

AN ORDINANCE AMENDING CHAPTER 4, ARTICLE 6, SECTION 4-6.1 ENTITLED "STATEMENT OF POLICY; CONTRACTUAL AUTHORITY OF SCHOOL SUPERINTENDENT; CONTRACTS NOT REQUIRING SEALED BIDS OR COMPETITIVE NEGOTIATION" OF THE POLICIES OF THE SUFFOLK CITY SCHOOL BOARD - FIRST READING AND ADOPTION

BE IT ORDAINED, by the School Board of the City of Suffolk, Virginia that Chapter 4, Article 6, Section 4-6.1 entitled "Statement of Policy; contractual authority of school superintendent; contracts not requiring sealed bids or competitive negotiation" of the Policies of the Suffolk City School Board, be, and the same is hereby amended as follows:

Section 4-6.1. Statement of Policy; contractual authority of school superintendent; contracts not requiring sealed bids or competitive negotiation. — A. The School Board is of the opinion that Suffolk Public Schools should seek to obtain a high quality of goods and services and that goods and services should be obtained at a reasonable cost. Furthermore, the School Board is of the opinion that the procurement of goods and services should be conducted in a fair and impartial manner with avoidance of any impropriety or the appearance of impropriety, and that all qualified vendors should have access to public business and that no offeror should be arbitrarily or capriciously excluded.

B. The school superintendent or his/her duly authorized designees shall execute all contracts, including cooperative procurement agreements, on behalf of the School Board subject to the federal and state codes and school board policies. All public contracts entered into by the school superintendent with non-governmental contractors, for the purchase or lease of any such good and/or service, shall be in accordance with the Virginia Public Procurement Act (hereinafter "Act"). In addition, prior to awarding a contract for the provision of services that require the contractor or its employees to be in the presence of students during regular school hours or during school-sponsored activities, the school superintendent will require the contractor and, when relevant, any employee who will have direct contact with students, to provide certification:

- (1) that they have not been convicted of a felony or any offense involving the sexual molestation or physical or sexual abuse or rape of a child; and
- (2) that they have not been convicted of a crime of moral turpitude.

C. Pursuant to written procedures not requiring competitive sealed bids or competitive negotiation, the school superintendent may enter into single or term contracts for goods and services, if the aggregate or the sum of all phases is not expected to exceed \$200,000, other than professional services and non-transportation related construction if the aggregate or sum of all phases is not expected to exceed ~~\$400,000~~ \$300,000 and transportation-related construction if the aggregate amount is not expected to exceed \$25,000; however, such small purchase procedures shall provide for competition wherever practicable. Such small purchase procedures may allow for single or term contracts for professional services without requiring competitive negotiation, provided the aggregate or the sum of all phases is not expected to exceed \$80,000. Where small purchase procedures are adopted for construction, the procedures shall not waive

compliance with the Uniform State Building Code. (Adopted September 14, 2000; Ordinance #00/01-02; Revised: February 14, 2008; Ordinance Number 07/08-6; Effective Date: February 14, 2008; Revised: May 12, 2016; Ordinance Number 15/16-32; Effective July 1, 2016; Revised: October 11, 2018, Ordinance Number 18/19-26, Effective Date: October 11, 2018; Ordinance 20/21-1, Effective Date: October 8, 2020).

Legal Authority - Virginia Code §§ 2.2-4303, 22.1-68, 22.1-78 2.2-4300 et seq.

BE IT FURTHER ORDAINED that all phrases, clauses, sentences, paragraphs, subsections, sections and chapters of the School Board's Policy Manual not amended or repealed shall remain in full force and effect.


FIRST READING AND ADOPTION: _____

EFFECTIVE DATE: _____

TESTE: _____

CLERK

Approved as to form and content:


Wendell M. Waller, Esquire
School Board Attorney