

# Hamilton County Board of Education

Monitoring: Review: Annually in January	Descriptor Term: <b>Purchasing</b>	Descriptor Code: 2.805	Issued Date: 02/10/11
		Rescinded:	Revised: 02/16/23

## General

The Hamilton County Board of Education is committed to doing business with all vendors including female, small and minority vendors and encourages these vendors to participate in the procurement program of the Hamilton County Department of Education. The school system will purchase competitively and seek maximum educational value for every dollar expended. Authorization to purchase shall be provided by the Board and will be based on the procedures set forth in the HCS Procurement Rules Handbook and this policy. The Director of Purchasing shall serve as purchasing agent for the system-wide purchasing.<sup>1</sup> Principals shall serve as purchasing agents for individual schools.

Purchases made by anyone not authorized by the appropriate officials shall become the personal responsibility of the persons making the purchase agreement. The Board will not, under any circumstances, be responsible for payment for any material or supplies purchased by unauthorized individuals or violation of purchase procedures.

- No person officially connected with or employed by the school system will be an agent for or have any financial compensation or reward of any kind from any vendor for the sale of supplies, materials, equipment, or service.<sup>2</sup>

No school shall be obligated to pay for any expenditures made by a student or a teacher or by any other employee unless s/he first receives a written purchase order from the proper office or unless prior written permission or arrangements are made with the principal.

To ensure that the applicable individual responsible for a department and/or program budget ("budget manager") is responsible for the development and awarding of contracts which utilize funds from the budget for which they are responsible; the School District's Purchasing Department will not approve a Purchase Requisition to a Purchase Order unless each of the following items are completed:

- The purchase requisition must be approved by the applicable budget manager, and
- Any contract, agreement, or any other document evidencing the terms and agreement of the transaction providing the supporting documents of the Purchase Requisition must be approved by the applicable budget manager.

The Board will purchase locally whenever other conditions are comparable.

## Individual Schools

The Director of Schools must approve the following purchases:

- a single piece of equipment costing more than five thousand dollars (\$5,000.00)

- one that is to be attached to or one that requires alteration of the building; or
- one that will become a permanent fixture.

## Central Office

### ROUTINE PURCHASES

Routine purchases shall include expenditures for supplies, salaries, and routine expenditures required for operation of the school system. These expenditures shall be anticipated and provided for in the budget and will normally be authorized by the Board at the beginning of the fiscal year. The director of schools shall make all routine purchases without further Board authorization; however, the Board shall be promptly informed if any substantial variation from budgeted estimates becomes necessary.

### EMERGENCY PURCHASES

The head of a User Department and / or his / her designee are authorized to purchase or lease any services, supplies, materials, or equipment in actual emergencies arising from unforeseen causes, including delays by contractors, delays in transportation, unanticipated volume of work, and acts of God. Emergency Purchases do not require public posting or competitive bidding. In the event of an Emergency Purchase, the following procedures are required:

1. A record of any emergency purchase shall be made by the person or body authorizing such emergency purchase, and shall specify the amount paid, the items purchased, from whom the purchase was made, and the nature of the emergency.
  - a. A report of any emergency purchase shall be prepared as soon as possible by the User Department and submitted to the Director of Procurement. The Director of Procurement then compiles the documentation relative to the emergency for submittal to the appropriate approval authority.
    - i. Emergency purchases less than \$250,000.00 shall be submitted to and ratified by the Director of Schools and the Executive Committee.
    - ii. Emergency purchases of \$250,000.00 or more shall be submitted to and ratified by the Director of Schools, Executive Committee, and Board.
  - b. If the purchase is of such significant magnitude as to impact on the integrity of the budget, the Director of Schools may seek the Board to call a special or emergency meeting of the Board to deal with the matter.
2. When requesting financial assistance through FEMA or TEMA, the User Department along with the Procurement Department must ensure compliance with procurement standards relative to FEMA or TEMA. The User Department's documentation shall be sufficient and adequately detailed to provide FEMA or TEMA with an understanding of the purchase and to allow for their respective audit reviews and potential subsequent reimbursements.

### PURCHASING OF SURPLUS PROPERTY

The director of schools and other employees designated by the Board shall be authorized to act for the Board in acquiring federal surplus property through the Tennessee General Services Department for surplus property and in entering into agreements, certifications and covenants of compliance

1 concerning the use of federal surplus property. Further, the director of schools is authorized to  
2 purchase any needed items through suppliers approved on the state bid list.

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4 **COOPERATIVE PURCHASING**

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6 HCS may participate in, sponsor, conduct or administer cooperative purchasing agreements or  
7 contracts without public posting and additional competitive bidding when such contracts or agreements  
8 are open to HCS and, in the sole discretion of the Purchasing Department, such action being in the best  
9 interest of HCS.<sup>3</sup>

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16 Legal References:  
17 TCA 49-2-206(3)  
18 TCA 49-2-2003  
19 TCA 12-3-1205  
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