

NON-INSTRUCTIONAL SERVICES: Purchasing

Contracts

I[1]. Procedure

A[a]. Upon approval of an award of contract by the Board of Education of Baltimore County (BOARD), a [contract or an] WRITTEN agreement shall be [designed and] executed by the parties. The [contract or the] agreement will reflect the parameters of the bid process, the bid specifications, including bonding and all required certificates and affidavits, the proposal, and any related addenda.

B[b]. The [contract or] agreement will also reflect the scope of the project, performance standards, time, responsibilities of the parties, etc., for any contract or agreement designed and executed resulting from the qualification and selection process of a construction manager or a consultant [(as defined in Policy 3250)].

C[c]. [Contract documents] WRITTEN AGREEMENTS may be deferred in those instances when all pertinent data for the purchase of a commodity is identified within the structure of the purchase order document(s). Said document(s) shall reference the formal bid/quote process by [BCPS] bid/quote number and Board approval date, when applicable.

II[2]. Detailed Provisions – CONSTRUCTION CONTRACTS

A[a]. County Funded

A contract for construction, renovation or demolition, for which formal bids are required, shall include, in addition to the agreement, all design drawings relating to the project. These are known as the contract documents.

B[b]. State Funded

State funded contracts for construction or renovation will ALSO contain minority business participation-documents and wage labor rates, where required in accordance with the procedures of the State of Maryland Interagency Committee on Public School Construction.

III[3]. Signing of Agreement Awarding Contract

Signatories to the [contract] WRITTEN agreement [for which formal bids are required] shall include:

A[a]. [County Funded] CONTRACTS THAT EXCEED \$100,000

1. President, Board of Education
2. Secretary-Treasurer, Board of Education
3. [County] Attorney [or Designated Representative] as to Form and Legal Sufficiency
4. Award Bidder, Consultant or Construction Manager
5. Witness to Signature

B[b]. [State Funded] CONTRACTS LESS THAN OR EQUAL TO \$100,000

[President, Board of Education]

1. [Secretary-Treasurer, Board of Education] PURCHASING MANAGER
2. [County] Attorney [or Designated Representative] as to Form and Legal Sufficiency
3. Award Bidder, Consultant or Construction Manager
4. Witness to Signature

IV[4]. Initiation of Work

The VENDOR [award bidder], consultant, or contract manager shall not initiate work until the contract document or agreement has been signed and a formal purchase order has been issued by Baltimore County Public Schools.

V[5]. Sole Source

A contract for a sole source may be awarded when the requesting staff has determined to the satisfaction of the Office of Purchasing that [it would be advantageous or impractical to seek or utilize another source when] the requirement is only available from a single source. Staff shall provide appropriate justification for sole source procurement which may include:

- A[a]. When only one source exists which meets the requirements;
- B[b]. When the compatibility of equipment, accessories, or replacement parts is the paramount consideration;
- C[c]. When a sole vendor's product is needed for trial use or testing;
- D[d]. When certain public utility services are to be procured and only one source exists.

Price competition [is to] SHALL be solicited if the requirement can be obtained from more than one source. [(Purchasing Operating manual OP4002.4)]

VI[6]. Emergency [Contract] EXPENDITURES

The Office of Purchasing may issue a purchase order for emergency requirements when the requesting staff has demonstrated that ANY DELAY [it] would endanger public health and safety for the continued operation of a facility. Emergency circumstances MAY [are] ALSO BE present when the requirement must be satisfied with immediate action that does not provide sufficient time to meet the statutory requirements for competition and award TO AVOID THE TERMINATION OF ESSENTIAL SERVICES. Any action resulting in an EMERGENCY expenditure which meets or exceeds the statutory bidding requirement shall be reported to the Board [of Education] at the next scheduled meeting. [(Purchasing Operating Manual OP4003.13)]

Rule  
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Superintendent of Schools