

Contractual Procedures

“Contract” means a mutually binding legal relationship obligating the seller to furnish the supplies or services and the buyer to pay for them. It includes all types of commitments that obligate the government to an expenditure of appropriated funds and that, except as otherwise authorized, are in writing.

Any time an individual or business agrees to come into the school to provide any form of professional development or an identified service that is not available through existing district employees and/or departments, a contract is necessary.

George County School District will award contracts only to responsible contractors possessing the ability to perform successfully as evidenced by contractor integrity, compliance with public policy, record of past performance, and financial and technical resources. [200.318(b)] George County School District will not restrict competition through the following:

- Unreasonable requirements on firms to qualify to do business;
- Requiring unnecessary experience or excessive bonding;
- Noncompetitive pricing practices;
- Noncompetitive awards to consultants on retainer;
- Organizational conflicts of interest;
- Specifying brand name instead of allowing “an equal”
- Any arbitrary action in the procurement process; or
- The imposition of state or local geographical preferences in the evaluation of the bids or proposal, except where applicable Federal statutes expressly mandate or encourage geographic preference.

Only the board of directors of George County School District have the authority to establish contracts that legally bind the district. Regardless of the type of contract, it is important to ensure that the District and individual employees are protected from any liability associated with improperly executed contracts. There are no dollar thresholds associated with this process. All contracts must be reviewed and approved by the board.

For Federal Programs/Special Education/Child Nutrition consulting, professional development training, technical and data processing services less than \$10,000 a checklist with 2 CFR Part 200 provisions must be completed in lieu of a contract. (See Attached)

Consulting, professional development training, technical and data processing services of \$10,000 or more must have a board approved contract before a requisition is submitted.

- These purchases will be coded to a 300 object code except for web-based subscriptions.
- For Web-Based Subscriptions, please contact Business Office for object code.
- Multiyear contracts must combine dollar amounts so as not to go over the \$10,000 limit. If the combined total is over \$10,000 a contract must be completed.
- For Federal Programs, Special Education, and Child Nutrition the GCSD Professional Services Contract should be completed and sent to the Business Office to be submitted for board approval. The vendor’s scope of work must be attached.

- For District or Activity Funds, either the vendor's contract or our GCSD Professional Services Contract can be used.
- Professional services can be approved on an annual basis.
- Once the board approves the contract, a requisition can be submitted for the purchase.

With respect to spending any federal dollars on contracts and/or trainings with consultants, the following procedures must take place:

- Prior approval and confirmation of availability of funds must be obtained from the Superintendent and the Program Director.
- The Program director will be responsible for soliciting quotes and bids from a variety of vendors.
- If the anticipated cost is as follows: (thresholds determined by the MDE requirements.)
 - Micro-purchase threshold <\$5,000 – Only one form of price confirmation required
 - Small purchases \$5,001-\$75,000 (goods); \$10,001-\$250,000 (services) at least two quotes are required. RFPs (Request for Proposals) will be used to solicit the quotes.
 - Purchases above the threshold >\$75,001 (goods); >\$250,000 (services), GCSD uses a third party vendor "Central Bidding" for all reverse auctions in accordance with the State Procurement laws and regulations. Sealed bids are only used as a last resort.
- RFPs will include clear and accurate description of the technical requirements for materials, product or service to be procured; and identify all requirements, which the vendors must fulfill, and all other factors to be used in evaluating bids or proposals.
- The principal and/or individuals requesting the contractual support will review documents based on the RFP to determine the selected vendor. If the vendor selected is not the lowest quote, a written justification for the selection is required.
- The name of the selected vendor and all supporting documentation will be provided to the Program Director who will share the information with the Superintendent. The contract for services to be rendered should:
 - Clearly define deliverables or identify method of evaluation the district/school will use
 - Provide description of services to be performed or goods to be delivered
 - Describe scientific-based research to support the services to be provided
 - Describe dates when services will be performed, or goods delivered
 - Describe the location where services will be performed, or goods delivered
 - Describe the number of students/teachers to be serviced if applicable
 - Be signed and dated
 - **Resumes for individual consultants are not required, but would provide auditors with additional information if contract was questioned.
- The Office of Federal Programs or Special Education will create a requisition to be signed by the requesting principal/individual. A purchase order will be created and sent to the selected vendor by the Office of Federal Programs or Special Education.
- Invoices will be paid only upon completion of services or per the scope of work.
- When placing a requisition, funds must be available in the proper object budget codes.
 - Remember that ALL federal monies spent must be consistent with the following:
 - The underlying needs of the program/needs assessment – related to an educational activity
 - Included in the School Wide Plan

- Consistent with federal cost principles
 - Allowable
 - Reasonable
 - Necessary
- Is not unnecessary or duplicative items

Monitoring Services Provided

The Program Director, or their designee, will monitor the work of contractors to ensure work is performed in accordance with the federal requirements and the federal application/plan. As a safeguard, all contractors that provide a service will supply the district with a written report of their work in our district. If the contractor is not performing their duties as specified in the bid/agreement GCSD reserves the right to void the contract. In order to void a contract, GCSD and the contractor will discuss options to meet the terms of the contract. If a mutually agreed upon solution cannot be achieved, the Program Director will notify the contractor in writing of the decision to terminate the contract. Termination of a contract will be taken into consideration when issuing future contracts.