

## **I. PURPOSE**

The purpose of this policy is to establish the principles and responsibilities to be used in making purchases on behalf of Athlos Academy of Utah for goods and services.

## **II. POLICY**

### **A. Purchasing Principles**

1. The Lead School Administrator or designee may establish purchasing principles which shall be published. The principles shall be adopted based on the following values:
  - a. All school purchases shall seek the highest quality of goods or services available.
  - b. Purchases shall consider the level of customer service provided by the vendor, or the experience of the service provider.
  - c. All school purchases of goods shall consider the provision and quality of warranties.
  - d. All school purchases of goods shall consider the availability of rebate programs from the vendor.
  - e. Exclusive contracts (requiring the purchase of needed goods or services from a single, specified seller) are not authorized except as outlined in the state procurement code.
  - f. Multi-year contracts shall comply with Utah Code § 63G-6a-1204.
  - g. All purchases of goods and services shall consider the advantage of improving the school's ability to do business with diverse vendors or providers, and the ability to engage the local community in doing business with Athlos Academy of Utah. Diversity of subcontractors and suppliers shall be considered under this value as well.
  - h. All purchasing decisions shall consider the sustainability of the purchasing choice.
  - i. All purchasing decisions shall determine whether a partnership program is available through the vendor or supplier.
  - j. Written records will be kept for all purchases, including competitive bids when applicable by law. Competitive bids will be filed in the winning bidder's vendor file;

2. All purchasing procedures shall conform to and abide by the city ordinances, state statutes, legal counsel of the school, and school affirmative action policies, including Utah Procurement Code.
3. No employee, officer or agent of the Governing Board shall participate in the selection, award, or administration of a contract or purchase of supplies, materials and equipment if a conflict of interest, real or apparent, would be involved.
4. The Governing Board's employees shall neither solicit nor accept gratuities, favors, anything of monetary value, or any other unlawful consideration under Utah Code § 63G-6a-2304.5 from contractors, potential contractors, or parties to sub-agreements.
5. Purchases that do not adhere to the school purchasing principles or made in contravention to school purchasing policies:
  - a. May not be approved;
  - b. May not be paid for by school funds; or
  - c. The school may seek reimbursement from the employee or contractor who made the purchase.

#### B. Purchasing Procedures

1. Athlos Academy of Utah shall establish and publish standard purchasing procedures.
  - a. These procedures will be compliant with the procedures outlined in section C.
2. The Lead School Administrator may authorize that some purchases may be allowed by using a school authorized purchase card program. School policy shall establish the rules for approved purchases for this program, and provide training to persons authorized to participate in the program.
3. Persons authorized to purchase goods and services shall use the school's established authorized vendors, if established, unless otherwise agreed to by the Lead School Administrator. Purchasers shall contact the Lead School Administrator prior to making purchases or entering requisitions to request a variance from the authorized vendor program if the purchaser wants to use another vendor.
4. Satisfactory receipt of goods and services will be confirmed, as invoices are approved by buyers, before payment is made to a vendor.

#### C. Required Quotes and Bidding

1. A Public Bid process described in Utah Code §63G-6a-601 *et. seq.* is required to be followed for any purchase exceeding \$50,000.

2. Small purchases may be made without gathering any quotes if they meet the following criteria:
  - a. Each item costs less than \$1000;
  - b. The total purchase is less than \$5000; and
  - c. The cumulative small purchases from that vendor for the year are less than \$50,000.
3. Purchases that do not qualify under sections (A) or (B) shall solicit at least two bids with the item being purchased from the lowest bidder.
4. Additional small purchases rules:
  - a. Attempts to divide a procurement to be eligible for the small purchases process, as described in Utah Code §63G-6a-506(8), will be punished as described in Utah Code §63G-6a-2404.3(2).
  - b. Whenever practicable, Athlos Academy of Utah shall use a rotation system or other system designed to allow for competition when using the small purchases process.

#### D. Responsibility

1. All Athlos Academy of Utah employees charged with making purchases of goods and services on behalf of the school shall follow school procedures and all applicable law and school policies for such purchases. Willful failure to do so may result in disciplinary action up to and including termination of employment.
2. The Lead School Administrator or designee shall provide necessary training on purchasing procedures, programs and school purchasing policies and regulations to employees.
3. All Athlos Academy of Utah employees charged with using the purchasing programs of the school shall participate in the minimum required training prior to being granted access to the purchasing programs

#### **Legal References:**

[Utah Code § 63G-6a](#) (*Utah Procurement Code*)

#### **Revision History:**

4/18/2017

6/20/2018

4/27/23