



NON-INSTRUCTIONAL SERVICES: Purchasing

Purchasing Guidelines

I. Policy Statement

The Board of Education of Baltimore County (Board) expects that all funds expended for goods and services shall be used in the most effective and efficient manner possible and that the procurement of materials, supplies, equipment, library media and textbooks for Baltimore County Public Schools (BCPS) will be conducted in accordance with the laws of the State of Maryland.

II. Definition

*Consultant* – An independent contractor, an established business, and/or an individual who receives a payment for professional services in accordance with the terms of a written consultant contract. A consultant is not an employee of the Board.

III. Guidelines

- A. The Office of Purchasing, serving as the designated agent of the Board, shall administer all procurement activities in accordance with state law, Board policies, the Board’s ethics code, Superintendent’s rules, and procedures established by the Office of Purchasing.
- B. The Office of Purchasing shall support the procurement of goods and services through solicitations and contracts.
- C. In its solicitations and contracts, the Office of Purchasing will encourage:
  - 1. Small and minority business enterprise participation in all contracts;
  - 2. The use of green product cleaning supplies; and
  - 3. The use of sustainable procurement practices.

IV. Formal Bids

- A. In accordance with state law, formal advertised solicitations shall be issued. This paragraph does not apply to the purchase of textbooks, and other materials of instruction or for emergency repairs.

- B. The Board shall reserve the right to waive any informality in all bids, reject any or all bids, re-advertise for new proposals and utilize contracts awarded by other governmental agencies.

V. Award of Contracts

- A. The Board shall accept contract recommendations for consideration at its regularly scheduled meeting. The Board reserves the right to approve, defer or deny an award of contract. Staff shall take all necessary action to observe and enact the decision of the Board.
- B. In approving contract recommendations, the Board may authorize the addition of a percentage of the overall project or award value as a contingency fee or change order allocation.
- C. The Superintendent shall establish and publish procedures for bidders and/or vendors to appeal contract-related decisions.

VI. Informal Bids and Price Solicitations

The Office of Purchasing shall have the option to issue informal solicitations for any goods and services that do not require formal bids. This action shall be based upon the best interest of the school system, value of the purchase, its function, the length of the contract, the need to ensure the vendor's performance, to maintain reliable sources of supply and to encourage a competitive procurement atmosphere.

VII. Relations with Vendors

The Office of Purchasing shall encourage fair and equal treatment of all prospective vendors and bidders and shall be consistent with the practices of the Board. Understanding, confident, respect and fairness are the foundation for the policy of the Board in its relationship with vendors.

VIII. Consultants

- A. Consultant services shall be procured through the Office of Purchasing and shall comply with established purchasing procedures.

- B. Consultants shall exercise no administrative authority over the work of employees of the Board, but shall act only as advisers in those fields in which they are qualified to offer expert assistance.
- C. A written agreement is required.

IX. Implementation

The Board directs the Superintendent to implement this policy.

Legal References: *Annotated Code of Maryland, Education Article §5-112, Contracts for School Buildings, Improvement or Supplies*  
*Annotated Code of Maryland, Education Article §7-106, Curriculum Materials*  
*Annotated Code of Maryland, State Finance and Procurement Article, §13-108, Emergency or Expedited Procurement Procedures*  
*Annotated Code of Maryland, State Finance and Procurement Article, Title 14, Subtitle 3, Minority Business Participation*  
*COMAR 21.11.03.04, Minority Business Enterprise Policies*

Related Policies: Board of Education Policy 3125, *School Activity Funds*  
Board of Education Policy 3200, *Purchases from Minority and Small Business Enterprises*  
Board of Education Policy 3209, *Purchasing Principles*  
Board of Education Policy 3225, *Furniture, Fixtures and Equipment*  
Board of Education Policy 3230, *Qualification of Vendors*  
Board of Education Policy 3231, *Vendor Performance Evaluation*  
Board of Education Policy 3250, *Selection of Design and Construction Consultants*  
Board of Education Policy 3620, *Inventories*  
Board of Education Policy 6002, *Selection of Instructional Materials*  
Board of Education Policy 7000 Series, *New Construction*  
Board of Education Policy 8360 Sub Series, *Ethics Code*

POLICY 3210

Board of Education of Baltimore County

Policy  
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