

Chief Tahgee Elementary Academy No. 483

FINANCIAL MANAGEMENT

7400

Purchasing

It will be the policy of this Charter School to conduct its purchasing program in a manner to assure the best utilization of school funds. The Board or its designee reserves the right to determine what is in the best interest of the school.

Authorization and Control

The Director of School Programs is authorized to direct expenditures and purchases within the limits of the detailed annual budget for the school year and pursuant to Shoshone-Bannock Tribal Employment Rights Office (TERO), state purchasing and federal procurement requirements. Board of Directors' approval for purchase of capital outlay items is required when the aggregate total of a requisition exceeds \$5,000.00 for federal programs and \$2,500.00 from general expenditures. The Director of School Programs shall have the authority to make capital outlay purchases without advance approval when it is necessary to protect the interests of the Charter School or the health and safety of the staff or students.

In order to control and maintain proper accounting of expenditures that align with TERO, state purchasing requirements, and federal program requirements, the Director of School Programs or designee shall establish appropriate purchasing procedures.

Furthermore, staff members:

- Shall not obligate the Charter School without express prior authority.
- May be held personally responsible for payment if they obligate the Charter School without proper and prior authorization.

Bids and Contracts

The Director of School Programs shall establish bidding and contract awarding procedures that align with Shoshone-Bannock Tribal Employment Rights Office (TERO), state purchasing and federal procurement requirements.

With the exception of the purchase of curricular materials, whenever the cost of any construction, repair, or improvement or the acquisition, purchase, or repair of any equipment, or other property necessary for the effective operation of the Charter School exceeds \$25,000, formal bids shall be called for by issuing public notice as specified in TERO, state statute, as well as following federal procurement requirements.

- Specifications shall be prepared and be made available to all vendors interested in submitting a bid.

- The contract shall be awarded to the lowest responsible bidder, except that the Board may reject any bid, reject all bids, and publish notice for bids once again.
- If, after calling for bids a second time, no satisfactory bid is received, the Board may proceed under its own direction, subject to the approval of TERO, the state board of education, the designated funding source, and/or, federal regulations, as appropriate.

In determining which bid represents the lowest responsible bidder, the Charter School will not only take into consideration the amount of the bid, the Charter School will also consider the skill, ability, and integrity of the bidder to:

- Do faithful and conscientious work in compliance with tribal, state, and federal laws; and
- Promptly fulfill the contract according to the letter and spirit.

References for the bidder should be contacted and verified.

Cooperative Purchasing

The Charter School may cooperatively enter into contracts with one or more districts to purchase materials necessary or desirable for the conduct of the business of the Charter School provided that the purchasing cooperative follows state purchasing and federal procurement requirements.

Personnel Conflicts of Interest

Purchases or contracted services. Purchases or contracted services from any private business or venture in which *any employee* of this Charter School has a direct or indirect financial or ownership interest must be made on a competitive bid basis in strict accordance with the following procedures:

1. The interested employee, business, contractor, or vendor will fully disclose in writing the employee's exact relationship to the business, contractor, or vendor;
2. The affected business, contractor, or vendor may submit a bid in compliance with the specifications outlined by the Charter School;
3. The interested employee will not be involved in any part of the bidding process, including but not limited to, preparing specifications, advertising, analyzing, or accepting bids; and
4. This policy will apply to any organization, fund, agency, or other activity maintained or operated by the Charter School.

Solicited/unsolicited gifts. No employee will:

- Solicit gifts, gratuities, favors, prizes, awards, merchandise, or commissions as a result of ordering any items or as a result of placing any purchase order with a business, contractor, or vendor on behalf of the Charter School.
- Accept anything of monetary value from a business, contractor, or vendor except for unsolicited gifts of \$50 or less in value.

Procurement Under a Federal Award

In addition to the conflicts of interest outlined above, no employee, officer, or agent of the Charter School may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such conflicts of interest include instances where any of the following has a financial or other interest in or a tangible personal benefit from a firm considered for a contract:

- The employee, officer, or agent;
- Any member of his or her immediate family, including spouses, children, and parents;
- His or her partner. For the purposes of this policy *partner* shall mean an adult of the same sex or different sex with whom the employee, officer, or agent shares a non-marital intimate relationship and a common residence and with whom they mutually affirm that they share responsibility for each other's common welfare; or
- An organization that employs or is about to employ any of the parties listed above.

The following activities are prohibited:

- The purchase during the school day of any food or service from a Charter School contractor or vendor for personal use not associated with school activities;
- The removal of any food, supplies, equipment, or school property without proper prior authorization;
- Individual sales by Charter School personnel of any school property, including used items.

Violations

Any Charter School officer, employee, or agent who violates this policy may be subject to disciplinary action, including but not limited to a fine, suspension, or termination. Violations of law will be referred to the local, state, or federal authority having proper jurisdiction.

Cross Reference: 7400P Procurement Under a Federal Award
 7407 Public Procurement of Goods and Services

Legal Reference: I.C. § 18-1351 Bribery and Corrupt Practices – Definitions
I.C. § 33-316 Cooperative Contracts to Employ Specialized Personnel
and/or Purchase Materials
I.C. § 33-402 Notice Requirements
I.C. § 33-601 Real and Personal Property – Acquisition, Use or Disposal
of Same
I.C. § 74-401 et seq. Ethics in Government
2 C.F.R. § 200.317 Procurement by States
2 C.F.R. § 200.318 General Procurement Standards
2 C.F.R. § 200.320 Methods of Procurement to be Followed

Policy History:

Adopted on: 12/19/2017

Revised on: