
Section D: Fiscal Management

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Management of Funds

The Charles City County School Board shall manage and control the funds made available to the School Board for the public schools and may incur costs and expenses. The division superintendent or his designee shall be responsible for administering the School Board budget consistent with School Board policies and applicable state and federal law. The division superintendent or his designee shall use appropriate fiscal planning and management methods modeled after the best accepted business practices and directed toward the educational goals of the school division.

If the Charles City County Board of Supervisors approves the School Board budget by total expenditures, funds may be transferred by the School Board from one category to another. If funds are appropriated by major classifications, no funds shall be expended by the School Board except in accordance with such classifications without the consent of the Board of Supervisors. The division superintendent or his designee may be authorized by the School Board to make line item transfers within a category.

Adopted: May 15, 2012

Legal Ref.: Code of Virginia, 1950, as amended, §§ 22.1-78, and 22.1-89 through 22.1-124
Virginia Board of Education Regulations Governing Classification of Expenditures
8 VAC 20-210-10
Governing Financial Retention Schedule
8 VAC 20-260-10

TRANSFER OF FUNDS (ACCOMPANYING REGULATION)

In accordance with Policy 3-1.1, the division superintendent is authorized to transfer funds within major budget categories. Transfers within the major budget categories that do not affect the categorical totals require approval as follow:

1. Budget transfers in excess of \$75,000 must be approved by the School Board.
2. The division superintendent must approve budget transfers in excess of \$20,000 and up to \$75,000.
3. The division superintendent designee may approve budget transfer up to \$20,000.
4. All transfers greater than \$20,000 shall be reported at the next school board meeting.

Budget transfer requests will be initiated and approved by the cost center manager on the appropriate form. The request will provide specific justification for the requested budget transfer. Then financial services office will maintain a log of all budget transfers, which will be available for School Board review.

ANNUAL BUDGET

The annual school budget is the financial outline of the division's education program. It presents a proposed plan of expenditures and the expected means of financing those expenditures. After adoption, it provides the primary means of managing expenditures.

The fiscal year begins on the first day of July and ends on the thirtieth day of the following June.

The superintendent prepares, with the approval of the School Board, and submits to the appropriating body, an estimate of the amount of money needed during the next fiscal year for the support of the public schools of the school division. The estimate sets up the amount of money needed for each major classification prescribed by the Board of Education and such other headings or items as may be necessary.

The superintendent or superintendent's designee prepares a budget calendar identifying all deadlines for the annual budgetary process. The calendar includes at least one work session for reviewing the budget and at least one public hearing on the budget. Notice of the time and place for the public hearing is published at least ten days in advance, in a newspaper having general circulation within the school division.

Upon approval of the school division's budget by the appropriating body, the school division publishes the approved budget in line item form, including the estimated required local match, on its website and the document is also made available in hard copy as needed to citizens for inspection.

Adopted: July 21, 2009
Revised: July 19, 2011

Legal Refs.: Code of Virginia, 1950, as amended, §§ 15.2-2500, 15.2-2503, 15.2-2504, 15.2-2506, 15.2-2506, 22.1-91, 22.1-92, 22.1-93, 22.1-94.

CUSTODY AND DISBURSEMENT OF SCHOOL FUNDS

All School Board funds, except 1) money generated by school activities, and classified "school activity fund accounts," 2) petty cash funds, and 3) accounts established for the purchase of instructional materials and office supplies, are deposited with the Charles City County treasurer, who is in charge of the receipts, custody and disbursement of School Board funds and who keeps such funds in an account or accounts separate and distinct from all other funds. Checks must be drawn on the School Board account by the Charles City County treasurer, Charles City, Virginia.

Disbursement of School Board funds shall be approved as provided in Policy DK Payment Procedures.

Adopted: April 15, 2008
Revised: July 20, 2010

Legal Refs.: Code of Virginia, 1950, as amended, §§ 22.1-78, 22.1-116, 22.1-122.1 and 22.1-123.

8 VAC 20-240-10.

Cross Refs.: DGC School Activity Funds
DGD Funds for Instructional Materials and Office Supplies
DJB Petty Cash Funds
DK Payment Procedures

SCHOOL ACTIVITY FUNDS

All funds derived from extracurricular school activities, including, but not limited to, entertainment, athletic contests, facilities fees, club dues, vending machine proceeds that are not deposited in the school nutrition program account, and from any and all activities of the school involving personnel, students, or property are considered school activity funds.

Each school keeps an accurate record of all receipts and disbursements of school activity funds so that a clear and concise statement of the condition of each fund may be determined at all times. It is the duty of each principal to see that such records are maintained in accordance with regulations of the Virginia Board of Education and the Charles City School Board. The principal is bonded, and the School Board prescribes, by regulation, rules governing such bonds for employees who are responsible for school activity funds.

At least once a year, a duly qualified accountant, accounting firm, or internal auditor shall perform an audit, examination, or review of school activity funds to ensure funds are being managed in accordance with this policy and all funds are properly accounted for. The type of engagement (audit, examination, or review) and the accountant, accounting firm, or internal auditor, shall be approved by the School Board. A copy of the audit report resulting from the audit, examination, or review (and the completed corrective action plan, if suggestions for improvement are made) shall be reviewed by the superintendent and the School Board, and filed in the office of the clerk of the School Board, the superintendent, and the principal. The cost of such an audit, examination, or review may be paid from the school operating fund or school activity funds. Monthly reports of such funds shall be prepared by the principal and filed in the principal's office.

Adopted: April 15, 2008

Revised: July 20, 2010

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Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-122.1.
8 VAC 20-720-10

Cross Refs.: DG Custody and Disbursement of School Funds
DM Cash in School Buildings

FUNDS FOR INSTRUCTIONAL MATERIALS AND OFFICE SUPPLIES

The School Board may, by resolution and subject to the approval of the appropriating body, establish accounts in each of its departments and schools committed solely for the purchase of instructional materials and office supplies. The School Board may authorize the transfer of a percentage of the funds budgeted for a school or division department, not to exceed thirty-five percent of the allocation, into the account.

The account shall be managed by the principal of the school or head of the division department who shall file a monthly accounting of the funds with the Superintendent. No additional funds shall be transferred into any such account unless the monthly accounting has been filed. The funds in the account may be disbursed for payment of obligations by issuing a negotiable check signed by the principal or head of the division department, and a second person designated by the School Board. At the close of the fiscal year, all funds remaining in the accounts shall be returned to the School Board simultaneously with a full accounting of the disbursements. All such accounts shall be subject to an annual audit as prescribed by Va. Code § 15.2-2511 and to relevant provisions of the Virginia Public Procurement Act.

Adopted: April 15, 2008

Revised: April 15, 2014

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Legal Refs.: Code of Virginia, 1950, as amended, § 22.1-122.1.

Cross Refs.: DG Custody and Disbursements of School Funds
 DJA Purchasing Authority
 DJB Petty Cash Funds
 DJF Purchasing Procedures
 DJG Vendor Relations
 DK Payment Procedures

FINANCIAL ACCOUNTING AND REPORTING

The superintendent or superintendent's designee shall establish and be responsible for a division's accounting system that will satisfy the Virginia Department of Education's regulations regarding accounting practices and applicable federal, state, and local laws.

Financial Accounting and Reporting

The School Board will receive monthly statements, including statements of revenue and expenditures, showing the financial condition of the division as of the last day of the preceding month. School food service funds and textbook funds will be help in separate, interest bearing bank account.

At least once each year the School Board submits a report of all its expenditures to the appropriating body. Such report shall also be made available to the public either on the school division website or in hard copy at the central school division office, on a template prescribed by the Board of Education.

Inventories

The superintendent or his/her designee will be responsible for the inventory of all fixed assets of the school division.

School Level Accounting System

Each school is required to maintain an accurate, up-to-date accounting system of all money collected and disbursed by the school. These funds will be deposited in accounts in the name of the school.

A record of all receipts and disbursements will be maintained in accordance with the Charles City County Public Schools Activity Manual as promulgated by the superintendent and in accordance with regulations issued by the State Board of Education.

The principal will prepare and forward to the superintendent or his/her designee monthly financial statements, including statement of revenues and expenditures, showing the financial condition of the school as the last day of the preceding month.

Audit

In accordance with state statutes and regulations, all financial records of the division will be audited following the close of each fiscal year.

Adopted: July 21, 2009

REPORTING PER PUPIL COSTS

Upon preparing the estimate of the amount of money deemed to be needed during the next fiscal year for the support of the schools, the division Superintendent will also prepare and distribute, within a reasonable time as prescribed by the Board of Education, notification of the estimated average per pupil cost for public education in the school division for the coming school year in accordance with the budget estimates provided to the appropriating body. The notification will also include actual per pupil state and local education expenditures for the previous school year.

The notice may also include federal funds expended for public education in the school division. The notice will be made available in a form provided by the Department of Education and shall be published on the school division's website or in hard copy upon request.

Adopted: July 1, 1998

Revised: May 3, 2004

Legal Ref.: Code of Virginia, 1950, as amended, section 22.1-92 (A).

Cross Ref.: DB Annual Budget

SMALL PURCHASING

Pursuant to written procedures not requiring competitive sealed bids or competitive negotiation, the School Board may enter into single or term contracts for goods and services other than professional services if the aggregate or the sum of all phases is not expected to exceed \$100,000; however, such small purchase procedures shall provide for competition wherever practicable. Purchases under this exception that are expected to exceed \$30,000 shall require 1) the written informal solicitation of a minimum of four bidders or offerors, and 2) posting of a public notice on appropriate websites.

The Charles City County School Board may purchase single or term contracts for professional services if the aggregate or sum of all phases is not expected to exceed \$50,000 without undertaking competitive bidding by adopting written procedures for such purchases. However, such small purchases procedures shall provide for competition wherever possible.

Adopted: July 21, 2009
Revised: July 19, 2011

Legal Refs.: Code of Virginia, 1950, as amended, §§ 2.2-4303, 22.1-68, 22.1-78.

Cross Ref.: DJF Purchasing Procedures

PURCHASING (ACCOMPANYING REGULATION)

The purchasing regulations are established in accordance with the Virginia Public Procurement Act for use by employees of the Charles City County Public Schools, who, in the course of their duties, must procure goods and services by the expenditure of public funds. Strict adherence to these procedures will ensure that optimum value is received for each taxpayer dollar spent and that school division requirements are met in a timely manner. The success of the purchasing process depends upon all employees conscientiously following these procedures.

These purchasing procedures are not designed to answer every question relating to purchasing. Rather, they provide the foundation for an efficient system meeting the needs of the school division.

Purchasing Responsibilities

Purchasing receiving and property control are responsibilities shared among school employees as follows:

Division Superintendent

The division superintendent shall have administrative responsibility for all purchasing by the school division. The division superintendent shall establish procedures that will provide the foundation for an efficient procurement system and will meet the procurement needs of the school division.

Director of Finance

The Director of Finance shall serve as purchasing agent for the school division. In this capacity, the Director of Finance shall purchase or contract for all supplies, materials, equipment and contractual service required by the school division, subject to federal and state law and School Board policies. The Director of Finance shall direct and manage all phases of the School Board's purchasing system.

As fiscal agent for the school division, the Director of Finance is the only school board appointee that may obligate the assets of the district. As such, any contract using appropriated funds must bear the signature of the assistant superintendent of finance and technology.

Principal/Cost Center Manager

The principal/cost center manager shall make the determination of needs at his site, and shall follow the appropriate purchasing method to acquire services and materials to satisfy those needs. He shall ensure that purchases are charged to the proper budget code and are made within available funds.

Finance Department

The finance department shall provide service and support in the procurement process for the entire school division. Finance department personnel shall serve as a resource for principals/cost center managers for the acquisition of goods and materials and evaluation of products and vendors. The finance department shall seek to ensure that procurement procedures follow applicable laws and policies, and that goods and services are available when needed and at a reasonable cost.

Contact with Vendors

No agents, salespersons, or solicitors shall engage in any sales activities with teachers or students at a school without written permission of the division superintendent's office. Such written permission shall first be presented to the principal of the school. Teachers should not be called from class to meet with salespersons. An exception to this policy may exist when the principal's authorizes individual staff members to contact an individual salesperson or solicitor.

General Methods of Procurement

Fair and open competition is a basic tenant of public procurement. It reduces the opportunity for favoritism and inspires public confidence that contracts are awarded equitably and economically. A variety of procedures are available to legally contract for goods and services that meet the test of fair and open competition. Some of the procedures also recognize that the time and expense involved do not warrant more formal means of competition for lower value orders. Depending upon the circumstances, purchasing personnel will select the most appropriate methods to use.

Quotes obtained from vendors are of two types: informal or formal. An informal quote is a quote obtained by the principal/cost center manager or purchasing office when a written solicitation is not issued. Informal quotes may be with obtained by telephone or in writing. A formal quote is a quote obtained by the purchasing office for which a written solicitation is issued. Formal quotes must be written. Note that a purchase order is required for any purchase exceeding \$2000.

The general methods of procurement which will normally be used are:

- I. Small Purchases- Not Exceeding \$30,000
Any procurement not exceeding \$30,000 may be made by following this procedure, provided that the requirements are not artificially divided so as to circumvent competitive sealed bidding requirements.

Negotiation and competition are major components of small purchase procurement, even though competitive sealed bidding is not required. The following procedures should be followed:

- a. Purchases –Not Exceeding \$5000
Principals/cost center managers may make direct small purchases valued at less than \$5000 (including any shipping charges involved) at their discretion and within their available funds, provided delivery is expected within 30 days. Such purchases must be charged to the proper budget code, as determined by the finance department. Lack of appropriate available funds may result in denial of payment from division funds and the individual placing the order being held personally responsible for payment. If this procedure is used, vendor invoices must be directed to the principal or cost center manager's attention. Once the invoice is received, it should be attached to a payment voucher (Exhibit A) and sent to the accounts payable department for payment. If delivery of goods/services is expected within 30 days, neither a purchase requisition nor a purchase order is required. If delivery of good/services is expected to extend beyond 30 days, a purchase requisition (Exhibit B) must be submitted to the purchasing department so that a purchase order (Exhibit C) can be generated (see subsection b below).

This will ensure a timely commitment of school funds prior to acquisition of the goods/services. A single informal quote may be obtained for the purchase of good/services not costing more than \$5000. Purchases may not be arbitrarily “split” to qualify under the \$5000 limit.

b. Purchases from \$5,000.01 - \$15,000

A minimum of three informal quotes must be obtained for any purchase of goods/services expected to cost between \$5000.01 and \$15,000.00. Purchases may not be arbitrarily “split” to qualify under the \$5,000 limit. Particularly where a service is involved, an effort should be made to define the character, quality and scope of the services. For goods, a similar effort should be made to develop a brief summary of the desired characteristics and quality of the commodity. This can be done in reference to performance, physical characteristics, or both.

Purchases in this category require the submission of a purchase requisition to the purchasing department. The principals/cost center manager may submit a purchase requisition with a description of the goods/services to be procured and then the purchasing office will obtain the required quotes; or, the principal/cost center managers may obtain the required quotes submit a purchase requisition with quotes attached or listed on the back of the purchase requisition. All information requested on the back of the purchase requisition should be completed for each additional vendor contract.

c. Purchases from \$15,000.01 - \$30,000.00

Only purchasing department staff may purchase goods or services that exceed \$15, 000. They will solicit the three required (informal) quotes. The school division requires that a purchase order be issued and vendors should not deliver goods or perform services with a written purchase order.

d. Blanket Purchase Orders

The blanket purchase order method is an easy method for making a small purchase and is commonly referred to as the “Charge Account” method. Its use is very similar to that of a personal charge account. The blanket purchase order is used for multiple purchases from a single vendor over a specified period. No single item purchased on a blanket purchase order may exceed \$500 unit price, and no single order may exceed \$5000 total price. The vendor submits an invoice at the end of each month for all sales authorized by the blanket order. Ordering from a blanket purchase order must be pre-approved by the purchasing office.

Advantages of a blanket purchase order:

1. It reduces administrative lead time.
2. It reduces administrative workload due to the need to issue only one formal procurement document over a year’s period of time.
3. It allows purchasing personnel to ascertain the amount of business given to a particular vendor since a record is compiled of all orders and dollar amounts.
4. Its proper utilization improved vendor relations since the above advantages also apply to the vendor.

Criteria for approval of the blanket purchase order method:

1. The category of goods or services must be repetitively purchased.
2. Purchased items must be needed for immediate use.
3. Estimated monthly purchases by the specific cost center should average \$200 or more.
4. Use of the procedures will not adversely affect use of other purchasing techniques that might produce greater discounts.

II. Purchases over \$30,000

Prequalification of Bidders

The division superintendent or designee, upon consultation with appropriate personnel, is authorized to prequalify bidders prior to any solicitation of bids, whether for goods or services, by requiring prospective bidders to submit such information as the division superintendent or his designee and appropriate personnel shall deem appropriate, including samples, financial reports, and references; provided, however, that opportunity to prequalify shall be given to any prospective bidder and a determination of failure to qualify shall be documented by the division superintendent or his designee.

In considering any request for prequalification, the division superintendent or designee shall determine whether there is reason to believe that the bidder possesses the management resources, financial soundness, and history of performance which indicate apparent ability to successfully complete the plans and specifications of the invitations for bid. The division superintendent or his designee may employ standard forms designed to elicit necessary information.

Prequalification of a bidder shall not constitute a determination that the bidder is responsible, and such bidder may be rejected as non-responsible on the basis of subsequently discovered information. Failure of a bidder to prequalify with respect to a given procurement shall not bar the bidder from seeking prequalification as to future procurement or from bidding on procurements which do not require prequalification.

Formal Written Quotes- Good and Services- Purchases \$30,000.01 to \$50,000.00

Only Purchasing Department staff may solicit and receive formal written quotes. A minimum of three quotes is required and a purchase order is required. For services only, a written two-party contract is required. The school division requires that a purchase order be issued and vendors should not deliver goods or perform services without a written purchase order.

Formal Bids and Contracts- Purchases \$30,000.01 and above

The division superintendent or designee shall provide for the purchase of goods and services exceeding \$30,000. Said purchases shall be made in accordance with School Board policies and in compliance with the Virginia Public Procurement Act.

Formal bid procedures are required for all purchases of professional services that exceed \$30,000 or leases of supplies, materials, and equipment or nonprofessional services requiring an estimated expenditure of \$50,000 or more. For the purchases of such goods and services, one of two methods of procurement may be followed as permitted by applicable law:

1. Competitive Sealed Bidding

Only Purchasing Department staff may issue and receive competitive sealed bid. This method of procurement involves:

- The issuance of an Invitation for Bid with a purchase description/specification.
- A public opening of bids at a pre-designated time and place.
- Unconditional acceptance of a bid without alteration or correction, except as authorized by law or regulation.
- Award of the contract to the responsive and responsible bidder who has submitted the lowest bid that meets the requirements and criteria set forth in the Invitation for Bid.

Competitive Sealed Bidding is not required for the procurement of professional services. All facets of the bidding process will be conducted by the purchasing office and all requests for bids and proposals shall be prepared for the signature of **the assistant superintendent for finance and technology**. Bid bonds, payment bonds and performance bonds will be required for formal bid purchases in cases where there is a significant potential for loss to the School Board resulting from unacceptable performance or default.

After selection of the successful vendor, a contract may be prepared by the School Board and the vendor, with legal assistance from the School Board's attorney as necessary. The **assistant superintendent of finance and technology** shall sign all contracts as fiscal representative of the school board.

2. Competitive Negotiations

Where permitted by law, including for the acquisition of professional services, the School Board may purchase goods and services through competitive negotiations.

Only Purchasing Department staff may issue and receive Requests for Proposals. This method of procurement involves:

- Issuance of written Request for Proposal (RFP) indicating general terms that which is sought to be procured, specifying the factors which will be used in evaluating the proposal and containing or incorporating by reference the other applicable contractual terms and conditions, including an unique capabilities or qualifications which will be required of the contractor.
- Public notice of the RFP at least ten (10) days prior to the date set for receipt of proposals by posting in a public areas normally used for posting of public notices or by publication in a newspaper of general circulation in the area in which the contract is to be performed, or both. In addition, proposals may be solicited directly from potential contractors.

Selection must be made from two or more respondents deemed to be fully qualified and best suited among those submitting proposals on the basis of the factors involved in the Request for Proposal, including price, if so stated, of the respondents so selected. Prices shall be considered, but need not be the sole determining factor. Should the School Board determine in writing that only one respondent is fully qualified, or that only one respondent is clearly more highly qualified than the others under consideration, a contract may be negotiated and awarded to that responder.

Change Orders

Change orders are required for increases in purchase orders that exceed 10% of the total purchase order amount. For example, a purchase order that was issued for \$50,000 must have a change order issued if the cost increased by \$5000 or more.

Change orders must be requested on purchase requisition forms. The form is completed as usual with a notation that it is a change order to a previously issued purchase order. The purchase order number must be included on the requisition. Backup documentation for the change order must be attached to the requisition.

No fixed-priced contract may be increased by more than twenty-five percent (25%) of the amount of the contract or \$50,000, whichever is greater without the advance written approval of the School Board.

III. Special Procurement Situations

Sole Source

A contract may be awarded without competition when the division superintendent or his designee determines in writing, after conducting a review of available sources, that there is only one source for the required goods or services. The division superintendent or his designee shall conduct negotiations, as appropriate, as to price, deliver and terms. A record of the sole source procurement will be maintained in the permanent files of the purchasing department. The School Board shall issue a written notice stating that only one source was determined to be practicably available and identifying that which is being procured, the contractor selected, and the date on which the contract was or will be awarded. The notice shall be posted in a designated public area or published in a newspaper of general circulation on the day the School Board awards or announces its decision to award the contract, whichever occurs first.

Emergency Procurement

An emergency shall be deemed to exist when goods or services are needed to restore or continue an essential service and where the time required to follow normal purchasing procedures may endanger the safety, health or welfare of the public or of the School Board's Employees or facilities.

The assistant superintendent of finance and technology and other whom the division superintendent may designate are authorized to make purchases under emergency conditions. Emergency procurement shall be made with such competition as is practicable under the circumstances. A written determination of the basis for the emergency and for the selection of the particular contractor shall be included in the contract file. The School Board shall issue a written notice stating that the contract is being awarded on an emergency basis, and identifying that which is being procured, the contractor selected, and the date on which the contract was awarded or will be awarded. The notice shall be posted in a designated public area or published in a newspaper of general circulation on the day the School Board awards or announces its decision to award the contract, whichever occurs first, or as soon thereafter as it is practicable.

IV. Participation of Small, Minority, Service-Disabled Veteran, and Women Owned Business

The purchasing department shall administer a program to facilitate small, minority-owned, service-disabled veteran and women-owned business participation. This program shall include, but not be limited to the following:

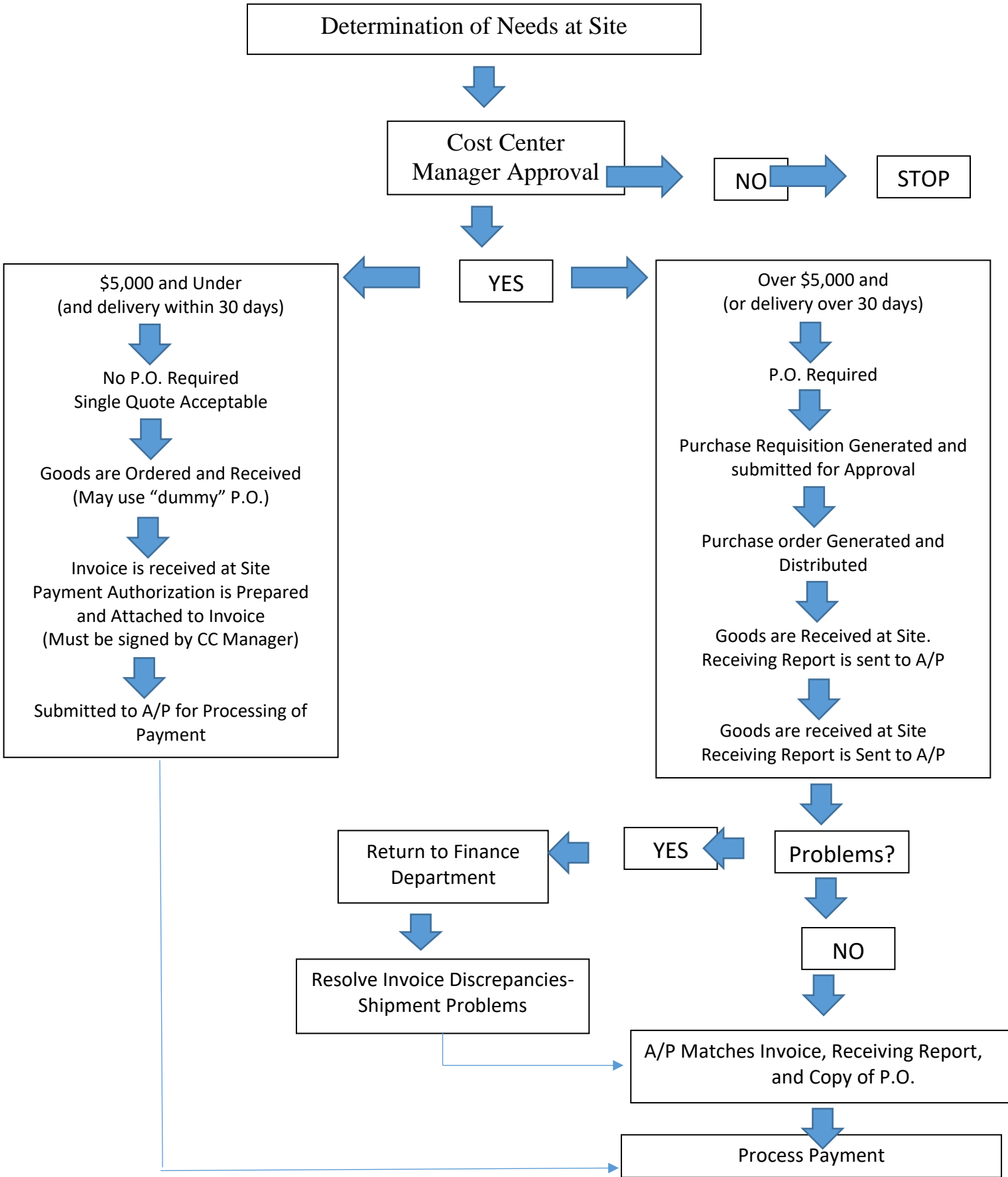
- Competitive sealed bids and requests for proposals, or notices of the issuance on the most recently updated list supplied by the State Department of Minority Business Enterprise, if applicable categories for the goods/services sought are available in the listing of vendors.

V. Purchasing Procedures

The Finance Office shall from time to time publish and distribute purchasing procedure to those employees whose positions require supervision or administration of procurement of goods and services. Such published procedures shall be maintained in each school building principal's office and the finance office.

Revised: September 4, 2012

Charles City County Public Schools Purchasing Process



PURCHASING AUTHORITY

The Superintendent with the School Board's formal approval may designate a qualified employee to serve as the purchasing agent for the Board. In this capacity, the agent for the Board may purchase or contract for all supplies, materials, equipment, and contractual services required by the school division subject to federal and state laws and regulations and School Board policies. All purchases made by the school division will be in accordance with the Virginia Public Procurement Act.

All personnel in the division who desire to purchase equipment and supplies shall follow the established procurement procedures within their departments or schools for the issuance of a requisition or purchase order. All purchase orders must be forwarded to the Superintendent, or superintendent's designee, for approval and processing. Internal Controls the Superintendent, or superintendent's designee, establishes appropriate procedures for internal accounting controls.

Purchasing and Contracting

The Charles City County School Board encourages full and open competition whenever practicable among potential contractors and suppliers by competitive bidding practices; to centralize purchasing and contracting within the school division to realize the economies resulting therefore; and to seek maximum educational value for every dollar expended.

Adopted: April 15, 2008

Revised: April 15, 2014

Legal Refs.: Code of Virginia, 1950, as amended, §§ 2.2-4300 et seq., 22.1-70, 22.1-78.

Cross Ref.: DGC School Activity Funds
 DGD Funds for Instructional Materials and Office Supplies
 DJ Small Purchasing
 DJB Petty Cash Funds
 DJF Purchasing Procedures

PETTY CASH FUNDS

The School Board may by, resolution, establish petty cash funds for the payment of properly itemized bills for materials, services, or supplies furnished to the school division under conditions calling for immediate payment to the vendor upon delivery. Such funds shall not exceed \$2,000 each.

If it establishes any petty cash funds, the School Board will appoint an agent or other person who shall be authorized only to approve payment of claims arising from commitments made pursuant to provisions of law from such petty cash funds. Any agent or person into whose hands any such fund is placed may pay such claims therefore without necessity of prior receipt and audit of the claims by the School Board and without approval and insurance of the warrant of the School Board.

The clerk of the School Board shall report payments from petty cash funds to the School Board or to any appointed agent of the School Board for approval and reimbursement promptly after any claim has been paid.

A bond in the amount of \$4,000.00 will be required for each person distributing petty cash funds, but no additional bond shall be required of any person already bonded in the required amount.

Adopted: April 15, 2008

Legal Ref.: Code of Virginia, 1950, as amended, § 22.1-123.
Cross Ref.: DJF Purchasing Procedures

PURCHASING PROCEDURES

All procurements made by the school division are in accordance with the Virginia Public Procurement Act.

Certification Regarding Sex Offenses

As a condition of awarding a contract for the provision of services that require the contractor or his employees to have direct contact with students on school property during regular school hours or during school-sponsored activities, the School Board requires the contractor to provide certification that all persons who will provide such services have not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child.

This requirement does not apply to a contractor or his employees providing services to the school division in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed on an urgent basis to ensure that school facilities are safe and habitable, when it is reasonably anticipated that the contractor or his employees will have no direct contact with students.

Unauthorized Aliens

The School Board provides in every written contract that the contractor does not, and shall not during the performance of the contract for goods and services in Virginia, knowingly employ an unauthorized alien as defined in the federal Immigration Reform and Control Act of 1986.

Discrimination by Contractor Prohibited

The School Board includes the following provisions in every contract of more than \$10,000:

1. During the performance of this contract, the contractor agrees as follows:

- a. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the contractor. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause. Page 1 of 2
- b. The contractor, in all solicitations or advertisements for employees placed by or on behalf of the contractor, will state that such contractor is an equal opportunity employer.
- c. Notices, advertisements and solicitations placed in accordance with federal law, rule or regulation shall be deemed sufficient for the purpose of meeting the requirements of this section.

2. The contractor will include the provisions of the foregoing paragraphs a, b and c in every subcontract or purchase order of over \$10,000, so that the provisions will be binding upon each subcontractor or vendor.

Adopted: May 19, 2009
Revised: April 19, 2011

Legal Ref.: Code of Virginia, 1950, as amended, §§ 2.2-4300 et seq., 2.2-4311, 2.2-4311.1, 22.1- 296.1.

Cross Ref.: GCDA Effect of Criminal Conviction
IGBGA Online Courses and Virtual School Programs
KN Sex Offender Registry Notification

PURCHASING PROCEDURES

- A. All procurements made by any department, office, or school within the division will be in accordance with school board policy, these regulations, and the Virginia Public Procurement Act.
- B. Unless otherwise authorized by law or otherwise provided in these regulations,- all public contracts with nongovernmental contractors for the purchase or lease of goods or for the purchase of services, insurance, or construction will be awarded after competitive sealed bidding or competitive negotiation as provided below.
 - 1. Professional services shall be procured by competitive negotiation.
 - 2. Upon a determination made in advance by the school board and set forth in writing at competitive sealed bidding is either not practicable or not fiscally advantageous to the public, for a specific procurement of goods, services, insurance, or construction, then that specific procurement may be made by competitive negotiation. The writing shall document the basis for this determination.
 - 3. Upon a determination in writing that there is only one source practicably available for that which is to be procured, a contract may be negotiated and awarded to that source without competitive sealed bidding or competitive negotiation- The writing shall document the basis for this determination;
 - 4. A contract for the purchase or lease of goods or for purchase of services, insurance, or construction which is not expected to exceed \$30,000.00 ^ is not required to be let in accordance with competitive sealed bids or competitive negotiation, but will be let in accordance with these regulations.
- C. The following contracts may be let without competition
 - 1. Purchase of goods or services which are performed or produced by persons, or in schools or workshops, under the supervision of the Virginia' Department for the Visually Handicapped; or which are performed or produced by non-profit sheltered workshops serving the disabled.

4. unsatisfactory performance for a public bid;
5. failure to perform; ^
6. violation of the Virginia Public Procurement Act;
7. debarment by the Commonwealth of Virginia or any of its agencies.

The purchasing agent shall determine if a contractor is debarred and the length of the debarment. The purchasing agent will notify the contractor in writing of his notice shall state the reasons for the debarment. The right of a contractor to contest the determination is governed by a contractor who is debarred will be disqualified receiving invitations for bids or requests for proposals and from receiving awards of contracts.

- H. The board, through its purchasing agent, will consider small minority businesses in all phases of the procurement process. Minority person means a person ...who is a citizen or lawful permanent resident of the United States, and Hispanic, Asian American, American Indian, or Alaskan Native, or a member of other groups or other economically and socially disadvantaged by the Small Business.
- I. Should a bidder desire to submit a complaint or request, an explanation with regard to the meaning or interpretation of the invitation for bids, or request for proposal, the complaint or the request for explanation shall be submitted in writing to the purchasing agent in sufficient time to allow a reply to reach the bidder prior to the date for submission of bids. Explanations will be in the form of an amendment to the invitation for bids or request for proposal and will be furnished for all prospective bidders. Bidders must acknowledge receipt of all amendments with their bids.
- J. Unless canceled or rejected, a responsive sealed bid from the lowest responsible bidder shall be excepted as submitted, except that if the bid from the lowest responsible bidder exceeds available funds, the school board may, at its discretion, select such items or item as it deems appropriate to obtain a contract price within available funds. Items to be considered for negotiating purposes are: time, methods, change in quality and type without compromising the intended end product, all in the best interest of the school board. The procedures and conditions for such negotiations shall be summarized in the invitation to bid as follows:
 1. The purchasing agent will notify the lowest responsible bidder that his bid exceeds the funds available and request a conference to negotiate the price downward.
 2. The low bidder confirms the negotiated price to the purchasing agent.
 3. If within the funds allocated and the end product is not compromised, a purchase order is issued based on negotiations.
 4. If negotiations do not come within funds available, the bidder shall be notified and additional funds shall be solicited.
 5. Should additional funds not be available, specifications may be changed to reflect lower costs and re-advertising for bids initiated.

- K. A bidder may withdraw a bid from consideration if the price bid was substantially lower than other bids due solely to a mistake therein, provided the bid was submitted in good faith, and the mistake was a clerical mistake as opposed to a judgment mistake, and was actually due to an unintentional arithmetical error or an unintentional omission which can be clearly shown by objective evidence drawn from inspection of the original work papers, documents, and materials used in the preparation of the bid sought to be withdrawn. This bidder shall give notice in writing of the claim of right to withdraw the bid within two business days after the conclusion of the bid opening procedure.
1. No bid may be withdrawn under this paragraph when the result would be the awarding of the contract on another bid of the same bidder or of another bidder in which the ownership of the withdrawing bidder is more than five percent (5%).
 2. If a bid is withdrawn under the authority of this paragraph, the lowest remaining bid shall be deemed to be the low bid.
 3. No bidder who is permitted to withdraw a bid shall, for compensation, supply any material or labor to or perform and subcontract or other work agreement for the person firm to whom the contract is awarded or otherwise benefit, directly or indirectly, from the performance of the project for which the withdrawn bid was submitted.
 4. If the bidder is not allowed to withdraw the bid under this paragraph, the purchasing agent shall notify the bidder of the decision in writing and such notice shall state the reasons for the decision.
- L. Upon award of a construction contract exceeding \$15,000 awarded to any prime contractor, a performance bond and a payment bond each in the sum of the contract amount shall be furnished by the contractor.
- M. Contractual claims, whether for money or other relief, shall be submitted in writing to the purchasing agent within sixty (60) day after final payment; however, written notice of the contractor's intent to file such claim must be submitted to the purchasing agent at the time of occurrence. The purchasing agent shall render a decision in writing to the contractor within thirty (30) days after receipt of the claim.
- N. For the purposes of the Board's Purchasing Policies, the following definitions apply:
1. "Responsible bidder" or "offeror" shall mean a person who has the capability, in all respects, to perform fully the contract requirements and the moral and business integrity and reliability which will assure good faith performance, and who has been prequalified, if required.
 2. "Responsive bidder" shall mean a person who has submitted a bid which conforms in all material respects to the Invitation to Bid.
- O. Each school within the division may enter into contracts providing that caps and gowns, photographs, class rings, yearbooks, and graduation announcements will be available for purchase or rental by students, parents, faculty or other persons using non-public money through the use of competitive negotiation as provided in these regulations.

Legal Ref.: Small Business Act, Section 8a, as amended, 15 U.S.C. 637a.
Code of Virginia, 1950, as amended, §§ 22.1-117, et seq.: Secs. 11-37 through 11-61.