



Fairfax County Public Schools

**Purchasing Manual**

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## **CHAPTER 1-INTRODUCTION**

### **I. Introduction**

#### **A. Purpose**

The purpose of this purchasing manual is to provide information necessary to buy goods and services in support of Fairfax County Public Schools (FCPS).

#### **B. Authority**

Purchasing activities within FCPS are governed by the Fairfax County Purchasing Resolution. In 1968, the Fairfax County School Board and the Fairfax County Board of Supervisors jointly agreed to the creation of the Department of Purchasing and Supply Management and a single Purchasing Agent who would be responsible for all purchasing matters for both FCPS and the County. The Purchasing Resolution states the procedures and rules that must be followed. Periodically the resolution is updated and readopted by the two Boards.

#### **C. Applicability**

The Purchasing Resolution addresses all aspects of materials management to include the acquisition of goods, services, and professional and consultant services; construction contracting; contract administration; and property accountability and disposal.

It is important to note that the competitive requirements set forth in the resolution apply to the purchase of goods and services by schools using nonpublic funds (funds raised directly by schools through ticket sales, fund-raising activities, etc.). The rules specifically apply even when students or parents make direct payments to vendors under contracts established by the school.

## D. Policy

The School Board is dedicated to ensuring that:

- FCPS purchases high quality goods and services at reasonable cost.
- FCPS conducts all purchasing actions in a fair and impartial manner with no impropriety or appearance thereof.
- All qualified vendors have access to FCPS business.
- No offeror is arbitrarily or capriciously excluded.
- The maximum feasible degree of competition is achieved.

## E. Definitions

1. Competitive Sealed Bidding A formal method of selecting the lowest responsible and responsive bidder. It includes the issuance of a written Invitation For Bid (IFB), public notice, a public bid opening, and evaluation based on the requirements stated in the IFB.
2. Competitive Negotiation A formal method of selecting the top-rated offeror. It includes the issuance of a written Request for Proposal (RFP), public notice, and evaluation based on the criteria stated in the RFP, and it allows negotiation with the top rated offeror(s).
3. County and Schools Procurement System (CASPS) The automated procurement system implemented jointly by Fairfax County Public Schools and Fairfax County government in November 1997.
4. Department Heads Those positions within FCPS that report directly to the Division Superintendent or the deputy superintendent.
5. Emergency When a breakdown in machinery and/or a threatened termination of essential services or a dangerous condition develops or when unforeseen circumstances arise causing loss or reduction of essential services.
6. Excess Property That property that exceeds the requirement of the school or office to which the property is assigned.

7. Firm Any individual, partnership, corporation, association, or other legal entity permitted by law to practice in Virginia or any other individual, firm, partnership, corporation, association, or other legal entity qualified to perform professional services.
8. Fixed Asset A tangible item (not a component) that has an expected useful life of at least one year and a dollar value in excess of \$5,000.
9. Goods All material, equipment, supplies, printing, textbooks, and automated data processing hardware and software, to include computers.
10. Immediate Family A spouse, child, parent, brother, sister, and any other person living in the same household as the employee.
11. Nonpublic Funds Those funds raised directly by a school through its various activities such as ticket sales, fund-raising, and certain vocational education programs.
12. Procurement Card A credit card issued to a school, center, or office for the purpose of providing a means to buy needed goods within the rules established by FCPS regulation.
13. Professional and Consultant Services Shall mean any type of professional services which is either: 1) performed by an independent contractor within the practice of accounting, actuarial services, architecture, dentistry, land surveying, landscape architecture, law, medicine, optometry, pharmacy, or professional engineering (which shall be procured as set forth in the Code of Virginia §11-37 in the definition of competitive negotiation at paragraph 3 (a), and in conformance with this Resolution), or 2) any other type of similar contractual service (including consultants), required by the Fairfax County government but not furnished by its own employees, which is in its nature so unique that it should be obtained by negotiation on the basis of demonstrated competence and qualifications for the type of professional service required and at fair and reasonable compensation rather than by competitive sealed bidding.
14. Responsible Bidder or Offeror An individual, company, firm, corporation, partnership or other organization who has the capability in all respects to perform fully the contract

requirements and the moral and business integrity and reliability that will assure good faith performance.

15. Responsive Bidder or Offeror: An individual, company, firm, corporation, partnership, or other organization that has submitted a bid or offer that conforms in all material respects to the Invitation to Bid or the Request for Proposal.
16. Sole Source A method of procurement that is used when a situation exists in which only one source is practicably available for that which is to be bought.
17. Surplus Property That property that exceeds the requirement of the Fairfax County Public Schools.
18. Services Any work performed by an independent contractor wherein the service provided does not consist primarily of buying equipment or materials or renting equipment, materials, and supplies.

## F. Exemption

The policies and procedures discussed in this manual do not apply to capital construction and related architectural and engineering services. Purchase of these services is conducted under rules and regulations established by the Department of Facilities Services in accordance with mandatory sections of the Code of Virginia.

## G. Responsibilities

1. The Fairfax County Purchasing Agent is the principal public purchasing official of Fairfax County and Fairfax County Public Schools.
2. The Division Superintendent exercises overall responsibility for Fairfax County Public Schools' purchasing processes. This responsibility is managed through the assistant superintendent, Department of General Services, for all noncapital construction-related procurement and through the assistant superintendent, Department of Facilities Services, for all capital construction-related procurement.

3. Principals and program managers are responsible for their procurement activities in accordance with FCPS policies and regulations.
4. Any purchase or contract entered into by any Fairfax County Public Schools official or employee that violates the provisions of the Fairfax County Purchasing Regulation, FCPS policy, or FCPS regulation, shall be the personal responsibility of that individual. (See the Fairfax County Purchasing Resolution, Article 2, Section 1. Paragraph g)

## **CHAPTER 2-PROCUREMENT OVERVIEW**

### **I. Purchasing Cycle**

#### **A. General**

The Purchasing Cycle is a series of activities that are undertaken to assure that we receive the goods and services needed to support FCPS programs in a timely, safe, and economical manner. The cycle consists of the following steps:

- Recognition of the need for goods or services
- Preparation of specifications of needed goods or services
- Preparation of requisition (if being purchased through the Office of Supply Operations)
- Determination of proper procurement method (small purchase, competitive bid, competitive negotiation, sole source, emergency)
- Preparation of solicitation document
- Receipt of bids or proposals
- Review of bids for lowest responsible and responsive bidder or selection of proposal that is most advantageous to Fairfax County Public Schools
- Issuance of purchase order or contract or negotiation of contract with selected offeror
- Receipt of goods or services
- Payment to vendor
- Contract administration to ensure vendor compliance with the terms and conditions of the contract or purchase order.

## II. Purchasing Delegation

### A. General

The Fairfax County Purchasing Agent has delegated the following purchasing authorities:

- Fairfax County Public Schools is responsible for School Board capital construction and related architectural and engineering services. Execution of contracts under this section must be conducted under the rules and regulations established by the School Board in accordance with the mandatory sections of the Code of Virginia.
- Fairfax County Public Schools is responsible for the procurement of goods and services for individual schools using nonpublic funds. Establish contracts under this section to be conducted under Regulation 7413, Procurement of Goods and Services by Individual Schools Using Nonpublic Funds, in accordance with the mandatory sections of the Code of Virginia.
- Fairfax County Public Schools is responsible for the execution of contracts for the purchase of instructional software, library books, and textbooks.
- The director, Office of Supply Operations, is responsible for approving purchase orders against established contracts as long as the value of the individual purchase order does not exceed \$100,000.
- The director, Office of Supply Operations, is responsible for issuing, receiving, evaluating, and awarding informal competitive bids of less than \$50,000 (open market procurements). All formal competitive bids, other than for capital construction-related services, are issued, received, and awarded by the Fairfax County Purchasing Agent, in accordance with the Fairfax County Purchasing Resolution.
- Department heads are responsible for issuing, receiving, evaluating, and awarding recommendations for informal competitive negotiations of less than \$50,000. The threshold for professional services and contracts, under the competitive

negotiation, is less than \$30,000. Recommendations, along with supporting documentation, are to be forwarded to the Purchasing Agent for execution of the contract, in accordance with Policy 7418.2.

- Principals and program managers are responsible for the use of Fairfax County Public Schools' credit cards in accordance with Regulation 5350, Procurement (Credit) Card Management.

### **III. Purchasing Ethics**

#### **A. General**

Public confidence in the integrity of Fairfax County Public Schools' purchasing activities is critical. Improprieties, or even the appearance of improprieties, can undermine this confidence with very negative consequences. Erosion of trust by Fairfax County taxpayers could result in decreased community support and revenues. Lack of trust by the vendor community could result in contract award protests or an unwillingness to submit bids, thus decreasing competition and potentially increasing the cost of goods or services.

#### **B. Policy**

Ethics in procurement within Fairfax County Public Schools is governed by the following:

Fairfax County Purchasing Resolution Code of Virginia, §2.1-639.1 et seq., §18.2-498.1 et seq., §18.2-438 et seq., and §18.2-446 se seq.

#### **C. Definitions**

1. Personal Interest Any personal financial benefit or liability accruing to an FCPS employee, his or her spouse, or any other relative residing in the same household.
2. Contract any agreement to which the Fairfax County School Board is a party.

3. Immediate Family A spouse and any other person, residing in the same household as the employee, who is a dependent of the employee or of whom the employee is a dependent.
4. Transaction Any matter considered by the Fairfax County School Board on which official action is taken or contemplated.

#### D. Prohibited Conduct

- No FCPS employee having official responsibility for a procurement transaction will participate in that transaction on behalf of Fairfax County Public Schools when the employee knows any or all of the following:
  1. The employee is contemporaneously employed by a bidder, offeror, or contractor involved in the procurement transaction.
  2. The employee, the employee's partner, or any member of the employee's immediate family holds a position with a bidder, offeror, or contractor such as an officer, director, trustee, partner or the like, or is employed in a capacity involving personal and substantial participation in the procurement transaction, or owns or controls an interest of more than five percent.
  3. The employee, the employee's partner, or any member of the employee's immediate family has a pecuniary interest arising from the procurement transaction.
  4. The employee, the employee's partner, or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment with a bidder, offeror, or contractor.
- No FCPS employee having official responsibility for a procurement transaction shall solicit, accept, or agree to accept from a bidder, offeror, contractor, or subcontractor any payment, loan, subscription, advance, deposit of money, services, or anything of more than nominal or minimal value, present or promised, unless consideration of substantially equal or greater value is exchanged.

- No bidder, offeror, contractor, or subcontractor shall confer upon any FCPS employee having official responsibility for a procurement transaction any payment, loan, subscription, advance, deposit of money, services, or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value is exchanged.
- No FCPS employee or former FCPS employee having official responsibility for procurement transactions shall accept employment with any bidder, offeror, or contractor with whom the FCPS employee or former FCPS employee dealt with in an official capacity concerning procurement transactions for a period of one year from the cessation of employment with Fairfax County Public Schools unless the employee, or former employee, provides written notification to Fairfax County Public Schools prior to commencement of employment by that bidder, offeror, or contractor.
- No FCPS employee having official responsibility for a procurement transaction shall knowingly falsify, conceal, or misrepresent a material fact; knowingly make any false, fictitious, or fraudulent statements or representations; or make or use any false writing or document knowing the same to contain any false, fictitious, or fraudulent statement or entry.

#### E. Penalty for Violation

The penalty for violations of any of the above provisions is provided in the Code of Virginia, §11-80. Willful violations are considered to be Class 1 misdemeanors and, upon conviction any public employee, in addition to any other fine or penalty provided by law, shall forfeit his or her employment.

## **CHAPTER 3-CONTRACTING PROCESS**

### **I. Competitive Sealed Bids**

#### **A. Purpose**

Competitive sealed bidding is the preferred method of acquisition due to its nonsubjective nature. This method of procurement is used to establish FCPS annual requirement contracts.

#### **B. Authority**

Competitive sealed bidding is required by the Fairfax County Purchasing Resolution for purchases of goods and services estimated to cost in excess of \$50,000.

#### **C. Definition**

A competitive sealed bid is a method of source selection for a purchase estimated to be in excess of \$50,000. Award is made to the lowest responsible and responsive bidder.

#### **D. Procedures**

1. Issue a written Invitation for Bid (IFB).
2. Provide public notice of the bid by posting a notice on a public bulletin board.
3. Open to public at the date and time advertised and announcement of all bids received.
4. Evaluate bids based on the requirements set forth in the IFB.
5. Award contract to the lowest responsive and responsible bidder meeting the specifications.

## E. Responsibilities

### 1. Schools, Centers, and Offices

Determination of the need for goods and services starts with the employee. Once an employee has identified a requirement, he or she should consult with the Office of Supply Operations to determine if an existing contract is available. If no such contract exists, the individual must submit written specifications describing the design or performance characteristics to the Office of Supply Operations. The originating school, center, or office typically is involved in evaluating products for which bids have been submitted in response to the IFB.

### 2. Office of Supply Operations

Office of Supply Operations is responsible for preparing the bid document based on the written specifications that an employee provides. Once the document is prepared, it is forwarded to the Fairfax County Department of Purchasing and Supply Management (DPSM) for review. DPSM issues the IFB and receives the vendors' bids. After DPSM receives the bids, the Office of Supply Operations tabulates them to determine lowest bids. The products that are offered at the best prices are evaluated to ensure that they comply with the specifications (responsiveness). After this process is complete, award recommendations are returned to DPSM for award and execution of the contract.

### 3. Department of Purchasing and Supply Management (DPSM)

DPSM is responsible for issuing the IFBs, for posting public notice, and for conducting the public opening of bids. DPSM also is responsible for awarding the contract to the lowest responsive and responsible bidder(s).

## F. Processing Times

The following estimated time line should be considered for the successful completion of a formal competitive bid. This time line assumes that the Office of Supply Operations is provided with reasonably acceptable specifications.

<u>Activity</u>	<u>Responsibility</u>	<u>Time Required</u>
Bid Preparation	Supply Operations	10 Days
Bid Issuance	DPSM	10 Days
Bid on Street	Vendors	30 Days
Bid Tabulation	Supply Operations	5 Days
Bid Evaluation	Supply Operations and customers	10 Days
Recommendation		
Preparation	Supply Operations	5 Days
Contract Award	DPSM	10 Days

Clearly, some bids are completed more quickly than the above time line and some bids are significantly longer. An employee should consult with the Office of Supply Operations once he or she has identified a requirement in order to establish a reasonable time line for each specific acquisition process. This will take into account the complexity of the solicitation, how many different products and services the employee is purchasing, how many vendors are expected to respond, etc.

**G. Bid Evaluation Process.**

Once bids are opened by DPSM, copies of responsive bids are provided to the Office of Supply Operations. The next step in the process is to tabulate the bids to determine the low bid for each line item.

For bidders who have offered the specified product, there typically is no need to perform an evaluation of the product to ensure that it meets FCPS requirements. Often, however, the low bids are for alternative products. When this occurs, the Office of Supply Operations staff members work with the employee to conduct the product evaluation. In some cases, this involves reading descriptive literature. In other cases, it requires that the Office of Supply Operations staff members test and evaluate samples. For each line item, the evaluation starts with the low bid and continues until an acceptable product is identified. Documentation must be maintained that supports the rejection of low bid products, and this documentation is forwarded to DPSM along with the actual award recommendations.

## H. Determination of Nonresponsiveness

The following are examples of situations in which a bid may be declared nonresponsive:

- The bidder failed to sign the bid.
- The bidder did not provide an original signature on the bid form.
- The bidder failed to complete required forms and certificates.
- The bidder changed delivery terms; e.g., the bidder changed “FOB destination” to “FOB shipping point”.
- The bidder did not offer the goods or services that complied with the bid specifications.
- The bidder did not offer firm prices.

When a bid is declared nonresponsive, the Purchasing Resolution requires that the bidder be notified in writing and given an opportunity to appeal that determination. The bidder has ten days to submit a written protest of this decision.

## I. Determination of Nonresponsibility

The following are examples of situations in which a bidder may be declared nonresponsible:

- The bidder is not a regular dealer or supplier of the goods or services offered.
- The bidder does not have the ability to comply with the required delivery or performance schedule.
- The bidder does not have a satisfactory record of performance as documented **prior** to the receipt of bids.
- The bidder does not have a satisfactory record of integrity, or the bidder is currently debarred or suspended by Fairfax County or another Virginia jurisdiction.
- The bidder does not have the necessary facilities, organization, experience, technical skills, or financial resources to fulfill the terms of the purchase order or contract.

When a bidder is declared nonresponsible, the Purchasing Resolution requires that the bidder be notified in writing and given an opportunity to appeal that determination. The bidder has ten days to submit a written protest of this decision.

## J. Confidentiality

After bids are opened and reviewed by persons present at the bid opening, they become confidential and are not releasable to the public until the contract is awarded.

A bidder may request to inspect bid records within a reasonable time after opening but prior to award. Information designated as trade secrets or proprietary information by the bidder will not be disclosed and is exempt from disclosure under the Freedom of Information Act (FOIA) provisions.

## II. Competitive Negotiation

### A. Purpose

Competitive negotiation typically is used in two circumstances. First, it is used when factors other than lowest price are as important or are more important than price. Second, it is used when the Office of Supply Operations does not have sufficient information about what is required. In these cases, Office of Supply Operations staff members describe the problem or the objective and request that vendors provide recommended solutions.

### B. Authority

Competitive negotiation is an accepted method of procurement under the Fairfax County Purchasing Resolution. Competitive negotiation is expressly required when obtaining state-defined professional services and consultant services as described in the Purchasing Resolution.

The Code of Virginia specifically authorizes the use of competitive negotiation when schools are acquiring class rings, graduation-related products, photography services, and yearbooks.

### C. Definitions

1. Informal Competitive Negotiation: A method of source selection when the estimated cost is less than \$50,000.

2. Formal Competitive Negotiation: A method of source selection when the estimated cost is more than \$50,000. The threshold for professional and consultant services is \$30,000 or greater.

## D. Procedures

### 1. Informal Competitive Negotiation

- a. Prior to issuing a Request for Proposal, you should consult with the Office of Supply Operations to determine whether a Request for Proposal (RFP) is the appropriate method.
- b. Assuming that an RFP is appropriate, an informal RFP can be prepared and issued by a Department Head. The informal RFP can be in the form of a letter but must include, at a minimum, the following: statement of work (scope) tasks to be performed, time requirements, and basis for award.
- c. The RFP must be sent to at least three responsible firms. The firms must be informed of the submission dates and times after which proposals will not be accepted.
- d. The originating organization must receive and evaluate the proposals consistent with the basis of award contained in the RFP.
- e. Once proposals are ranked, negotiations may be undertaken with the top-ranked offeror.
- f. If negotiations are successful, the Leadership Team member must send the award recommendation to the Fairfax County Purchasing Agent with all supporting documentation.
- g. The Purchasing Agent awards the contract.
- h. The originating organization enters a purchase requisition into CASPS.
- i. The Office of Supply Operations creates the purchase order.

2. Formal Competitive Negotiation
  - a. Prior to preparing a RFP, individuals should consult with the Office of Supply Operations to determine whether a Request for Proposal (RFP) is the appropriate mechanism for the procurement.
  - b. Assuming that an RFP is appropriate, an RFP can be prepared by the originating organization with advice and support from the Office of Supply Operations.
  - c. Once the draft RFP is ready, the Office of Supply Operations forwards a copy to the Department of Purchasing and Supply Management (DPSM).
  - d. DPSM reviews the RFP and makes changes as appropriate.
  - e. DPSM issues the RFP to all firms registered on the Procurement Opportunities List (POL) that offer the required goods or services, and to any specific firms identified by you or the Office of Supply Operations.
  - f. Prior to the closing date of the RFP, the employee must create the Selection Advisory Committee (SAC) and identify the members to DPSM in writing.
  - g. The employee must establish any weighting factors associated with the bases for award and provide these in writing to DPSM prior to the RFP closing date.
  - h. DPSM receives the proposals from offerors. Typically, RFPs require that proposals be submitted in two parts: a technical proposal and a business proposal. The technical proposal addresses the requirements of the RFP. The business proposal identifies the costs.
  - i. DPSM reviews the proposals and forwards all responsive proposals to the SAC.
  - j. The SAC is briefed by a member of DPSM, and are required to sign disclosure forms prior to receiving proposals for evaluation.

- k. Each individual member of the SAC reviews evaluates, and members rank the proposals in accordance with the evaluation criteria in the RFP.
- l. The SAC meets as a group and reaches consensus on the ranking of proposals.
- m. The ranking is provided to DPSM with a request for copies of the business proposals.
- n. Members of the SAC reevaluate and rank offerors based on the technical and the business proposals.
- o. Consensus is reached on the ranking of offerors.
- p. Negotiations are undertaken with the top-ranked offeror.
- q. Assuming the negotiations are successful, an award recommendation is forwarded to DPSM for action.
- r. Please note:
  - 1. For professional or consultant services, the Division Superintendent must approve any contract with a value of between \$30,000 and \$100,000 prior to award by the Purchasing Agent.
  - 2. For professional or consultant services, the School Board must approve any contract with a value greater than \$100,000 prior to contract award by the Purchasing Agent.
  - 3. If an amendment to an existing contract would result in the total value increasing from less than to more than \$100,000, the School Board must approve the amendment prior to it being approved by the Purchasing Agent.

## E. Confidentiality

After public announcement of the names of offerors who have submitted proposals, all documents, meetings, notes, etc., associated with the process are to be considered confidential and not available for public inspection until after contract award by the Purchasing Agent. An offeror may request to review the files prior to award but after

completion of the evaluation and negotiation processes. If an offeror submits a proposal with a request and justification that the proposal contains trade secrets or proprietary information, those documents must be kept confidential and are not subject to release even if a Freedom of Information Act (FOIA) request is made.

### **III. Specifications**

#### **A. Definition**

The term "specification" refers to that portion of a solicitation that describes the characteristics of a required product or service. A specification may include requirements for samples, descriptive literature, inspection, testing, warranty, and packaging.

#### **B. Types of Specifications**

Several types of specifications exist. The development, selection, and use of a particular type are dependent on an employee situation, time, and information available, and needs.

1. Performance Specifications: Performance specifications (also known as Functional Specifications) are preferred since they communicate what a product is to do, rather than how it is to be built. Performance specification should include the following:
  - a. A general description
  - b. Required performance characteristics (minimum/maximum) to include speed, storage, production capacity, usage, ability to perform a specific function
  - c. Operational requirements, such as limitations on environment, water or air cooling, electrical requirements
  - d. Site preparation requirements for which the contractor will be responsible, such as electricity, plumbing, or for which FCPS will be responsible
  - e. Compatibility requirements with existing equipment or programs
  - f. Conversion requirements for maintaining a current equipment or system until switching to the new equipment or system.
  - g. Installation requirements
  - h. Maintenance requirements

- i. Supplies and parts requirements;
- j. Quantity and method of pricing;
- k. Warranty; and
- l. Service location and response time.

1. Design Specifications: Design specifications involve dimensional and other physical requirements and concentrate on how a product is to be built rather than on what it should do. Architects and engineers typically prepare design specifications for construction or custom manufactured products. A design specification includes the following:

- a. Dimensions, tolerances, and specific manufacturing or construction processes
- b. References to a manufacturer's brand name or model number
- c. Use of drawings and other detailed instructions to describe the product

3. Brand Name or Equal: Brand name or equal is the most commonly used type of specification. The Fairfax County Purchasing Resolution (Article 2, Section 4, paragraph a.5) includes the following requirement when brand name or equal specifications are used.

*Unless otherwise provided in the Invitation to Bid, the name of a certain brand, make, or manufacturer does not restrict bidders to the specific brand, make, or manufacturer named; it conveys the general style, type, character, and quality of the article desired, and any article which the public body in its sole discretion determines to be the equal of that specified, considering quality, workmanship, economy of operation, and suitability for the purpose intended, shall be accepted.*

An equal product can be defined as being similar in form, fit, and function and may be substituted for the required items, with no advantage or disadvantage.

The most important part of preparing brand name bid specifications is the use of the product's salient features. Salient features are the inherent qualities of the product that are required for the product to perform its intended application. These characteristics should be stated in the specification, and the equal product must meet these requirements in order to be acceptable. Not all characteristics of a product typically can be categorized as salient features so it is important to identify those that truly are critical to the product's acceptability.

**Example:**

**Bench, Press, Competition**

Specifications: 2" tubular steel, minimum 11 gauge (.120 Wall); low safety catch for bar rest; extension foot for stability; rear bar catch minimum 4" in height with raised front lip to prevent bar displacement; high density foam padding; 29-OZ lock stitch vinyl with 100% polyester backing.

Standard Spec: World Sporting Goods J-301 or equal

**Samples**

If a bid is issued with the specifications of a brand name or equal, it is recommended that consideration be given to requiring that vendors who are bidding an alternative "equal" product must submit a sample of their product for evaluation purposes. Failure to submit a requested sample will result in rejection of the bid. At a minimum, descriptive literature should be required for any alternative products.

It also is recommended that if the award is made for an alternative product based on the evaluation of a sample, the sample should be retained in order to compare the sample to the actual delivered items when they arrive.

**No Substitutes**

It is possible to specify a brand name and to state "no substitutes"; however, this is only acceptable if it can be justified. For example, a high school may desire to replace a percentage of their football uniforms. These uniforms are from a specific manufacturer and are of a specific style and color. It is unlikely that a uniform from another manufacturer could exactly match the existing uniforms. Under these

circumstances, it would be acceptable to specify the existing manufacturer, style, and color and to state “no substitutes”.

### C. Scope of Work for Services

The following is a list of the types of information that should be included in a scope of work for professional or other services:

#### 1. General Requirements

Describe the contractor's responsibility to provide a service or produce a specific study, design, or report.

#### 2. Specific Requirements

Address the specific tasks, subtasks, parameters, and limitations that must be considered in producing the service or final project. The following factors should be included:

- Details of work environment
- Minimum or desired qualifications
- Amount of service needed
- Location of service
- Definition of service unit
- Time limitations
- Travel regulations or restrictions
- Special equipment required
- Other factors affecting working environment

#### 3. FCPS Provided Materials or Services.

List any plans, reports, statistics, space, personnel, or other FCPS-provided items that must be used by the contractor.

4. Deliverables, Reports, and Delivery Dates

Identify the specific delivery dates for all documentation or other products the contractor must furnish. Be clear about the expectations for the contractor's performance.

## **IV. Contracts**

### **A. General**

A contract is a mutually binding legal relationship obligating the seller to furnish the supplies or services and the buyer to pay for them. Under the Uniform Commercial Code, any contract with a value greater than \$500 must meet the following criteria to be legally binding:

1. It must be in writing.
2. There must be consideration, i.e., something of value given or done as recompense that is exchanged by two parties.
3. All persons must have the ability or capacity to make a valid contract.
4. That which is being performed under the contract must be legal.
5. Both parties must have legal escape if a substantial disagreement occurs.
6. Both parties have an obligation to do or to permit something to be done in consideration for the act of the other.

### **B. Types of Contracts**

There are numerous types of contracts. The following types of contracts are those most commonly used within FCPS.

#### **1. Annual Requirement Contracts**

Annual requirement contracts are established through a competitive bidding process for recurring demand products. School buyers in the Office of Supply Operations work with curriculum and program specialists to develop product specifications and to estimate annual needs. School buyers and curriculum and program specialists evaluate vendor bids to ensure

that award is made to the lowest responsible and responsive bidders. Vendors are required to supply these products at a fixed price in whatever quantities are requested throughout the year regardless of the original estimated quantities.

Under this type of contract, the vendor assumes certain risks because the actual quantities bought may be greater or less than the original estimate, and any product cost increase to the vendor typically cannot be passed on to Fairfax County Public Schools.

Examples of the products that are purchased under an annual requirement contract include most instructional supplies, custodial cleaning supplies, and classroom furniture.

## 2. Percent Off List Price Contracts

An IFB is issued to request vendors to submit bids that offer percent discounts from list prices. Purchasing certain products in this way can be advantageous to the school system.

Under this type of contract, Fairfax County Public Schools assumes the risk of price increases to list prices while the vendors assume the risk regarding the quantities of the products that actually will be purchased.

Examples of the products that are purchased under a percent off list price contract include science supplies, Hewlett-Packard microcomputers/printers, and office furniture.

## 3. Sole Source Contracts

Sole source contracts are established when only one source practicably exists for a product. Under these circumstances, pricing and other contract terms typically are negotiated with vendors.

An example of a product that is purchased under a sole source contract is Apple computers. Apple Computer sells its products directly under its K-12 pricing schedule.

Textbooks that are purchased directly from publishers provide another example of a product purchased under sole source contract.

#### 4. Time and Materials Contracts

Using a competitive bidding or negotiating process, a time and materials contract will be established when it is not possible or practical to obtain the needed services and/or materials at a fixed price. This type of contract specifies the fixed hourly rate and establishes how materials will be charged. The obvious disadvantage of this type of contract is that it requires careful oversight because there is no positive incentive for the vendor to control costs.

An example of a time and materials contract is the computer maintenance and repair services contract.

#### C. Origins of Contracts

Contracts are established based on specific requests or based on knowledge of recurring demand. The Office of Supply Operations works with curriculum and program specialists to identify products that are newly required or that are no longer needed due to changes in technology, curriculum, etc.

Requests for the creation of a contract should be submitted in writing to the director, Office of Supply Operations.

#### D. Contract Approval

With a few exceptions, such as contracts with publishers for textbooks, the Fairfax County Purchasing Agent must approve all procurement contracts involving appropriated funds.

Principals are authorized to sign contracts involving the use of nonpublic monies. Nonpublic Funds are funds raised directly by a school through its various activities such as ticket sales, fund-raising, and certain vocational education programs.

#### E. Personal Service Contracts

Fairfax County Public Schools often enters into agreements with individuals to perform a variety of services. These agreements may or may not need to be bid competitively, depending on the cost and type

of service being provided. Typically, however, it is necessary that the Fairfax County Purchasing Agent approve written contracts.

Employees should submit personal service contract requirements to the Office of Supply Operations along with all relevant information. The Office of Supply Operations will work with the Purchasing Agent to establish the necessary contract.

## **F. Contract Administration**

It is necessary that contracts be administered to ensure that vendors are complying with the terms and conditions of the contract.

The Office of Supply Operations is responsible for administration of contracts involving appropriated funds. Problems with vendor performance should be reported to that office.

Individual schools are responsible for administering contracts awarded by the school.

## **V. Vendor Performance**

### **A. General**

All contracts and purchase orders contain vendor performance requirements. These requirements typically include price, quantity, quality, delivery location, and delivery date. An important part of the purchasing cycle is to ensure that vendor's performance is consistent with these requirements.

### **B. Noncompliance**

If vendors fail to meet their contractual obligations, employees should notify the Office of Supply Operations immediately. This office will assume responsibility for trying to resolve the problem and for documenting the situation in the contract file if warranted by the circumstances.

If a vendor consistently fails to perform, it may result in cancellation of the contract. Under certain circumstances, vendors may be suspended or debarred by the Purchasing Agent from doing business with Fairfax County Public Schools.



## **CHAPTER 4-PURCHASING PROCESS**

### **I. Purchase Requisitions**

#### **A. General**

Purchase requisitions are used to begin the process of buying goods and services using appropriated funds.

Employees enter purchase requisitions into the County and Schools Procurement System (CASPS) either as an Inventory Request (IR) or a Purchase Requisition (PR).

Alternatively, you may submit paper requisitions to the Office of Supply Operations for non-contract items if warranted by the dollar value and complexity of the purchase.

#### **B. Items on Contract**

##### **1. Inventory Requests (IRs)**

IRs are used to acquire stocked items from the Department of General Services warehouse or to buy items on contract that have Fairfax County Identification Numbers (FCINs) assigned. If an FCIN is under contract for direct delivery to a school or office, entering an IR for these items will result in the automatic creation of a Purchase Requisition in CASPS.

Inventory Requests						K2D / FXIMK2D
Action....	Request number....	IR 000161	Delivery loc...	S0750		09/13/98 13:28
Requestor. TCI10	From Agency/Stkrm.:	SGSSO / STCK	Required date..	09/13/98		
Index.....	002408 Subobj. 5500	Grant.	Grant dtl.	Proj.		
Proj dtl..	Job.	Comment.		Status: C		
=====						
Line FCIN	Description	UOM	Request qty	Unit price	Line amount	Remaining qty ln stat
0001	2621002001		9.0000			9.0000
	PAPER, ART, ORANGE	EA		\$10.0000	\$90.00	C
0002	3588002002		3.0000			3.0000
	BRUSH, 12"	EA		\$7.7500	\$23.25	C
0003	5310001003		2.0000			2.0000
	BRUSH, PAINT	EA		\$.0000	\$.00	C
0004	2621002002		3.0000			3.0000
	PAPER, ART, BLUE	EA		\$9.0000	\$27.00	C
0005	2621002003		4.0000			4.0000
	PAPER, ART, GREEN	EA		\$11.0000	\$44.00	C
	Goto line	Total lines:	5	Request total:	\$184.25	
Next transaction	K2D	Txn help	Status: CONTINUE	SC / FAIR		
F1=Help	F2=Next txn	F3=Exit	F4=Prompt	F5=	F6=Change sys	
F7=	F8=Forward	F9=	F10=Goto Top	F11=	F12=Main menu	

Figure 1 - CASPS Inventory Request

- Stocked Items

The warehouse will process IRs for stocked items. The warehouse prints pick lists each day to begin the process of picking, packing, and delivering these items. The warehouse’s goal is to deliver stocked items within two business days of creation of the IR.

Requests for items that are currently out-of-stock will create a backorder that will be filled as soon as the warehouse receives the shipment of those items.

When the warehouse creates the delivery document, the person ordering the item is charged for the items. Items received directly from the warehouse do not require a receiving report in CASPS.

- Direct Delivery Items

IRs for direct delivery items will result in the creation of a Purchase Requisition (PR) in CASPS. These purchase requisitions must be approved prior to being electronically sent to the Office of Supply Operations for processing. Buyers in the Office of Supply Operations will convert the requisitions to

purchase orders, mail these orders to vendors, and forward copies to the employee.

You also can order contract items by creating purchase requisitions directly in CASPS. You must not use purchase requisitions to order items stocked in the warehouse.

You can track the status of an order by recording the purchase requisition number at the time it is authorized.

The PR may be converted to one or more purchase orders depending upon the number of different vendors that supply those specific items.

Upon receipt of the goods or services from a vendor, you must enter a receiving report into CASPS.

- **Ordering Textbooks**

Schools can order textbooks through OrderLink rather than having to contact directly the hundreds of textbook publishers from whom we purchase books. Alternatively, schools can order directly from publishers.

Orders submitted through OrderLink or directly to publishers should reference a school purchase order number for tracking purposes. The order numbers are used by publishers when the orders are processed and the numbers must be displayed on all delivery and invoice documents that are processed. Orders submitted by schools directly to publishers or through OrderLink should be invoiced directly to the school's address. When invoices are received, schools can make payment either using their school textbook credit card (a few publishers do not accept credit cards) or using their advanced appropriated funds (green dollars). Because some publishers do not accept credit cards, we do not recommend that credit card numbers be entered in OrderLink at the time orders are placed.

The Office of Supply Operations is responsible for maintaining current textbook information that is available on the FCPS Intranet from the Department of General Services page. This same information is maintained in OrderLink to facilitate ordering.

C. Items Not On Contract

1. Purchase Requisitions (PR's)

Purchase Requisitions are used to acquire items not under contract. PRs are entered directly into CASPS.

Purchase Requisition Header				L10 / FXPOL10U	
				09/15/98 16:01	
Action.....	C				
Vendor nbr.....	B004148401 01	Short Name:		SIR SPEEDY	
Requisition nbr.	PR 98 001859	00 000			
Entity / Org....	SCH 010101				
Index... 111468	Subobj 3936	Grant	Grant dtl	Proj	
Proj dtl	Job...	GL	Subsid...		
Gross amount....	.00	Order dt	09/15/98	Terms	06
Required date...	10/15/98	Buyer...	00	ERS?	N
Ship via.....	BWA	Std inst		Ret?	N
Delivery loc....	S0750	FOB.....	DS		
Rqstr.....	TCI12	Bill to.	BILL2		
Contact/phone nbr	LIBBY MALAN	704-555-1212			
Contract nbr....					
Quote nbr/nm /dt			/	/	
Agency technical contact	LIBBY MALAN				
Next transaction	L10	Txn Help	Status: COMPLETE	SC / FAIR	
F1=Help	F2=Next txn	F3=Exit	F4=Prompt	F5=Hold txn	F6=Change sys
F7=	F8=	F9=	F10=	F11=	F12=Cancel

Figure 2 - CASPS Purchase Requisition Header

2. Pre-Planning

The purpose of a requisition is to communicate requirements to procurement staff member in the Office of Supply Operations. It is important that this communication include all relevant information so that the requisition can be processed in a timely manner. It also is important to understand the different time periods required to process a requisition depending upon the dollar value of the procurement.

- \$5,000 or less: Small purchases of \$5,000 or less do not require competition (although competition is encouraged whenever practical). Converting requisitions to small purchase orders can be accomplished in very little time.
- \$5,001 to \$50,000: Purchases up to \$50,000 are below the formal bid level established by the county. "Informal"

competition is required. For purchases up to \$10,000, telephone quotes from three firms may be obtained. Open Market Procurements (OMPs) are issued for all other informal purchases. OMPs are prepared, issued, received, evaluated, and awarded by the Office of Supply Operations. The entire process from initiation to award and issuance of a purchase order will be completed typically within 30 days.

- \$50,000 and above: Purchases of this value are considered formal and require that the school system follow the procedures governing competitive sealed bidding or competitive negotiation. Once requirements are provided to the Office of Supply Operations, an Invitation for Bid (IFB) or a Request for Proposal (RFP) will be prepared and forwarded to the Fairfax County Department of Purchasing and Supply Management (DPSM) reviews, issues, and receives responses to the solicitation. Copies of bids or proposals are provided to the Office of Supply Operations for evaluation. Award recommendations are returned to DPSM for final decision by the Purchasing Agent. A formal bid process typically will take from 60 to 120 days. A formal negotiation process typically will take from 120 to 180 days.

## **II. Purchase Orders**

### **A. Purpose**

Purchase orders provide written authorization for vendors to provide the goods and/or services described on the order. The product or service description, delivery conditions, quantity, and price are all specifically listed on the order. Payment terms also are listed. The purchase order also confirms to vendors that funds have been encumbered to ensure payment after the goods or services have been received.

### **B. Signature**

Purchase orders issued on behalf of Fairfax County Public Schools must be authorized and signed by staff member in the Office of Supply Operations with the following exceptions:

1. Capital construction and related services
2. Food products purchased by the Office of Food and Nutrition Services
3. Library books purchased by the Office of Media Services
4. Maintenance and repair products purchased by the Office of Maintenance Services
5. Purchase orders over \$100,000

### **C. Preparation**

Purchase Orders are created in the County and Schools Procurement System (CASPS) after an employee has entered a requisition.

If the dollar value of the acquisition is less than \$5,000, CASPS will automatically generate a Small Purchase Order (SO). SOs are printed at the Office of Supply Operations each day and are mailed immediately to vendors, a copy is sent to the receiving location.

If the dollar value of the acquisition is greater than \$5,000, and a contract exists for the product or service, school buyers in the Office of Supply Operations review the requisition to ensure that it is consistent with the contract's terms and conditions. If no problems are

detected, the requisition is converted to a Purchase Order (PO) that is printed overnight and mailed or electronically transmitted to vendors by the Department of Purchasing and Supply Management. The Office of Supply Operations will send the initiator a copy of the PO.

If the dollar value of the acquisition is greater than \$5,000, and no contract exists, school buyers in the Office of Supply Operations will follow the appropriate method of procurement necessary to buy the goods or services. After the successful completion of this process, the requisition will be converted to a PO and authorized by the Office of Supply Operations.

### **III Receiving Reports**

#### **A Purpose**

It is vital that receiving reports be processed into CASPS as soon as possible after receipt of goods or services. Without receiving reports, vendors cannot be paid. If vendors do not get paid, they begin to refuse to accept orders or to participate when bids are issued.

#### **B Accounts Payable**

The Accounts Payable Section, Office of Financial Services, is responsible for processing vendor payments. This task is accomplished by matching purchase orders, vendor invoices, and receiving reports. If all three documents match within established tolerances, payment is made. If mismatches occur, accounts payable must research and resolve the mismatch before processing the payment. If any of the three documents are missing, it must be obtained. Typically, the missing document is the receiving report.

The current practice is that accounts payable receives an invoice and checks CASPS to determine if a receiving report has been processed. If it has not, they send a memo to the receiving location asking for the status of the receipt. Typically, the receiving location is given ten (10) days to respond either with a receiving report or an exception statement (goods not received, goods damaged, etc.). Absence of either of these responses, accounts payable assumes the goods or services were received. Payment then is processed. This is done to ensure fairness to the vendors, not because it is a good idea to pay invoices without a receiving report having been created by the receiving location.

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Chapter 5-Purchasing Funds Management

PSMA 3A		 SMALL PURCHASE ORDER NUMBER AND PREFIX LETTERS APPEARING AT RIGHT MUST APPEAR ON ALL DELIVERIES, PACKAGES, INVOICES, PACKING SLIPS AND RELATED CORRESPONDENCE.		1. SMALL PURCHASE ORDER NUMBER 5002565759	
<b>SMALL PURCHASE ORDER</b> <b>COUNTY OF FAIRFAX, VIRGINIA</b>				2. PREPARATION DATE 10/26/01	
3. REQUISITIONING AGENCY PROFESSIONAL & TECHN(100750)		4. CONTACT NAME AND TELEPHONE NUMBER NETH DOWNEY, 703-208-7807		5. PAYMENT TERMS NET 30	
6. QUOTE NAME		7. FOB DES/SHI AL	8. SHIP VIA BEST WAY AVAIL		9. DATE REQUIRED 11/15/01
10. V E N D O R	11. SMART LLC 6679-H SANTA BARBARA ROAD ELKHIDGE MD 21075		11. WEST SPRINGFIELD HIGH 6100 ROLLING ROAD SPRINGFIELD VA 22152		
	<b>IMPORTANT</b> SEE TERMS AND CONDITIONS ON REVERSE SIDE		12. ACCOUNTS PAYABLE BURKHOLDER CENTER 10700 PAGE AVE. FAIRFAX VA 22030		
13. NO.	14. FCIN AND DESCRIPTION OF ITEM(S) AND/OR SERVICE(S) ORDERED	15. QUAN.	16. UN.	17. UNIT PRICE	18. TOTAL PRICE
1	3577017266 VENDOR PART#: C8050A HP LASERJET A100N PRINTER  DELIVER TO: WEST SPRINGFIELD H. S. ATTN: DONECE JOHNSON, BUSINESS DEPT.	1,000EA		1,400.130	1,400.13
<b>NOT VALID OVER \$5,000.00 (Including Delivery Charges)</b>				19. TOTAL COST THIS ORDER \$	1,400.13
Released in accordance with applicable laws and regulations.  Agency/Activity Head or Authorized Releasing Agent					

Figure 3 - Purchase Order

## **IV Emergency and Sole Source Purchasing**

### **A. General**

Emergency and sole source purchases are two acceptable methods of procurement, but they should only be used when fully justified. The lack of competition in emergency or sole source situations often can result in price and service disadvantages.

### **B. Emergency Purchases**

Emergency purchases can be used to buy critically needed goods or services in order to address dangerous conditions or the potential termination or reduction of essential services. If such a situation occurs, an employee should contact the Office of Supply Operations to consult with the director, or the coordinator of the procurement services branch. Written justification will be required.

Even if an emergency occurs, an employee should attempt to obtain competition if at all possible.

If the emergency occurs after normal business hours, an employee should document the situation and his or her actions and provide this information to the director, Office of Supply Operations, the next business day.

### **C. Sole Source Purchases**

Sole source purchases are used when only one source is practicably available for a needed product or service. If there is reason to believe that such a situation exists, the employee should consult with the purchasing staff in the Office of Supply Operations. If agreement is reached that a sole source situation may exist, written justification will be required.

An example of a legitimate sole source contract is for Apple Computer products. Apple Computer is the sole distributor of their computer products with the K-12 educational pricing. Conversely, Compaq Computers sells their products through third party resellers. Competition is obtained from these resellers to ensure the best possible prices and service.



## Chapter 5-Purchasing Funds Management

### I. Purchasing with Public Funds

#### A. General

Public purchasing by schools in an educational organization such as Fairfax County Public Schools is complicated by the fact that not only are there different purchasing mechanisms, there are different sources of funds. Schools receive funds that have been appropriated by the School Board, i.e., public funds. They also receive funds from the various fund raising and income-generating activities of the school, i.e., nonpublic funds.

**Schools basically are empowered to conduct their own purchasing activities when they are using nonpublic funds within FCPS guidelines and regulations.**

When schools desire to purchase materials using public funds, they can do so using advanced appropriated funds or credit cards or by placing orders through the Office of Supply Operations.

The following chart shows the various methods of procurement that are available and the dollar limitations, if any, associated with these methods.

**B.**

**FAIRFAX COUNTY PUBLIC SCHOOLS  
SCHOOL-BASED  
METHODS OF PROCUREMENT**

	<b>Student Activity Funds</b>	<b>Credit Cards</b>	<b>Green Dollar</b>	<b>Object 400</b>	<b>Object 650</b>
<b>TEXTBOOKS</b>	No	School established limit	No limit	No limit 4001	No
<b>INSTRUCTIONAL SOFTWARE</b>	No limit	\$5,000/order	No limit	No limit 4000/4001	No
<b>ADMINISTRATIVE SOFTWARE</b>	*	\$5,000/order	\$1,000/order	No limit 4000	No
<b>EQUIPMENT &lt;\$500 PER ITEM</b>	*	\$5,000/order	\$1,000/order	No limit 4000	No
<b>EQUIPMENT \$500 to \$4,999 PER ITEM</b>	*	\$5,000/order	\$1,000/order	No limit 4007	No
<b>EQUIPMENT &gt;\$5,000 PER ITEM</b>	*	No	No	No	No limit 6502
<b>SUPPLIES</b>	\$5,000/order	\$5,000/order	\$1,000/order	No limit 4000/4002	No
<b>CURRICULUM-RELATED INSTRUCTIONAL MATERIALS <sup>1</sup></b>	\$5,000/order	\$5,000/order	\$2,500/order	No limit 4000/4001	No

**Figure 4 - Method of Procurement**

\*Competitive principles apply; see Regulation 7413.3. Orders under \$5,000 require no competition. Orders between \$5,000 and \$10,000 may be bid competitively by telephone (three vendors solicited). Orders above \$10,000 must be bid competitively in writing by at least three vendors. Notice must also be posted in the school. All competitive negotiation solicitations must be in writing regardless of the estimated cost of the requirement.

<sup>1</sup> Curriculum-related instructional materials are defined as “all materials that are consumed directly as a part of the instructional program and that do not typically have administrative application outside the classroom”.

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**Object codes 400 and 650 are used to place orders into CASPS for processing by the Office of Supply Operations.**

## II. Procurement (Credit) Cards

### A. Authority

Procurement cards are issued by the Department of Financial Services in collaboration with the Department of General Services. Regulation 5350, Procurement (Credit) Card Management, provides the rules and procedures that must be followed to obtain and use these cards.

The procurement card is a credit card issued by a financial institution for the purpose of enabling employees to acquire needed materials.

Procurement cards represent one of several “tools” that are available to support employee’s FCPS purchasing activities. Use of these cards can simplify and expedite the ordering process for many types of products.

### B. Use and Limitations

1. Procurement cards will be used in accordance with established procurement regulations. Purchases of non-textual materials must be limited to \$5,000 per order.
2. Principals establish the per-order limits for textbooks.
3. Individuals cannot use the cards for the following purposes:
  - Cash advances
  - Entertainment
  - Services
  - Personal purchases
  - Competitively obtained products on contract

### C. Documentation

The financial institution sends monthly statements to each principal and program manager. The principal or program manager is responsible for verifying the correctness of the statement and for authorizing payment.

### **III. Advanced Appropriated Funds**

#### **A. Authority**

The Code of Virginia, §22.1-122.1, grants a school board the authority to establish accounts in each school committed to the purchase of instructional materials and supplies that are not stocked or purchased directly by the school system. A school board may transfer a percentage of funds budgeted for these items, not to exceed 35 percent, into these accounts.

The specific rules and procedures for this program are defined in Regulation 7412.1, Advanced Appropriated Funds.

#### **B. Use and Limitations**

Advanced appropriated funds can be used to purchase supplies and materials that are not stocked in the FCPS warehouse and that are not under county contract. The per order limits are as follows:

- Supplies and non-capitalized equipment: \$5,000
- Administrative software: \$5,000
- Curriculum-related instructional supplies: \$2,500
- Instructional software: no limit
- Textbooks: no limit
- Postage: no limit

#### **C. Responsibilities**

Principals are responsible for ensuring compliance with the rules and procedures of this program. School purchase orders must be issued to support all purchases. All purchases must be recorded in the Manatee Accounting System. Invoices must be paid directly by the school. Principals also are responsible for resolution of problems involving direct purchases.

## **IV. Purchasing With Nonpublic Funds**

### **A. Authority**

Purchases using nonpublic funds are subject to the requirements of the Virginia Public Procurement Act and the Fairfax County Purchasing Resolution. These requirements apply even in situations when the payment to a vendor is made directly by a parent or a student. If the school is involved in establishing the contract with the vendor, public purchasing rules and procedures must be followed.

Fairfax County Public Schools has adopted Regulation 7413.3, Procurement of Goods and Services by Individual Schools Using Nonpublic Funds, to detail required procedures.

### **B. Definition**

Nonpublic funds means those funds raised directly by the school through its various activities such as ticket sales, fund-raising, and certain vocational education programs.

### **C. Methods of Procurement**

Purchases using nonpublic funds must follow the same methods of procurement required of appropriated funds:

- Small purchases – individual purchases up to \$5,000.
- Informal bidding – individual purchases up to \$10,000 by means of telephone quotes.
- Competitive sealed bidding – individual purchases over \$10,000 involving issuance of written requests for bids and public posting in the school.
- Competitive negotiation – used when factors other than price are as important or more important than price. Competitive negotiation requires the issuance of the request for proposal (RFP) and public posting in the school.

- Sole source – used when only one source is practicably available.
- Emergency – used when an emergency exists.

These methods are discussed in detail elsewhere in this manual and in Regulation 7413.3, Procurement of Goods and Services by Individual Schools Using Nonpublic Funds.

#### D. Central Contracting

For certain products required by all schools within Fairfax County Public Schools, central contracts have been established. Products currently being purchased under a centralized contract include:

- class rings (one vendor)
- photography services (multiple vendors)
- athletic equipment reconditioning (multiple vendors)
- middle school magazine fund-raising (multiple vendors)

These contracts must be used for these products and services. Those who have questions about these contracts, please contact the Office of Supply Operations at 703-658-3601.

## **CHAPTER 6-GENERAL SERVICES WAREHOUSE**

### **I. General Services Warehouse**

#### **A. General**

The Department of General Services warehouse is operated by the Office of Supply Operations. The primary functions of the warehouse include:

- Operating the internal mail (pony) system
- Picking up and metering outgoing United States mail
- Receiving and storing recurring demand materials
- Distributing equipment, textual materials, supplies, forms, and printing
- Picking up and disposing of surplus equipment and textbooks
- Performing special projects such as moving offices, classrooms, etc.
- Delivering and picking up elementary science kits for the Instructional Materials Processing Center
- Providing forms storage space to the Department of Information Technology
- Providing textbook storage space to the Adult Education program
- Providing space for the Office of Student Testing

#### **B. Special Projects**

The warehouse performs special projects such as conducting internal FCPS office or program moves; loaning folding chairs and tables; and moving equipment to central locations for special events such as regional science fairs, wrestling tournaments, or piano recitals.

An employee should submit for special project support as far in advance of the date as possible. Job requests should be submitted electronically in the Warehouse Request System. Access is gained through the

Department of General Services intranet website

<http://fcpsnet.fcps.k12.va.us/gs/supply>

The Department of General Services warehouse typically supports requests on a first-come, first-serve basis. Once the warehouse receives a request, the warehouse will send back to the requestor a written notice via email to indicate that the request has been scheduled or that it cannot be accommodated.

### C. Pickup of Surplus Equipment

Individuals should submit job requests, in the Warehouse Request System, to the warehouse for pickup and disposal of surplus equipment. The warehouse will attempt to redistribute useable items within FCPS. If this is not possible, the equipment is turned over to a contractor for sale at public auction.

If items are broken, damaged, or have no value, they are taken to the landfill. If a large quantity of these items exists, the Office of Supply Operations may request that a roll-off trash container be placed at the location. Staff members at the location then would be responsible for placing the items in the container.

If employees are uncertain about the condition or potential value of surplus equipment items, they should contact the Department of General Services warehouse at 703-658-3640 for advice and direction.

### D. Telephone Ordering Supply System (TOSS)

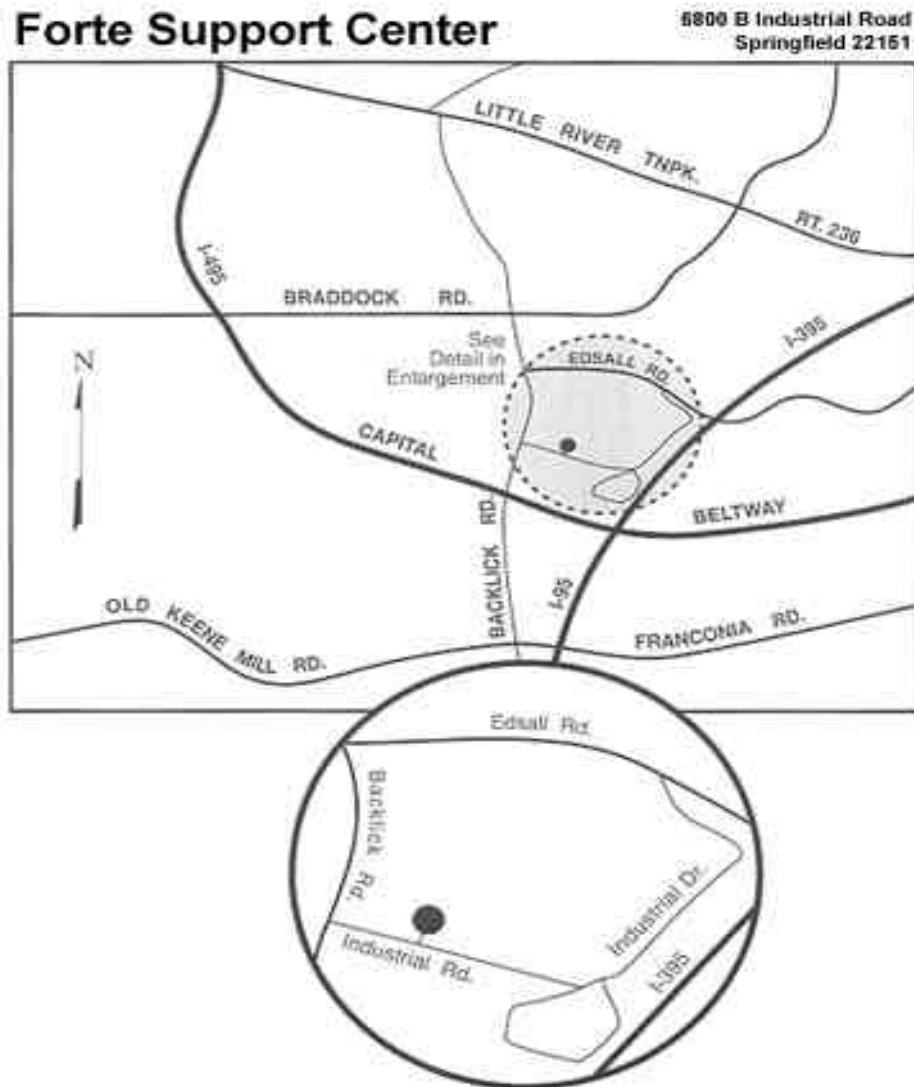
TOSS was established to provide for the ordering of small quantities of urgently needed stocked items for delivery on the following day by the pony.

Individuals can place TOSS orders by creating an Inventory Request (IR) in CASPS and calling the warehouse office **703-658-3640** with the IR number and identifying it as a TOSS order. Requests received by 11 a.m. typically will be delivered the next day.

Note that the pony delivers TOSS orders. Types of products and quantities must be restricted to items that can be carried into the building along with the mail.

E. Walk-Through

The Walk-through program was established to allow employees to pick up urgently needed warehouse stock items. To place a walk-through order, an employee should enter an Inventory Request (IR) in CASPS. After obtaining the IR number, an employee should call the warehouse office at **658-3640** to give employees in the warehouse the IR number and to request that the order be handled as a walk-through. As soon as possible, the warehouse will pick and prepare the order. Once the order is prepared, the warehouse will call the employee and tell him or her that it is ready for pickup.



**From the Capital Beltway, I-95:**

- Exit at Braddock Road, 5E;
- Go to the second traffic light;
- Turn right onto Backlick Road;
- Go to the third traffic light; turn left onto Industrial Road;
- The Forte Support Center is the second building on the left.

**From Interstate 95:**

- Exit at Old Keene Mill Road to Backlick Road;
- Go north on Backlick Road through Springfield;
- Continue approximately 2 1/2 miles and turn right onto Industrial Road;
- The Forte Support Center is the second building on the left.

**F. Passive Order Program**

The passive order program was established to provide monthly scheduled deliveries of recurring demand products such as copy paper and toilet tissue. Each year, an employee establishes a schedule of products and quantities that he or she wants delivered each month. During the year, the employee is provided an opportunity each month to change the products and quantities to be shipped the following month. An employee can make changes to the annual schedule at any time during the year.

Each month's order is a separate reservation in the financial system (FAMIS) to ensure that sufficient funds are available to pay for the products once they are delivered.

As of the 2001 – 2002 school year, approximately 113 instructional and custodial supply items are available under this program.

**G. Return for Credit Policy**

Employees can return stocked items for full credit by submitting a job request in the Warehouse Request System, to the Office of Supply Operations. The items will be picked up as soon as possible. After the items are returned, Supply Operations will initiate action to have funds credited in the financial system (FAMIS).

Employees can return non-stocked items for credit only if the vendor agrees to take them back and provide a credit. Employees should submit job requests for return of non-stocked items to the Office of Supply Operations. The Office of Supply Operations in turn will contact the vendor(s) to determine if they will accept the items and provide a credit. If this is successful, the Office of Supply Operations will pick up the items. If it is not successful, employees will be notified in writing.

**II. Disposition of Surplus**

**A. General**

The final step in the purchasing cycle is the disposition of items when they are no longer useful to Fairfax County Public Schools.

## B. Procedures

When it has been determined that an item is surplus, i.e., has no value within Fairfax County Public Schools, the item should be disposed of as follows:

### 1. Textbooks

Surplus textbooks are picked up and handled by the Office of Supply Operations after a job request is received from a school. These books are sold as surplus if they have any value. Remaining books are either sold in bulk or donated to nonprofit organizations.

Schools are authorized to sell surplus textbooks directly. Schools may retain funds generated from these sales.

### 2. Equipment

Surplus equipment typically is sold at public auction by a firm under contract to Fairfax County Public Schools. Funds generated from these sales are returned to the school system as general fund revenue.

If surplus equipment has no resale value due to damage, etc., items are taken to the landfill for disposal. If an employee has a large quantity of these items, the Office of Supply Operations will request that the Office of Plant Operations place a roll-off container be placed at the employee's location. School staff will be responsible for placing the items into the container. The Office of Plant Operations will pay for the cost of these containers.

You may **not** sell or donate surplus equipment directly.

## C. Sales to Employees

To ensure that there are no improprieties or appearances of impropriety, the sale of surplus property directly to employees is not authorized.

Employees may attend public auctions and bid on items from Fairfax County Public Schools.

## **CHAPTER 7-MISCELLANEOUS**

### **I. Systems Contract for Office Supplies**

#### **A. General**

Systems contracts involve entering into contracts with vendors for all aspects of providing certain commodities. The vendor assumes responsibility for warehousing and distributing the materials. Since the early 1980s, Fairfax County and Fairfax County Public Schools have had a contract with a vendor to provide this service for office supplies.

#### **B. Ordering**

Schools, centers, and offices can order office supplies directly from the vendor on-line via the internet, telephone, or fax.

Office supplies available under this contract fall into two broad categories. The first category includes the high usage group of products. These items are purchased at a fixed price. Price lists of these products and associated pricing are provided each quarter (January, April, July, and October). The second category includes all products available from the vendor's standard catalog. FCPS receives a percentage discount off the prices shown in the catalog. The specific percentage depends on the type of product. The front section of the catalog lists the categories of products and the percentage discount that is given to FCPS.

#### **C. Delivery**

The vendor is required to deliver contract items within 24 hours of receipt of the order. Deliveries are made directly to each FCPS location.

#### **D. Payment**

Every week, the vendor submits an invoice that is paid from a central account managed by the Office of Supply Operations. At the same time, the vendor provides an electronic file that allows the Office of

Finance and Accounting Services to charge each individual school, center, or office for the purchases that they made. This file also credits the central account that made the summary payment to the vendor.

Because this process does not require that receiving reports be prepared before payment is made, it is important that FCPS staff members carefully reconcile their monthly Financial Managers Report (FMR) to ensure that any charges for office supplies are correct.

## **II. Diplomas**

### **A. General**

Diplomas for graduating seniors are funded by the Department of Special Education and Student Services.

### **B. Responsibilities**

#### **1. High Schools and Special Education and Adult Education Centers**

- Identifying the diploma requirements within the time frames established with the diploma vendor to ensure that the diplomas are accurate and timely.
- Funding the cost of having school seals embossed on the diplomas, if so desired.

#### **2. Department of Special Education and Student Services**

- Funding of diplomas.

#### **3. Office of Supply Operations**

- Establishing a diploma acquisition contract through the Department of Purchasing and Supply Management .
- Preparing and distributing instructions each year regarding ordering diplomas.

### **III. School Renovations and Additions**

#### **A. General**

Managing school renovations and additions while continuing to manage the school's instructional programs can be very demanding and stressful. Procurement decisions regarding what to purchase, when to purchase, and how to purchase are critical to the success of the renovation or addition. The Standards for Equipping Schools document includes information on what items are recommended, their cost, the lead time to obtain, and other useful information.

#### **B. Responsibilities**

##### **1. Principal**

The school principal ultimately is responsible for all procurement decisions. Often the funds provided with the project are not sufficient to provide for the purchase of all items that are recommended to be in the school. In these situations, priorities must be developed and implemented.

##### **2. The Office of Supply Operations is responsible for:**

- Establishing annual requirement contracts for the items typically required to furnish schools.
- Maintaining the Standards for Equipping Schools.
- Preparing and making available the "School Renovation Handbook".
- Providing direct procurement support to the school.

##### **3. Department of Information Technology is responsible for:**

- Assigning a single customer service representative to be responsible for coordinating all technology requirements.

## **IV. Replacement Equipment Oversight Committee (REOC)**

### **A. General**

The Replacement Equipment Oversight Committee (REOC) was established in 1989 to provide a process by which obsolete, unsuitable, and unserviceable equipment items could be replaced in a timely and appropriate manner. Funds are budgeted each year in a central REOC account.

The REOC is composed of a chairperson appointed by the Division Superintendent and representatives from the Departments of General Services, Facilities Services, Information Technology, Student Services, Financial Services and the Instructional Services Department. The committee also includes staff members from each area office.

### **B. Authority**

The rules and procedures for the REOC program are provided in Regulation 7465.3, Equipment Replacement.

### **C. Process**

An employee can submit a replacement request for unserviceable equipment items by entering an online work order request in the ACT system. If the employee does not have access to this system, he or she can submit an SSM-100, Request for Maintenance and Repair, to the Work Order Section, Office of Maintenance Services.

If an employee has equipment that is unsuitable, unsafe, or technologically obsolete, he or she should submit a written request for replacement to the appropriate functional office. The request should include the employee's basis for declaring the items as unsuitable.

For unserviceable items, the Office of Maintenance Services will conduct an evaluation and issue an SSM-5, Equipment Evaluation Report/Requisition. The SSM-5 is forwarded back to the employee so that he or she can identify the product that he or she desires to obtain as a replacement. After the employee completes this section, he or she

sends the form to the functional office to determine if funding is available. Assuming that funding is available, the form is forwarded to the Office of Supply Operations to initiate the acquisition process.

Typically, REOC funds only the replacement of items with a purchase price of at least \$250. Under certain circumstances, however, REOC may consider funding the replacement of large quantities of less expensive items such as cafeteria tables and chairs.

The following chart displays the functional office for each type of equipment.

<b>Type of Equipment</b>	<b>Functional Office</b>
Art, music, physical education, and science equipment; instructional technology	Office of High School and K-12 Curriculum Services, Instructional Services Department (ISD)
Business, health, marketing, industrial technology, trade and industrial, work and family studies-related equipment	Office of Professional Technical Studies, ISD
Audiovisual, video, and media equipment	Office of Customer Products and Services, Department of Information Technology (DIT)
Office automation equipment including copiers, duplicators, FAX machines, and administrative computers	Office of Technology Integration, DIT
Administrative typewriters, telecommunications equipment, and electronic testing equipment	Office of Information Technology Infrastructure, DIT
Special education equipment including integrated technology computers and augmentative communication devices	Office of Monitoring, Technology, and Administrative Services, Department of Student Services and Special Education
Facility, road, grounds, maintenance equipment; installed equipment including water coolers, window air conditioners, stage curtains, and playground equipment	Office of Maintenance Services, Department of Facilities Services (DFS)
Custodial and lawn care equipment	Plant Operations Services, DFS
Safety, environmental health, and materials handling equipment	Office of Security and Risk Management Services, Department of General Services (DGS)
Office furniture, classroom furniture, and miscellaneous equipment not identified above	Area and assistant superintendents

**Figure 5 REOC Functional Offices**

#### D. Pickup of Replaced Equipment

An employee must submit a job request to the Office of Supply Operations for the pickup of replaced equipment. The employee does not have to wait for the new equipment to submit this request if the existing equipment has no useful purpose.

The employee may not retain replaced equipment because it has been declared unserviceable or unsuitable.

### IV. Textbook Rebinding

#### A. General

Rebinding textbooks is a very cost-effective means of extending the life of FCPS textbooks. This program is fully funded centrally so that it is a free service to schools.

Textbooks can be sent for rebinding at any time during the year. Typically, however, schools want to have books rebound during the summer when school is not in session. In order to have the textbooks picked up, rebound, and returned to schools prior to school opening, schools should ensure that job requests to supply operations for pickup are submitted by July 1 of each year.

#### B. Procedures:

##### 1. Schools and centers should:

- Contact supply operations at 658-3640 to request rebinding labels prior to school closing.
- Box the textbooks and apply the labels (40 lb. maximum weight per box)
- Submit a job request for pick-up to supply operations
- Ensure the boxes are in a location available for pickup as indicated on the job request

2. Supply Operations will:

- Pickup the books
- Consolidate books from all FCPS schools
- Arrange pickup at the warehouse by the rebinding contractor
- Ensure timely rebinding (the contractor has 45 days to complete orders)
- Receive rebound books from the contractor
- Distribute rebound books to schools

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Chapter 7 – Miscellaneous

## **APPENDIX A**

### **Acronyms**

<b>CASPS</b>	County and Schools Procurement System
<b>DPSM</b>	Department of Purchasing and Supply Management
<b>FAMIS</b>	Financial Accounting Management Information System
<b>FCIN</b>	Fairfax County Identification Number
<b>FCPS</b>	Fairfax County Public Schools
<b>FMR</b>	Financial Managers Report
<b>FOI</b>	Freedom of Information
<b>IFB</b>	Invitation for Bid
<b>IR</b>	Inventory Request
<b>OMP</b>	Open Market Procurement
<b>PO</b>	Purchase Order
<b>POL</b>	Procurement Opportunities List (Bidders' List)
<b>PR</b>	Purchase Requisition
<b>REOC</b>	Replacement Equipment Oversight Committee
<b>RFP</b>	Request for Proposal
<b>SAC</b>	Selection Advisory Committee
<b>SO</b>	Small Purchase Order
<b>TOSS</b>	Telephone Ordering Supply System

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