

**NON-INSTRUCTIONAL SERVICES: Purchasing Principles****1. Statement of Principles**

- a. IN COOPERATION WITH OTHER OFFICES, T[T]he Office of Purchasing IS PRIMARILY RESPONSIBLE FOR [or the Department of Facilities and Construction will negotiate] SECURING specific terms and conditions with vendors or contractors for consideration by the Board.
- b. Bids are awarded to a vendor based solely on the suitability of the product or service, price, delivery, and quality. Attempts on the part of suppliers to influence procurement decisions by offers of gifts or gratuities will be firmly rejected. [Employees of the school system may not advocate on behalf of a vendor if they have a significant financial interest in the company awarded the contract. Financial interest means ownership of any interest as the result of which the owner has received, within the past three (3) years, or is presently receiving or in the future is entitled to receive more than one thousand dollars (\$1,000.00) per year; or ownership or the ownership of securities of any kind representing or convertible into ownership of more than three (3) percent of a business entity].
- c. IF NOTIFIED BY THE ETHICS PANEL THAT A CONFLICT OF INTEREST EXISTS AS DESCRIBED IN BOARD POLICY 8363, ETHICS CODE, CONFLICT OF INTEREST, A CONTRACT WILL NOT BE AWARDED TO THE APPLICABLE INDIVIDUAL OR BUSINESS. [Bids or contracts will not be awarded to a business entity whose officers include employees of the Board if those employees have the ability to exercise a significant influence or control or will receive any additional income as a result of the contract. Business entity means any individual or organization, regardless of form, including but not limited to corporation, general or limited partnership, sole proprietorship (including a private consultant operation), joint venture, unincorporated association or firm, institution, trust, foundation, or other organization, whether or not operated for profit].

**2. Purchasing Procedures**

- a. All purchases [of textbooks, computer software, and other materials] are subject to the published procedures, authority, and scrutiny of the Office of Purchasing.

- b. When purchasing educational products or services, any necessary training, including travel, must also be included in the [bid] PURCHASING PROCESS.
- c. Any requisition for textbooks[, computer software,] or other educational materials must be in accordance with the [approved] materials list approved by the appropriate office in the [Department]DIVISION of Curriculum and Instruction.
- d. [The] Baltimore County Public Schools [have] HAS no obligation to reimburse individuals for [the] independent AND UNAUTHORIZED purchaseS [of textbooks, computer software, or other educational materials].
- [e. In the event that educational materials are under consideration for purchase, whose author, publisher, or consultant is an employee (or member of the immediate family of any employee) of the Baltimore County Public Schools, the requisitioner shall disclose such known relationships on the requisition form. The requisition will then be subject to the same purchasing guidelines which apply to all other materials. This guideline will apply unless:
  - The requisitioner had inside knowledge of the specifications, quality, and quantity prior to the public knowledge of bid request The awarding of a contract to a business entity affiliated with an employee would have a direct financial impact, as distinguished from the public generally, on them or a member of their immediate family
  - The requisitioner has used the prestige of his or her office to gain advantage for a particular vendor
  - The requisitioner has responsibility for preparing, approving, or auditing a contract for the products or services--or who has the authority to commit the school system to rent, purchase, or lease facilities, services, products, or equipment--on which he or she or a member of the immediate family is bidding.]

### 3. NEGOTIATIONS WITH VENDORS

- A. THE OFFICE OF PURCHASING SHALL CONSULT WITH OTHER

DEPARTMENTS AS NECESSARY AND APPROPRIATE DURING THE DEVELOPMENT OF SPECIFIC PRICING, TERMS, AND CONDITIONS.

- B. FOR ANY CONSTRUCTION RELATED CONTRACTS, THE OFFICE OF PURCHASING SHALL CONSULT WITH THE DEPARTMENT OF PHYSICAL FACILITIES DURING THE DEVELOPMENT OF SPECIFIC PRICING, TERMS, AND CONDITIONS.
- C. ALL VENDOR AND BIDDER PROPRIETARY INFORMATION RECEIVED BY THE BALTIMORE COUNTY PUBLIC SCHOOLS SHALL BE MAINTAINED AS CONFIDENTIAL, SUBJECT TO RELEASE ONLY AS REQUIRED BY LAW.

Legal References: Annotated Code of Maryland, Education Article §5-11[0]2 Bids and §7-106 Textbooks, Materials of Instruction and Supplies

RELATED POLICIES:

- [Also see] BOARD OF EDUCATION Policy 3200, Purchases from Minority and Small Business Enterprise
- BOARD OF EDUCATION Policy 7460, Purchases from Minority Businesses
- [Department of Business Services Manual, Office of Purchasing, Policies OP 4002.2 and 4002.3]
- BOARD OF EDUCATION Policy Series 8360, Ethics Code

ALL CAPS indicate new material.  
Brackets [ ] indicate deleted material.

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