
  
**West Virginia Department of  
EDUCATION**

## Highlights of State Board Policy 8200 – Purchasing Policies and Procedures Manual for LEAs

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The following slides highlight the most common areas where the Office of School Finance receive questions related to the requirements contained in Policy 8200, as well as other important requirements contained in the policy.



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### Purchase of Commodities

- Commodities must be purchased in accordance with the competitive bid procedures specified in the manual
  - Must use request for quotations (RFQ)
  - Vendor selection based on lowest responsible bidder



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**Purchase of Commodities**

- The competitive method used is determined by the threshold levels specified in Section 5.8 of the manual
- The threshold level to be used is determined by the total estimated cost of the **item** being purchased, which is the unit cost multiplied by the quantity



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**Bidding Thresholds**

- Purchase of commodities:
  - Less than \$5,000 – Competitive bids encouraged but not required
  - \$5,000 or greater – Competitive bids required
    - \$5,000 - \$10,000 – A minimum of 3 verbal quotes required, when practical
    - \$10,000 - \$25,000 – A minimum of 3 written bids required, when practical – Bids may be solicited by various means (telephone, internet)
    - \$25,000 - \$50,000 – A minimum of 3 written bids required, when practical – Good faith effort must be made to solicit as many bids as practical – by public notice or use of bidder list
    - Greater than \$50,000 – Public notice required –sealed bids



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**Purchase of Commodities**

- The bid method selected will be considered the appropriate method unless the lowest bid received exceeds the maximum dollar threshold of the method selected by 10%
- If this is the case, the bidding process must be repeated



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**Open Ended Contracts, Blanket Purchase Orders**

- Open ended contracts (price agreements)
  - Used only in situations where the commodity and price are known, but quantity is not (ex: child nutrition commodities, office paper)
- Blanket purchase orders – Used in situations where there is high volume of small dollar items but the commodity is not known (ex: facility or vehicle maintenance activities)



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**Alternative Procurement**

May purchase directly from a vendor without competitive bidding if any of the following conditions exist:

- Item cannot be purchased through normal bidding procedures (no responses to RFP/RFQ)
- Item is unique or not available from any other source (sole source)
- Item is available from the State, a RESA or another LEA
- Item is available from a statewide contract



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**Alternative Procurement**

- Available from a GSA schedule
- Available from a sheltered workshop
- Available from a local purchasing cooperative, such as a RESA or group of county boards working together
- Available from a legitimate government purchasing cooperative that has already obtained competitive bids that meet the requirements of Policy 8200
- Item is a used vehicle or piece of equipment



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**Procurement of Services**

- Services may be procured without basing the vendor's selection on lowest price:
  - Negotiation
  - Request for Proposals (RFP)/Expression of interest (EOI) (for architectural or engineering services) recommended



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**Agreement**

- Must be in writing and the total cost must be stated either:
  - As a sum certain, or
  - At a fixed rate (if hours are not known)
- Total must include travel being paid
  - Room and travel cannot be paid directly by LEA due to tax implications
- If using agreement provided by vendor, review carefully to ensure that it does not contain provisions that violate state law  
(Use addendum in Appendix C)



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**Contract Length**

- Contracts generally cover a 12-month period or cite a specific time for completion of the project or service.
- A solicitation for a contract that includes an option on the part of the LEA to extend or renew the contract for an additional period may be advantageous.
- Renewals shall be in accordance with the terms and conditions of the original contract and are limited to two successive one year periods.
- A letter of justification for each renewal should be maintained on file stating pertinent reasons for renewal.



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**Agreement Addendum**

- The universal Agreement Addendum form is included in Appendix C. It was updated with the latest manual revision.
- It should be completed and included as part of the final contract/agreement any time a vendor requires the LEA to sign the vendor's contract/agreement or the vendor submits alternate language with its bid or contract.
- LEAs are urged to execute it for all contracts, agreements, or leases where equipment with maintenance is included.



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**Payment for Commodities or Services**

- According to WVC 12-3-18, it is unlawful for any board to pay a claim for services rendered or materials furnished unless an itemized claim is filed by the claimant
  - Payments must be made from an itemized invoice – not a summarized statement
  - Payments cannot be made in advance



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**Methods of Payment**

- Order (check) signed by the president of the board, superintendent and treasurer (WVC 18-9-3, 18A-4-9)
- Wire transfer (WVC 12-3-20,21-5-3)
- Credit cards (12-3-10a)
- In all cases, goods or services being purchased must be received prior to or at the same time that payment is made



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## Disposal of Surplus Personal Property

- Property must be declared surplus by the purchasing director and CSBO
- May be disposed of in several ways:
  - Discarded or junked if determined to have no salvageable value
  - Traded towards the purchase of a replacement item
  - Sold at public auction, by competitive bid to the highest bidder, or by fixed price
  - Contributed to:
    - The state or political subdivisions, including county commissions
    - A private, nonprofit, tax-exempt organization (as determined by the IRS) for nominal consideration, provided that the property is for charitable, economic development or other community use.



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## Questions?

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