
RELATIONS WITH VENDORS

The Pennsville Board of Education wishes to maintain good working relations with vendors who supply materials and services to the school system. Constructive efforts by the Administration to seek the advice and counsel of vendors about how to improve such relationships are encouraged.

In the schools, vendors shall be seen by appointment only. Vendors who call upon a school shall be governed by the Board's policy regarding school visitors (Policy #1250). Teachers or supervisors of instruction who have invited vendors to call should notify the Building Principal's office in advance so that proper courtesies may be extended.

No agents, canvassers, or vendors shall have access to teachers during their classes. No business concern which solicits or gains business through the school system shall use school facilities for this purpose.

Nondiscrimination

All vendors shall supply assurances that they do not practice discrimination that is prohibited by Federal and State Law, as well as applicable provisions of the New Jersey Administrative Code. All vendors shall be informed that harassment of any kind of District pupils or employees by their representatives is prohibited.

Honest and Ethical Relations with Vendors; Pay-to-Play Restrictions

The Board and District shall maintain honest and ethical relations with vendors and shall guard against favoritism, improvidence, extravagance and corruption in its contracting processes and practices. The Board will not vote upon or award a contract in the amount of \$17,500 or greater to any business entity which has made a reportable contribution to a member of the Board during the previous one-year period. Such contributions, to any member of the Board, from any entity doing business with the District are prohibited during the term of the contract, including contributions by a vendor's spouse or child, or contributions by any person having an interest in the business entity. Disclosure of contributions shall be made when contracts are required by law to be publicly bid. However, these limitations do not apply when a district emergency requires the immediate delivery of goods or services.

Strategies to Avoid Excessive Professional Services Expenditures

The Board will seek to avoid excessive professional services expenditures, such as by:

- A. Establishing a maximum dollar limit, for budgetary purposes,

- B. Following State legal requirements and procedures to obtain the highest quality services at a fair and competitive price or through a shared service arrangement. This may include issuance of such contracts through a request for proposals (RFPs) based on cost and other specified factors or other comparable process such as the use of the "fair and open process" as defined in N.J.S.A 19:44A-20.7; and
- C. Limiting professional services contracts to non-recurring or specialized work for which the District does not possess adequate in-house resources or expertise.

Prudent Use of Legal Services

To ensure the prudent and cost-effective use of legal services, the District will limit and designate the persons with the authority to request services or advice from the Solicitor and any other contracted legal counsel. Legal counsel will not be used unnecessarily to make management decisions or to obtain readily available information such as Board policies and regulations. Requests for legal advice will be made in writing, unless it is impractical or impossible to do so. Contact logs and records may be kept and reviewed to determine that the requests for legal advice are necessary. Advance payments for legal services are prohibited. Services shall be described in detail and invoices for payment shall be itemized. Payment shall only be for services actually provided.

The Superintendent or his/her designee will develop procedures to ensure the prudent use of legal services and the tracking of the use of those services by District personnel.

If at any time the District's legal costs exceed one hundred thirty percent (130%) of the Statewide average per pupil amount, the procedures set forth in N.J. A.C. 6A:23A-5.2(a)3 will be implemented, unless evidence can be provided that such procedures would not result in a reduction of cost.

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Legal References:

N.J.S.A. 10:5-1 <i>et seq.</i>	Law Against Discrimination
N.J.S.A. 18A:6-8	Interest of school officers, etc., in sale of textbooks or supplies, royalties
N.J.S.A. 18A:11-1	General mandatory powers and duties
N.J.S.A. 18A:12-2	Inconsistent interests or office prohibited
N.J.S.A. 18A:12-21 <i>et seq.</i>	School Ethics Act
N.J.S.A. 18A:18A-1 <i>et seq.</i>	Public Schools Contracts Law

N.J.S.A. 18A:54-20	Powers of board (county vocational schools)
N.J.S.A. 52:32-44	Business registration for providers of goods and services
N.J.A.C. 6A:7-1.8	Equality in employment and contract practices
N.J.A.C. 6A:23A-1.1 <i>et seq.</i>	Fiscal Accountability, Efficiency, and Budgeting Procedures
N.J.A.C. 6A:23A-5.2	Public relations and professional services; board policies; efficiency
N.J.A.C. 6A:23A-6.3	Accountability regulations
N.J.A.C. 6A:28-1.1 <i>et seq.</i>	School Ethics Commission
N.J.A.C. 6A:30-1.1 <i>et seq.</i>	Evaluation of the Performance of School Districts
N.J.A.C. 6A:32-14.1	Review of mandated programs and services

Comprehensive Equity Plan, New Jersey State Department of Education

Possible Cross References:

1250	Visitors
1313	Gifts to district employees
1330	Use of school facilities
2224	Nondiscrimination/affirmative action
3320	Purchasing procedures
4119.21	Conflict of interest
4219.21	Conflict of interest
9270	Conflict of interest