

while also ensuring an open and fair selection process that engenders public confidence. Competitive bidding seldom will be the best method for selecting professional services.

D. Exceptions to Competitive Selection

1. All exceptions to competitive selection must be properly documented in the project and/or contract file in a manner prescribed by the Superintendent or the Superintendent's authorized designee.
2. These exceptions allow staff to select vendors without employing the competitive selection methods described above. Unless otherwise stated, however, approval at the appropriate level of authority is still required.
3. Use of the competitive selection measures described above is not required when:
 - a. **Emergency Purchases.** The purchase or contract is necessitated by an emergency, defined as any situation that threatens to jeopardize the health, welfare or safety of students, staff, the District or the public or the loss of an essential District service, including but not limited to interruption of the instructional program. Such emergency purchases shall be made with as much competition as is practicable under the circumstances. Emergency purchases of \$25,000.00 or more require prior approval by the Superintendent or the Superintendent's authorized designee and timely notification to all Board members. Not later than the Board's next regular meeting following the emergency purchase, any contract or purchase awarded in an emergency situation shall be ratified by the Board and the Board shall receive a written report describing the nature of the emergency, a listing of goods and services procured under the contract or purchase, the selection process for the provider, the name of the provider and the amount of the purchase, all of which shall be described in the Board minutes.
 - b. **Sole Source.** The required goods or services can only be obtained from one source in the marketplace. Such goods or services will usually be of a unique nature and have performance characteristics that can only be obtained from that source. Written documentation of such determination, in a manner prescribed by the Superintendent or the Superintendent's authorized designee, shall be maintained in the project and/or contract files. For capital improvement projects, specified equipment and materials of a proprietary nature will be identified and submitted to the State DOE Receiving State Capital Outlay Funds 160-5-4-.16(a)(8).
 - c. **Single Source.** The required goods or services can only be obtained from one source among others in a competitive marketplace for a substantial reason such as compatibility or standardization provided a reasonably diligent search has been made for other vendors or other appropriate information has been obtained to determine a vendor's single source status. Written documentation of such determination, in a manner prescribed by the Superintendent or the Superintendent's authorized designee, shall be maintained in the project and/or contract files. For capital improvement projects, specified equipment and materials of a proprietary nature will be identified and submitted to the State DOE Receiving State Capital Outlay Funds 160-5-4-.16(a)(8).
 - d. The purchase is made through contracts formally solicited and obtained by the State of Georgia, or any other political subdivision of the State of Georgia, the federal government, or some other governmental agency. The Purchasing Department shall be authorized to make purchases through inter-governmental and educational cooperatives, alliances and consortiums to achieve cost savings and administrative efficiencies based on economies of scale.
 - e. The expenditure is for personal employment services rendered by full-time or part-

time employees who are under the control of the Board and are paid wages for their service. Employment of personnel is handled by the Department of Human Capital Management.

f. The expenditure is for special education services or other student services required by state or federal law.

g. The purchase is for instructional materials or programs selected in accordance with Board Policy IFA or selected by qualified professional personnel, based on sound pedagogical judgment and the best interest of the District, and acting at the direction of the Superintendent or the Superintendent's authorized designee. The types of instructional materials and programs covered by this exception include:

(1) Instructional programs and textbooks;

(2) Supplemental materials needed for instruction in the school such as films, slides, videotapes, CDs, DVDs, educational kits, posters, displays, games, computer software, software licenses, subscriptions, newspapers, periodicals, library books, reference materials, or other instructional material purchased from the publisher, distributor, or agent.

(3) Test, test preparation, and test scoring services of a standardized examination purchased from the publisher or licensed agent;

(4) Membership in various educational or related organizations, agencies or services providing direct benefits to the District;

(5) Instructional material listed in the K-12 Curriculum Supplemental Materials Catalog;

(6) Professional training programs for staff, the selection of which is left to the professional judgment of the administrator responsible for the professional development of the personnel attending or participating; and

(7) Mandated testing, instructional programs, and instructional materials approved by the Georgia Department of Education (GaDOE). A copy of the GaDOE approval shall be submitted with the request to purchase these materials\items.

h. The purchase is a continuation of an existing purchase agreement, bid, request for proposal, time and material contract, rental, lease, or purchase order duly authorized by the Board or its agent.

i. The expenditure is for maintenance services from the original vendor or an authorized agent of the original vendor and these services cannot be competitively bid.

j. The expenditure is for additional orders of like equipment, materials, supplies, services, rentals, or leases previously approved, provided the additional order is at the same or a lower price, or the original contract included an automatic price adjustment based on the Consumer Price Index or the Producer Price Index for commodities or services.

k. The contract is for services to be provided by a government agency.

l. The expenditure is for Workers Compensation and Risk Management insurance claims made under existing legal policy or contract requirements.

IV. REQUIRED LEVELS OF APPROVAL

The appropriate level of approval is required for all contracts and purchases, including those that fit within an