

Dr. Steve Gallon III, Board Member

Co-Sponsor: Ms. Maria Teresa Rojas, Board Member

SUBJECT: AMENDMENT TO BOARD POLICY 6320

COMMITTEE: FISCAL ACCOUNTABILITY & GOVERNMENT RELATIONS

**LINK TO STRATEGIC
BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES**

Board Policy 6320-Purchasing provides guidelines, procedures, and protocols for the "procurement of supplies, materials, equipment, and services paid for from county school funds." It further stipulates that purchasing "shall be the responsibility of the procurement department under the general supervision of the Chief Procurement Officer and shall be made in accordance with all applicable State statutes, Florida State Board of Education Rules, School Board policies, and administrative procedures."

Board Policy also states that the Superintendent may approve or reject purchase requisitions when the total amount does not exceed \$50,000 or the current threshold set by statute and that purchases exceeding \$50,000 or the current threshold set by statute shall be approved by the Board except for those delineated in Board Policy.

Although Board Policy states that the Superintendent shall be responsible for the procurement of supplies, materials, equipment, and services paid for from Board funds, the ultimate authority and accountability for the expenditure of Board funds rests with the Board, as stipulated in F.S. 1001.42. Board policy must ensure that all purchases comply with law, rules, and regulations. Although statutorily allowable exceptions exist and are defined in Board Policy 6320, state law does not preclude the Board from establishing policies more impregnable than those aligned to state statutes.

At the Fiscal Accountability and Government Relations Committee Meeting of November 29, 2017, it was confirmed that current provisions under Board Policy 6320 allow for technology hardware purchases that exceed \$50,000.00 to be made outside of the competitive bidding process and without Board approval. In fact, the tens of millions of dollars in technology purchases made through the General Obligation Bond reportedly did not require a competitive bid or School Board approval when purchased.

This item seeks to direct the Superintendent to initiate rulemaking procedures to require that all purchases that exceed \$100,000.00, except those delineated in Board Policy 6320--Purchasing, *Purchase Approval and Competitive Bidding Process Requirements, Responsibilities A, B, C, D, F, H, I, J, K, M, Q, and R*, meet the requirements of the competitive bid process. Although the competitive bid process and/or Board approval may be exempt as stipulated, written notification of purchases made through such exemptions that exceed \$100,000.00 shall be made to the Board. } Revised

This item has been reviewed and approved by the School Board Attorney's office as to form and legal sufficiency. } Revised

**ACTION PROPOSED BY
DR. STEVE GALLON III:**

That The School Board of Miami-Dade County, Florida direct the Superintendent:

1. to initiate rulemaking procedures to require that all purchases that exceed \$100,000.00, except those delineated in Board Policy 6320 - - *Purchase Approval and Competitive Bidding Process Requirements, Responsibilities A, B, C, D, F, H, I, J, K, M, Q, and R*, meet the requirements of the competitive bid process; and
2. to provide written notification of purchases made through such exemptions that exceed \$100,000.00 to the Board including date of purchase, vendor, amount, funding source, and purchasing authority.

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