

NON-INSTRUCTIONAL SERVICES: Purchasing [Principles]

PURCHASING PRINCIPLES

I. PURPOSE

TO ESTABLISH GUIDELINES FOR PURCHASING ACTIVITIES OF THE BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS).

II. RESPONSIBILITY

THE OFFICE OF PURCHASING SHALL BE RESPONSIBLE FOR ESTABLISHING WRITTEN PROCEDURES FOR THE PURCHASING ACTIVITIES OF THE SCHOOL SYSTEM. ALL PROCUREMENT TRANSACTIONS WILL BE CONDUCTED IN ACCORDANCE WITH APPLICABLE LAWS, BOARD OF EDUCATION OF BALTIMORE COUNTY (BOARD) POLICIES, SUPERINTENDENT'S RULES, AND ESTABLISHED PROCEDURES.

III. [1.]Statement of Principles

- A. [a. In cooperation with other offices,]The Office of Purchasing is primarily responsible for securing specific terms and conditions with vendors or contractors for consideration by the Board.
- B. [b.]Bids are awarded to a vendor based solely on the suitability of the product or service, price, delivery, and quality.
 - 1. ANY attempt[s] on the part of [suppliers] A VENDOR to influence procurement decisions by offers of gifts or gratuities IS A VIOLATION OF THE BOARD'S ETHICS CODE AND will be [firmly] rejected. SUCH ACTIONS MAY RESULT IN DEBARMENT AS A VENDOR WITH BCPS.
- C. [c.]NO CONTRACT WILL KNOWINGLY BE AWARDED TO AN INDIVIDUAL OR BUSINESS IF PARTICIPATION IN THE AWARD VIOLATES THE BOARD'S ETHICS CODE OR IF THE ETHICS REVIEW PANEL FINDS [If notified by the ethics panel] that a conflict of interest exists. [as described in Board Policy 8363, Ethics Code, Conflict of Interest, a contract will not be awarded to the applicable individual or business.]

IV. [2.]Purchasing Procedures

- A. [a.]All purchases are subject to the published procedures, authority, and scrutiny of the Office of Purchasing.
- B. [b.]When purchasing educational products or services, any necessary training, including travel, must also be included in the purchasing process.
- C. [c.]Any requisition for textbooks or other INSTRUCTIONAL [educational] materials must be in COMPLIANCE WITH BOARD POLICY AND SUPERINTENDENT’S RULE 6002, *SELECTION OF INSTRUCTIONAL MATERIALS*. [accordance with the materials list approved by the appropriate office in the Division of Curriculum and Instruction].
- D. [d.]BCPS WILL NOT BE FINANCIALLY RESPONSIBLE FOR AND [Baltimore County Public Schools] has no obligation to reimburse individuals OR BUSINESSES for independent, [and] unauthorized purchases OR CONTRACTS ENTERED INTO BY BCPS EMPLOYEES.

V. [3. Negotiations with Vendors] DEVELOPING BID SPECIFICATIONS

- A. DURING THE DEVELOPMENT OF SPECIFIC PRICING, TERMS, AND CONDITIONS, the Office of Purchasing WILL [shall]:
 - 1. Consult with other departments as necessary and appropriate. [during the development of specific pricing, terms, and conditions.]
 - 2. [B.]CONSULT WITH THE DEPARTMENT OF PHYSICAL FACILITIES for ALL [any] construction-related contracts. [, the Office of Purchasing shall consult with the Department of Physical Facilities during the development of specific pricing, terms, and conditions.]

VI. PUBLIC INFORMATION

[C.] THE OFFICE OF PURCHASING WILL PROVIDE ACCESS TO ALL PURCHASING FILES AND RECORDS IN ACCORDANCE WITH MARYLAND’S PUBLIC INFORMATION ACT OR AS REQUIRED BY LAW. All CONFIDENTIAL COMMERCIAL, FINANCIAL, OR OTHERWISE PROPRIETARY INFORMATION OF A vendor OR [and] bidder THAT HAS BEEN CLEARLY IDENTIFIED AS SUCH AND THAT IS [proprietary information] received by BCPS [the Baltimore County Public Schools] AS PART OF THE PROCUREMENT PROCESS shall be maintained as confidential, subject to release [only] as required by law.

VII. COMPLIANCE

ALL EMPLOYEES ARE RESPONSIBLE FOR FOLLOWING POLICY 3209,

THIS RULE, THE BOARD'S ETHICS CODE, AND ESTABLISHED BCPS PROCEDURES WHEN PURCHASING SERVICES OR GOODS ON BEHALF OF BCPS.

LEGAL REFERENCES: *ANNOTATED CODE OF MARYLAND*, EDUCATION ARTICLE §5-112, *Bids*
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §7-106, *Textbooks, Materials of Instruction, and Supplies*
ANNOTATED CODE OF MARYLAND, STATE FINANCE AND PROCUREMENT ARTICLE, §14-302, *PROCUREMENT FROM MINORITY BUSINESS*
COMAR 21.11.03.04, *MINORITY BUSINESS ENTERPRISE POLICIES*

Related Policies: BOARD OF EDUCATION POLICY 3000, NON-INSTRUCTIONAL SERVICES
Board of Education Policy 3200, *Purchases from Minority and Small Business Enterprises*
BOARD OF EDUCATION POLICY 3210, PURCHASING GUIDES
BOARD OF EDUCATION POLICY 3215, CONTRACTS
BOARD OF EDUCATION POLICY 6002, *SELECTION OF INSTRUCTIONAL MATERIALS*
[Board of Education Policy 7460, Purchases from Minority Businesses]
Board of Education Policy, [Series 8000, Internal Board Operations,] 8360 SUB Series, *Ethics Code*

RELATED RULE: SUPERINTENDENT'S RULE 2373, *PUBLIC INFORMATION ACT REQUESTS: SCHEDULE OF FEES*

Rule
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Superintendent of Schools