



# OGDEN PREPARATORY ACADEMY

## Official Policy

### 3. Fiscal Management

#### 3.06.POL Procurement Policy

Effective/Revision Date: 11/10/22

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## POLICY

Ogden Preparatory Academy (the School) shall follow applicable state and federal laws in connection with the procurement of services, supplies and equipment, including but not limited to the provisions of the Utah Procurement Code of Utah Code 63G-6a-101, et seq.

## DEFINITIONS

1. Small Purchase: the purchase of items where the cost does not meet the thresholds required for the use of a standard procurement process as defined in Utah Administrative Code R33-4-1043-3; Professional Services are not subject to small purchase thresholds.
2. Large Purchase: the purchase of a single item or an aggregate of items that exceed the small purchase thresholds.
3. Professional Services: contracting with a third party for services.

## PROCUREMENT PROCESS

### Small Purchases

Small Purchase thresholds:

1. The "Individual Procurement" threshold is a maximum amount of \$1,000 for a procurement item;
2. For individual procurement item(s) costing up to \$1,000, an entity subject to these rules may select the best source by direct award and without seeking competitive bids or quotes.
3. The single procurement aggregate threshold is a maximum amount of \$5,000 for multiple procurement item(s) purchased from one source at one time; and
4. The annual cumulative threshold from the same source is a maximum amount of \$50,000.

~~For purchases up to \$5,000 \$1,000, the School may make purchases from any vendor without obtaining competitive bids.~~

~~For small purchases as defined in Utah Administrative Code R33-4-1043-3, which will typically include purchases over \$1,000 up to \$50,000 of items other than professional services, the School will follow the procedures set forth in the rule and will typically obtaining at least two~~

~~competitive quotes. Purchasing decisions shall be made based on specifications of the bid, cost, quality, and availability. ¶~~

The School shall not artificially divide purchases or otherwise take steps to avoid the requirement to obtain competitive quotes or conduct a procurement process.  
School personnel will use due diligence in finding items of quality and best price.

### **Large Purchases**

- The School will obtain at least two bids or vendor options for large purchases.
- Unless an exception applies, for purchase of items ~~other than professional services~~ over \$50,000, the School will conduct an appropriate procurement process, such as a Request for Bids or a Request for Proposals.
- The policy for curriculum purchases is detailed in the Curriculum Adoption, Appeal, and Review Policy.

### **Professional Services**

For professional services, the School will conduct an appropriate procurement process by obtaining at least two proposals for the services. A Request for Proposals will be used for services in excess of \$50,000 annually.

~~The School shall not artificially divide purchases or otherwise take steps to avoid the requirement to obtain competitive quotes or conduct a procurement process.~~

~~Purchasing decisions shall be made based on specifications of the bid, cost, quality, and availability.~~

School personnel shall comply with the provisions and requirements of the Procurement Code particularly in regards to:

- Prohibiting the acceptance of gratuities or kickbacks from vendors during the procurement process.
- Any contract with a term that is longer than five (5) years, including any automatic renewals or extensions.
- Any construction or real property improvements undertaken by the School.

Equipment purchased or leased by the School shall be subject to the School's asset policies and procedures.

Any alleged violations of this policy or applicable law shall be reported in writing to the School's Director and Board of Directors.

### Document History

Approved: 09/11/2013

Revised: 03/21/2019 *Added clause regarding purchased equipment to comply with State requirements.*

Revised: 11/10/22 *Added curriculum clarifications.*

### Legal References

Utah Procurement Code of Utah Code 63G-6a-101

Utah Administrative Code R33-4-1043-3