



Approved 02/26/2013  
Amended: None

## Procurement Policy

Policy No. 26

- 1.) The Freedom Preparatory Academy (F.P.A.) Director has authority to oversee and,
  - a.) Initiate, conduct, and/or conclude negotiations concerning the purchase of materials, equipment, supplies, and services for the school.
  - b.) Obligate Freedom Prep for goods and services, however:
    - i. Orders or commitments by the faculty or staff are not binding on the Administration or governing board without a signed purchase request by the Director.
    - ii. Individuals who place orders which violate policy are responsible, financially or otherwise, for their own order(s).
  - c.) Question the quality, quantity and kind of material requisitioned and suggest alternate items.
  - d.) Select vendors. Every effort shall be made to include local vendors and vendors on the State contract.
  - e.) Request purchase.
  - f.) Issue purchase orders (PO's). The PO number must be given to the vendor each time an order is placed.
  - g.) Make purchases.
- 2.) Purchasing Requirements
  - a.) Utah State Law imposes particular requirements for purchases which require bidding. The following limits are determined to be the best to allow flexibility and yet still provide the control required by law.
  - b.) Professional services over \$20,000 a written request for proposal (RFP) shall be prepared as outlined in Rule R850-11-300(3).
  - c.) Purchases over \$10,000 must have board approval.
  - d.) Purchases that will exceed \$50,000 will follow state procurement guidelines as outlined in Utah Administrative rule R33-3.
  - e.) Purchases for the Special Education Department using State Special Education funds, or federal money under the Individuals with Disabilities Education Act (IDEA) shall be in accordance with the laws and provisions of said acts.
  - f.) Purchases in federal Title Programs shall be in accordance with the laws and provisions of said act.

### 3.) Emergency Purchases

- a.) Freedom Prep Administration should anticipate requirement as far in advance as possible to endure enough lead time to receive material(s) on schedule.
- b.) Freedom Prep Administration will make every attempt to obtain material(s) as soon as possible.
- c.) In case of emergency, the Director is authorized to purchase supplies up to \$10,000, but not more than \$30,000 except with one other board member approval.

### 4.) Leasing and Renting

- a.) Lease agreements in excess of \$10,000 per year will be approved by the Governing Board.

### 5.) Vendor Relations

- a.) Sales representatives are not permitted to solicit school staff members without authorization from the Director. The Director may give permission to sales representatives to contact members of the academy staff at times that will not interfere with educational programs.
- b.) Students shall be protected from solicitation by sales representatives or academy staff, with the exception of those individuals and entities specifically authorized by the Academy Director to provide certain goods and services.
- c.) A person or company who is interested in any way in the sale of any supplies, services, construction, or real property the Academy shall not give or offer to give an emolument, gratuity, contribution, loan, or reward, or any promise thereof, to any person active in the procurement of such supplies, services, construction, or real property whether it is given for his own use or for the use or benefit of any other person or organization.

### 6.) Capitalization Limit:

- a.) Freedom Prep shall have a capitalization limit of \$5000.

### Anti-Discrimination Act:

The bidder agrees to abide by the provisions of the Utah Anti-discrimination Act, Title 35 Chapter 25 U.C.A. 1953, as amended and Title VI and Title VII of the Civil Rights Act of 1964 (US 2000e), which prohibit discrimination against any employee or applicant for employment, or any applicant or recipient of services, on the basis of race, religion, color, or national origin; and further agrees to abide by Executive Order No. 11246, as amended, which prohibits discrimination on the basis of sex; 45 CFR 90 which prohibits discrimination on the basis of age,

and Section 504 of Rehabilitation Act of 1973, which prohibits discrimination on the basis of handicap. This purchase may be canceled if bidder, contractor, sales representative, company, or individual fails to comply with the provisions of these laws and regulations.