

Cowden Street Collaborative d/b/a Segue Institute for Learning PROCUREMENT POLICY

All procurements made by Cowden Street Collaborative d/b/a Segue Institute for Learning (SIFL) involving an expenditure will be made in accordance with the following procurement standards.

Procurement transactions, regardless of method or dollar value, will maximize open and free competition. SIFL shall not engage in procurement practices which may be considered arbitrary or restrictive.

Purchases will be reviewed by the Director of Finance and Operations to prevent duplication and to ensure that costs are reasonable.

I. METHODS FOR PROCUREMENT

Procurements shall be made using one of the following methods: (a) purchases procedures, (b) competitive sealed bids, and (c) non-competitive negotiation.

A. Purchases

Purchases (per item) which cost between \$3,000 and \$10,000 will require three (3) over-the-telephone or online quotations of rate, price, etc. A memorandum will be prepared setting forth the date calls were made, parties contacted and prices obtained. For purchases of less than \$3000 efforts will be made to get the lowest and best price, but written records of such efforts are not necessary.

Purchases (per item) of supplies, equipment and services which cost between \$10,000 and \$15,000 will require written estimates but no legal advertisement is required. SIFL will solicit written responses from at least three vendors, and if no such responses are available, a statement explaining the procurement will be prepared and filed.

B. Competitive Bids

Bidding will be employed when detailed specifications for the goods or services to be procured can be prepared and the primary basis for award is cost. When the cost of a contract, lease or other agreement for materials, supplies, equipment or contractual services, other than those for professional services, exceeds \$15,000, an Invitation for Bids (IFB) notice will generally be prepared. This notice will be published at least once in The Times, the official

newspaper of general circulation in the Blackstone Valley area. This newspaper notice will appear not less than seven (7) days and not more than twenty-one (21) days before the due date for bid proposals. SIFL may also solicit sealed bids from responsible prospective suppliers by sending them a copy of such notice.

The IFB will include a complete, accurate and realistic specification and description of the goods or services to be procured, the bid deposit, payment bond and bond performance required (if applicable), the location where bid forms and specifications may be secured, the time and place for reviewing bids, and whether the bid award will be made on the basis of the lowest price or the lowest evaluated price. If the lowest evaluated price is used, the measurable criteria to be used must be stated in the IFB. The newspaper notice must also contain language which calls to the attention of bidders all applicable requirements which must be complied with such as Section 3 of the 1968 Housing Act, Section 109 of the 1974 Housing and Community Development Act, the Civil Rights Act of 1964, Executive Order 11246 and the Davis-Bacon Act.

Bids will be opened in public at the time and place stated in the IFBs. The bids will be tabulated by the Director of Finance and Operations at the time of bid opening. The results of the tabulation and the bid procurements will be examined for accuracy and completeness by the Finance Committee who will make recommendations. In addition, the Director of Finance and Operations shall determine that all firms are responsive and responsible. The SIFL Finance Committee will make the decision as to whom the contract shall be awarded. After the bid award is made by the SIFL, a contract will be prepared for execution by the successful bidder. After the contract is signed, all bid deposits will be returned to all unsuccessful bidders.

SIFL may cancel an Invitation for Bid or reject all bids if it is determined that such is in the best interests of SIFL. Bidders will be notified in writing of such cancellation or rejection. SIFL may allow a vendor to withdraw a bid if requested at any time prior to the bid opening. Bids received after the time set for bid opening shall be returned to the vendor unopened.

II. CONTRACTS

Generally, all procurements will be memorialized and supported by a written contract. Where it is not feasible or is impractical to prepare a contract, a written finding to this effect will be prepared and some form of documentation regarding the transaction will also be prepared. All contracts will contain language which allows the SIFL the opportunity to cancel any contract for cause. Said cause shall include (but not be limited to) demonstrated lack of ability to perform the work specified, unwillingness to complete the work in a timely fashion, cancellation of liability insurance or worker's compensation, failure to pay suppliers or workers, unsafe working conditions caused by the contractor, failure to comply with Davis-Bacon wage laws (where applicable), failure to keep accurate and timely records of the job, or failure to make those records available to the SIFL (on request) or any other documented matter which could

cause a hardship for the SIFL if a claim should arise or the work not be completed on schedule at the specified cost.

III. DOCUMENTATION

All source documents supporting any given transaction (receipts, purchase orders, invoices, RFP/RFQ data and bid materials) will be retained and filed in an appropriate manner. Where feasible, source documents pertinent to each individual procurement shall be separately filed and maintained. Where it is not feasible to maintain individual procurement files, source documents will be filed and maintained in a reasonable manner (examples include chronologically, by vendor, by type of procurement, etc.). Whatever form of documentation and filing is employed, the purpose of this section is to ensure that a clear and consistent audit trail is established. At a minimum, source document data must be sufficient to establish the basis for selection, basis for cost, (including the issue of reasonableness of cost), rationale for method of procurement and selection of contract type, and basis for payment.

IV. LOCALLY OWNED, MINORITY-OWNED, FEMALE-OWNED AND SMALL BUSINESSES

All necessary affirmative steps will be taken and documented to solicit participation of locally owned, minority-owned, female-owned and small businesses. SIFL will solicit proposals from minority- or women-owned businesses that provide the goods or services that are being sought. Where possible and feasible, delivery schedules will be established and work will be subdivided to maximize participation by small businesses or minority- or women-owned businesses. Subdivided components will be bid as a separate contract. Where feasible, evaluation criteria will include a factor with an appropriate weight for these firms. The successful bidder will be required to use this same criteria in selection of suppliers and subcontractors whenever possible.

V. CODE OF CONDUCT

A. Conflict Of Interest

No SIFL member, employee, consultant, or designated agent of SIFL will take part or have an interest in the award of any procurement transaction if a conflict of interest, real or apparent, exists. A conflict of interest occurs when the official, employee or designated agent of SIFL, partners of such individual's, immediate family members, or an organization which employs or intends to employ any of the above has a financial or other interest in any of the competing firms.

No SIFL member, employee or designated agent of SIFL may acquire a financial interest in or benefit in any way from any activity.

B. Acceptance of Gratuities

No SIFL member, employee or designated agent of SIFL shall solicit or accept gratuities, favors or anything of monetary value from contractors, potential contractors, subcontractors or potential subcontractors.

C. Penalties

Any SIFL member, employee or designated agent of SIFL who knowingly and deliberately violates the provisions of this code will be open to civil suit by SIFL without the legal protection of SIFL. Furthermore, such a violation of these procurement standards could be grounds for dismissal by SIFL (if an employee).

Any contractor or potential contractor who knowingly and deliberately violates the provisions of these procurement standards could be barred from future transactions with SIFL.

Adopted by the Cowden Street Collaborative d/b/a Segue Institute for Learning this ____ day of _____.

Name, Title