

PURCHASING

All purchasing for the school system to be paid from Livingston Parish School Board funds shall be made by the Superintendent or his/her designee in conformance with existing regulations and procedures of the Board and the laws pertinent to state and federal agencies. Budget allocations for specific purposes shall constitute advance Board approval for all purchases except in such cases as state law or Board policy may require. No debt shall be contracted in the name of the Livingston Parish School Board without action by the Board, except those items which are provided for in the regular budget. Purchases shall be made at the lowest possible cost to the school system consistent with the system specifications of quality and service.

Each principal shall assure that purchases by the individual school shall be made in accordance with regulations and procedures developed by the Superintendent/designee and staff.

No employee, officer or agent of the Livingston Parish School Board shall participate in the selection, award, or administration of a contract if a conflict of interest, real or apparent, would be involved. The Livingston Parish School Board's employees shall neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to subagreements.

VENDORS

Vendors may set up an appointment to see the principal with written prior approval from the Superintendent/designee. The principal may present the information to the appropriate staff member. If the staff member wishes to set up an appointment with the vendor to discuss products offered, he or she may do so.

FINANCING PURCHASES

The School Board may finance the purchase of equipment or other movable property to be used by the Board by entering into an installment sale, lease, or similar agreement with any lender or other person. Such agreement shall be subject to approval of the State Bond Commission in accordance with statutory provisions. No individual school or employee shall obligate the School Board without proper school system personnel knowledge and approval.

SOLE SOURCE PROVIDER

The School Board may award a contract for the purchase of supplies, services, or major repairs without competition when the Superintendent or designated employee has determined, in writing, that there is only one source for the supply, service, or major repair item(s) to be acquired. The following rules and regulations shall apply to and govern all sole source procurement for the Livingston Parish School Board unless emergency conditions exist:

- A. For used products, equipment or structures the School Board may procure such items where the Superintendent has determined that the procurement of said item is cost effective to the School Board and an equivalent item proposed for purchase is not available through a competitive bidding process such that letting bids would constitute a vain and useless act.
- B. The determination as to whether a procurement shall be made as a sole source shall be made by the Superintendent or his designee. Such determination shall be in writing. In cases of reasonable doubt, competition should be solicited. Any request that a procurement be restricted to one potential contractor shall be accompanied by an explanation as to why no other will be suitable or acceptable to meet the need.
- C. With respect to such purchases, the Superintendent shall certify in writing to the School Board all of the following:
 - 1) The price for which the used product, equipment or structure may be obtained;
 - 2) A statement that the maintenance and repair of the product, equipment or structure is unlikely to be any more onerous or expensive than the purchase of new such items, taking into account the cost of the used items.
 - 3) An equal product, equipment or structure cannot be obtained through a competitive bid process because of the circumstances surrounding the purchase.
 - 4) The circumstances surrounding the purchase demonstrating that the procurement of an equivalent product, equipment or structure cannot be accomplished through a competitive bid process.
- D. The purchase shall be voted upon, authorized and approved by the Livingston Parish School Board at a regular or special meeting noticed pursuant to State Law.
- E. A record of any item procured under these rules and regulations shall be maintained that lists:
 - 1) Each contractor's name;
 - 2) The amount and type of each purchase;
 - 3) A listing of the product, equipment or structure procured;
 - 4) The identification number of each contract file.
- F. The record of each procurement prepared under Subsection (D) shall be

submitted to the Legislative Auditor annually.

USE OF STATE CONTRACT

If equipment, materials or supplies are available from a State of Louisiana Contract, the Superintendent and/or his/her designee may approve the purchase without using one of the purchasing procedures outlined in statutory provisions, if advantageous to the School Board. The Board may also *piggyback*, or purchase materials and supplies on valid contracts of other political subdivisions.

COMPETITIVE ONLINE SOLICITATION

The School Board may use a *reverse auction* or *competitive online solicitation process* on the Internet for the purchase of equipment, supplies, and other materials in lieu of the more formal bid process when the Board's procurement officer determines that the electronic bidding is more advantageous and in the best interests of the School Board.

Prior to the use of a competitive online solicitation process, the School Board may require that:

1. Vendors register before opening dates and time, and as part of the registration, require that the vendors agree to any terms and conditions and other requirements of the solicitation.
2. Vendors be prequalified prior to placing bids and allow only bidders who are prequalified to submit bids.
3. The solicitation shall designate an opening date and time and the closing date and time. The closing date and time may be fixed or remain open depending on the structure of the item being bid.
4. At the opening date and time, the School Board shall begin accepting online bids and continue accepting bids until the bidding is officially closed. Registered bidders shall be allowed to lower the price of their bid below the lowest bid posted on the Internet until the closing date and time.
5. Bidders' identities shall not be revealed during the bidding process; only the successively lower prices, ranks, scores, and related bid details shall be revealed.
6. All bids shall be posted electronically and updated on a real-time basis.
7. The School Board shall retain the right to cancel the solicitation if it determines that it is in the Board's best interest.
8. The School Board shall retain its existing authority to determine the criteria that

will be used as a basis for making awards.

Adequate public notice for purchases using a reverse auction or competitive online solicitation process shall be given as follows:

1. The advertisement or notice shall be published two (2) times in a newspaper in the locality, the first advertisement to appear at least fifteen (15) days before the opening date of the reverse auction. In addition to the newspaper advertisement, the School Board may also publish an advertisement by electronic media available to the general public.
2. The first publication of the advertisement shall not occur on a Saturday, Sunday, or legal holiday.

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Ref: La. Rev. Stat. Ann. ' '33:4712.7, 38:2211, 38:2212, 38:2212.1, 38:2214, 38:2218, 38:2219, 38:2271, 39:1551, 39:1552, 39:1553, 39:1554, 39:1554.1, 39:1556, 39:1557, 39:1558, 39:1597, 39:1710; Board minutes, 7-7-11.