

PURCHASING POLICY

I. General Provisions

- A. Purchasing procedures shall be established by the superintendent of schools by administrative regulations which will be used to obtain supplies, equipment, and commodities at the lowest possible price and within acceptable time frames.**
- B. Purchases and Contracts**
 - 1. All purchases will be made pursuant to applicable Kansas statutes and or federal procurement law, rules and/or guidelines.**
 - 2. All purchasing and contractual agreements shall be subject to, governed by, and construed according to the laws of the state of Kansas.**
- C. All bids received, which comply with specifications as to bidding procedures will be considered. In case of equal bids, the local vendor will be given preference. Employees of Unified School District 501, Topeka Public Schools are not permitted to make purchases for personal use through any fund of the school district including the school activities fund.**

II. Definitions

- A. “Responsive” means that a bid or proposal complies with all material aspects of a school district invitation or request. In particular, specifications, delivery dates, quantities and warranty requirements must be met. Failure to do so may result in a bid or proposal being rejected.**
- B. “Responsible” means that the vendor or bidder demonstrates the intent and ability to perform an awarded contract as required by law, this policy and applicable administrative regulations of the superintendent.**

III. Contracts for Construction, Reconstruction, Remodeling, Operation or Maintenance of Topeka Public Schools’ Facilities

- A. Contractors are encouraged to utilize disadvantaged business enterprises, also known as minority-owned and women-owned business enterprises, as subcontractors and suppliers. When assessing bid responses for construction, alteration, or repairs under \$20,000 the Board of Education will view inclusion of disadvantaged business enterprises, also known as minority-owned and women-owned business enterprises, as subcontractors and suppliers as a positive factor in awarding the contract.**
- B. Every contractor who is the successful bidder on a contract for construction, reconstruction, remodeling, operations or maintenance of a Topeka Public Schools’ building or other facility, and all sub-contractors hired or otherwise used by said contractor shall abide by all applicable Federal and Kansas laws and labor laws. A contract may be terminated or suspended at any time that Topeka Public Schools is presented with credible evidence that a contractor or subcontractor has violated the requirements of this policy.**

- C. Contractors and subcontractors shall pay their employees not less than the minimum wage established by the Federal Fair Labor Standards Act.**

- D. Contractors and subcontractors shall at all times maintain a safe and healthy working condition and abide by all applicable wage and hour regulations and prohibitions against child labor. Contractors' and subcontractors' working conditions shall conform to the standards set by the Federal OSHA or a similar state agency, whichever standards are more rigorous.**

- E. Contractors and subcontractors are encouraged, but not required, to be registered with the Kansas Department of Commerce's Division of Workforce Services and to have a registered training program for Topeka Public Schools students and graduates.**

- F. All contractors shall abide by the I.R.S. guidelines for subcontracting along with K.S.A. 44-766. If a contractor or subcontractor is found in violation of misclassifying workers as independent contractors, the contract shall be subject to immediate termination.**

- G. The superintendent or his/her designees are hereby charged with the responsibility and authority to investigate all credible complaints relating to the substantial failure of a contractor or subcontractor to comply with the terms of this policy.**

- H. A copy of this policy, or a reiteration of the terms and conditions thereof, shall be made a part of the construction specifications and standards of each and every contract and each and every subcontract let by a contractor.**

IV. Authority to Sign Contracts

The Board of Education hereby delegates to the superintendent of schools the power to execute contracts on behalf of the Topeka Public Schools for the purchase of goods and services if the value is no greater than \$20,000. The superintendent shall advise the Board of Education whenever a contract has been signed pursuant to this provision.