

Purchasing Procedures

1. Determine Need
2. Determine an adequate funding source – Ensure funding is located in the proper OBJ. code and initiates a Budget Transfer if necessary.
3. Research FCPS Bids, State Master Agreement price contracts, cooperative contracts, KETS, UK, LFUCG and GSA contracts to determine if required item is under contract. Contact the Purchasing Department if assistance is needed for research. If contract vendor will abide by the prices and conditions offered by the initiating contracting agency, the item(s) may be purchased utilizing the contract. Purchases of any dollar amount are appropriate. Complete the Requisition/Purchase Order (PO) referencing the appropriate agency and contract number.
4. Item(s) may be purchased outside of the price contracts if:
 - A. The item(s) meet the specification of contracts awarded by the agencies listed in #3
 - B. The items are available at a lower price
 - C. The purchase does not exceed \$2,500.00
 - D. The District's Finance or Purchasing Officer has certified compliance with (A) and (B) (Board Policy 04.32)
5. **KRS 45A.385 Small Purchases by local public agencies.**

The local public agency may use small purchase procedures for any contract for which a determination is made that the aggregate amount of the contract does not exceed thirty thousand dollars (\$30,000) if small purchase procedures are in writing and available to the public.

If the aggregate amount to be purchased is less than \$30,000.00 (small purchase procedures) and the item is not available via price contract, the following procedures shall be followed:

- A. **Purchases less than \$5,000.00** – Use best effort to obtain the lowest price from a responsible and responsive bidder for the supplies, services or construction to be purchased
- B. **Purchases equal to or exceed \$5,000.00 but less than \$30,000.00** – the following procedures shall be followed:
 - a. A minimum of three (3) potential suppliers shall be solicited for quotes. At least one (1) potential supplier should be a certified MBE, WBE or VBE (see Non-Competitive Purchases if quotes cannot be obtained)
 - b. Between \$5,000 and \$10,000 - telephone or catalog quotes are acceptable. At least one (1) potential supplier should be a certified MBE or WBE (See Non-Competitive Purchases if quotes cannot be obtained) A file shall be maintained indicating the quoted price, vendor, contact name, date of quote and other information obtained. Small Purchase Quote Form should be used. Requisition/PO shall include the

statement that the purchase is the “**lowest of three quotes**” and the vendor names and quotes must be included on requisition.

- c. Between \$10,000 and \$29,999 – A minimum of three (3) written quotes shall be solicited from potential bidders or suppliers. At least one (1) potential supplier should be a certified MBE, WBE or VBE (See Non-Competitive Purchases if quotes cannot be obtained) The requirement of written quotations may be dispensed with if time does not permit the submission of written quotations, providing that the quotation is subsequently verified in writing by the bidder. The requisition/purchase order shall include the statement that the purchase is the “**lowest of three written quotes**” and the vendor names and quotes must be included on requisition.
- d. Quotes shall be retained for a period of five (5) years for auditing purposes.
- e. Small Purchase Quote Form should be used for all quotes.

6. **Purchasing Cooperatives** – Purchasing Cooperatives can only be used if the district is a member and the Purchasing Department has approved the use of the contract being utilized.

7. **KRS 45A.365 Competitive Sealed Bidding and KRS 45A.370 Competitive Negotiation Over \$30,000 Procedures (unless item is currently under contract per item #3 or item #6 procedures are followed)** - If the aggregate total of the item(s) to be purchased exceeds \$30,000.

(Aggregate is defined as *total dollar amount purchased throughout the District during a fiscal year of items of a like nature, function and use, the need for which can reasonably be determined at the beginning of the fiscal year.*)

- A. Send Bid Request Form to Purchasing Office
- B. Include the following: Item(s) to be purchased, complete and detailed specifications, quantities to be purchased, and the source of funds that will be used to pay for the item(s) acquired by the Bid.

8. **KRS 45A.380 Noncompetitive Negotiation**

Non-Competitive Purchases – Any non-competitive purchase in excess of \$5,000.00 can only be accomplished after a written determination is made that **competition is not feasible** and it is further determined in writing that:

- (1) An emergency exists which will cause public harm as a result of the delay in competitive procedures; or
- (2) There is a single source within a **reasonable geographical area of the product or service** to be procured; or
- (3) The contract is for the services of a licensed professional, such as attorney, physician, psychiatrist, psychologist, certified public accountant, registered nurse, or educational specialist; a technician such as a plumber, electrician, carpenter, or mechanic; or an artist such as a sculptor, aesthetic painter, or musician, provided, however, that this provision shall not apply to architects or engineers providing construction management services rather than professional architect or engineer services; or
- (4) The contract is for the purchase of perishable items purchased on a weekly or more frequent basis, such as fresh fruits, vegetables, fish or meat;
- (5) The contract is for replacement parts where the need cannot be reasonably anticipated and stockpiling is not feasible;
- (6) The contract is for proprietary items for resale;
- (7) In school districts the contract relates to an enterprise in which the buying or selling by students is a part of the educational experience;
- (8) The contract or purchase is for expenditures made on authorized trips outside of the boundaries of the local public agency;

- (9) The contract is for the purchase of supplies which are sold at public auction or by receiving sealed bids;
- (10) The contract is for group life insurance, group health and accident insurance, group professional liability insurance, worker's compensation insurance, and unemployment insurance; or
- (11) The contract is for a sale of supplies at reduced prices that will afford a purchase at savings to the local public agency.

Determination

When it is established that a need meets one or more of the criteria for a non-competitive purchase, a Determination form is to be prepared by the originator/Budget Manager. A determination number will be assigned during the signature process.

After all appropriate signatures (Originator, Director/ Chief of Schools, Senior Director of Administration, Superintendent and Director of Logistical Services and Purchasing) have been obtained; the signed Determination Form shall be forwarded to the Purchasing Office. A Determination Number will then be sent to the requesting originator/Budget Manager.

The assigned Determination Number shall be included on all resulting Requisitions/Purchase Orders. Determination numbers expire after one (1) calendar year and can only be used multiple times if the items and services on the form are the exact same for each purchase.

A Determination Form is not needed for the following purchase scenarios:

- State organizations such as KASA, KASS, KASBO, KAPE, KSBA that are already approved as vendors.
- Travel Reimbursements to individual employees
- Conference registration
- Hotel stay for conference/ professional development
- Sponsorships for events
- School Field Trips

9. MBE/WBE/VBE Participation

The Fayette County Public School System (FCPS) promotes the participation of Minority, Women and Veteran Business Enterprises (MBE/WBE/VBE) as vendors and construction contractors. The FCPS staff shall annually track and report the inclusion and participation of minority, women and veteran businesses from all procurement contracts, projects and awards in an effort to reach the Board's MBE/WBE/VBE goal from the District's annual spend. The contact person for the Department of Economic Development is Marilyn Clark, 859-381-4709, Marilyn.clark@fayette.kyschools.us.

NEED HELP???



Call or e-mail one of the following:

Matt Moore	Purchasing Technician	matthew.moore@fayette.kyschools.us	381-3885
Dan Sawyers	Director of Logistical Services/Purchasing	dan.sawyers@fayette.kyschools.us	381-3876
Marilyn Clark	Manager of Economic Development	Marilyn.clark@fayette.kyschools.us	381-4709