

BALTIMORE COUNTY PUBLIC SCHOOLS

DATE: June 10, 2008

TO: **BOARD OF EDUCATION**

FROM: Dr. Joe A. Hairston, Superintendent

SUBJECT: **REPORT ON PROPOSED CHANGES TO BOARD OF EDUCATION POLICY 3230 – NON-INSTRUCTIONAL SERVICES: QUALIFICATION OF BIDDERS**

ORIGINATOR: J. Robert Haines, Esq., Deputy Superintendent

RESOURCE PERSON(S): Barbara Burnopp, Chief Financial Officer

RECOMMENDATION

In accordance with Superintendent's Rule 8130, policy 3230 is scheduled for review in school year 2008. It is recommended that the Board of Education review the proposed revisions in Policy 3230 – NON-INSTRUCTIONAL SERVICES: Qualification of Bidders. This is the first reading of this revised policy.

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- Attachment I – Policy Analysis 3230
- Attachment II – Policy 3230

Policy Analysis for Board of Education Policy 3230 Qualification of Bidders

Statement of Issues or Questions Addressed

Board of Education Policy 3230 has been revised to clarify language that applies to the qualification of all vendors. It also adds consulting to the list of items that the policy addresses.

Cost Analysis and Fiscal Impact on School System

The Board will not incur additional costs by amending Policy 3230, because the process already exists.

Relationship to Other Board of Education Policies

Board of Education Policy 3200, *Purchases from Minority and Small Business Enterprises*

Board of Education Policy 3215, *Contracts*

Board of Education Policy 3231, *Vendor Performance Evaluation*

Legal Requirements

Maryland Education Code, Annotated, §5-112, requires that awards be made to the “lowest responsible bidder” (emphasis added). Although the statute does not define the term, it is implied that vendors should be qualified to perform services.

Similar Policies Adopted by Other Local School Systems

1. Anne Arundel County, Policy DEB, *Bidding Procedures*
2. Montgomery County, Policy DJA, *MCPS Procurement Practices*
3. Prince George’s County, Policy 3323, *Business and Non-instructional Operations*

Draft of Proposed Policy

Attached

Other Alternatives Considered by Staff

Staff believes it is appropriate to have a board policy directing the establishment of administrative procedures for evaluating vendors’ ability to perform on a given contract.

Timeline:

First reading – June 10, 2008

Public comment – July 8, 2008

Third reading – August 12, 2008

NON- INSTRUCTIONAL SERVICES: Purchasing

Qualification of [Bidders] VENDORS

VENDORS SEEKING [Bidders, for State or County funded] contracts[,] shall provide evidence of their ability to perform the scope, responsibilities, terms, and conditions of an award of contract [approved by the Board of Education of Baltimore County].

The Superintendent [of Schools] shall establish [administrative procedures] RULES to define, evaluate, and document the VENDORS' [bidders'] ability to perform satisfactorily within the requirements of a given contract or agreement for commodities, CONSULTING, services, equipment, supplies, and on construction or renovation projects. [This documentation shall conform with all pertinent laws and regulations.]

Policy
A[a]dopted: 7/13/99
REVISED: _____

Board of Education of Baltimore County