Legal Authority

Title 16, consisting of Sections 16-13B-1 to 16-13B-11, applies to contracts of County and City Boards of Education and requires a contractual agreement entered into by free and open competitive bidding on sealed bids to the lowest responsible bidder.

The interest of BCS must always be kept in mind during the procurement process. Generally, the objective should be to obtain the best benefit to the organization for the least cost. Although the procurement process should be supported by sufficient documentation at every phase, sound business judgment is a key factor in ensuring that this objective is attained.

Procurement is the process by which goods and services are obtained for users from external sources or are transferred to such users from internal stores. The major classifications of procurement are goods (including materials, etc.) and services. This section covers the procurement of goods and of professional services of a contractual nature.

The procurement process involves five principal phases: requisitioning, ordering, receiving, distributing and recording. Due care must be exercised at every level to ensure that all procurement transactions are properly authorized and processed in accordance with management’s directives.

These controls and procedures are established to ensure that there is coordination and proper authorization of all purchases. The procedures include mechanisms to allow various programs or departments to evaluate their needs and requisition items needed.

Purchasing

Purchases shall be made in accordance with an approved purchase order system that will include such requirements and procedures as may be established in the Board policy or finance manual.

All purchases will be made in compliance with the competitive bid law, when applicable, and with such corresponding rules, regulations, and procedures as may be set forth in the Board’s finance manual. The Superintendent is authorized to enter into cooperative agreements with other school systems or local governments as may be permitted by law.

The Superintendent or his/her designee may spend funds budgeted for operations up to $60,000 without prior Board approval. However, these purchases must be in compliance with Board polices and the Alabama State Bid Law where required.

The Superintendent may engage professional specialists, experts and consultants, including but not limited to medical, mental health, educational, legal, financial, technical (e.g. engineering, architectural, computer) experts and specialists for a term not to exceed ninety (90) calendar days and the total fees and costs of which are not expected at the time of engagement to exceed $50,000 without Board approval, provided that the expenditure is within the amount established for such purposes in the current Board approved budget. All such expenditures shall be reported monthly to the Board of Education in the manner prescribed by 16-13A-8 of the Code of Alabama (1975).

Please Note: The Superintendent is the only person authorized to sign contracts of any nature on behalf of the Board of Education.