided in the request for proposals, negotiations may be conducted with any offeror submitting a proposal appearing to be eligible for contract award pursuant to the selection criteria set forth in the request for proposals. All apparently eligible offerors shall be afforded the opportunity to submit best and final proposals if negotiations with any other offeror result in a material alteration to the request for proposals and such an alteration has a cost consequence that may alter the order of offerors' price quotations contained in their initial proposals. In conducting negotiations, there shall be no disclosure of information derived from proposals submitted by any competing offerors.

## **Evaluation**

The request for proposals shall state the evaluation factors in relative order of importance. Price may not be an initial evaluation factor. Each responsive and responsible offeror's proposal shall be evaluated. The proposal shall then be ranked in accordance with the results of such evaluation.

## **Award**

In awarding a purchase contract to a vendor, GREEN aims to accomplish the following objectives:

- Make all purchases in the best interests of GREEN and its funding sources.
- Obtain quality supplies/services needed for delivery at the time and place required.
- Buy from responsible and dependable sources of supply.
- Obtain maximum value for all expenditures.
- Deal fairly and impartially with all vendors.