Series 3000: Operations, Finance, and Property

3300 Facilities, Real, and Personal Property

3301A Purchasing and Procurement with Federal Funds

This Policy applies to purchases of property and services with federal funds that are subject to the Uniform Grant Guidance. The federal regulation is incorporated by reference, and all terms in this Policy have the same meanings as defined therein (2 CFR 200.1-99).

A. State Law Requirements Still Apply

Bidding requirements under Policy 3301 and Policy 3306, as applicable, remain enforceable in addition to any requirements in this Policy.

B. Procurement Methods

When bidding is required, the District must use 1 of the following procurement methods that includes information sufficient to inform all potential bidders about the District's technical, service, and bid procedure requirements:

1. Micro-Purchases

   a. In accordance with the requirements of 2 CFR 200.320(a)(1)(iv), the District self-certifies a micro-purchase threshold equal to the state bid threshold established by MDE each year. MDE's publication of the state bid threshold shall be considered the District's adoption, endorsement, and annual self-certification of the micro-purchase threshold.

   b. To the extent District administration determines that the cost of the purchase is reasonable, micro-purchases may be made or awarded without bidding For purposes of this subsection, "reasonable" means the District has determined, supported by documentation, that the purchase is comparable to market prices for the geographic area.

   c. To the extent practicable, the District will distribute micro-purchases equitably among qualified suppliers.

2. Purchases between the Micro-Purchase Threshold and $350,000 (simplified acquisition threshold)

   The District will use a bidding procedure identified in Policy 3301 subsection C.1.

3. Purchases over $350,000

   a. The District must either receive sealed bids through formal advertising or prepare a comprehensive request for proposals and submit it to at least 5 sources.

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b. With either method, the District will perform a price analysis, making an independent estimate of costs before receiving bids.

C. The District will take affirmative steps to ensure that small businesses, minority-owned businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms are included in bidding opportunities.

D. A person may protest the veracity, conformity, or eligibility of a bid. The District will handle bid protests as follows:

1. within 48 hours of the time when bid results are made available, the protesting person will submit a written protest to the Superintendent describing in detail the nature of the protest;

2. the Superintendent or designee will review the written protest, and the Superintendent may bring it to the Board's attention in the Superintendent's discretion; and

3. a person's failure to file a protest as described above is an irrevocable waiver of the bid protest.

Nothing in this Policy reduces or eliminates the District's rights or protections afforded under the law.

E. The District will retain all bids and formal bid solicitation documents for a period of 6 years after the bid opening date, or longer if required by law.

Legal authority: 2 CFR 200.1 et seq.

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