

AIKEN COUNTY PUBLIC SCHOOL DISTRICT PROCUREMENT CODE AND REGULATIONS

AN OVERVIEW OF REVISED CODE SUGGESTED BY THE

SOUTH CAROLINA DIVISION OF PROCUREMENT SERVICES

SCHOOL DISTRICT CODE MUST BE SUBSTANTIALLY SIMILAR TO SC CONSOLIDATED PROCUREMENT CODE

- Under Section 11-35-5340, any school district whose budget of total expenditures exceeds \$75,000,000 annually is subject to the Consolidated Procurement Code, unless the district has its own procurement code which is, in the written opinion of Procurement Services, substantially similar to the provisions of the South Carolina Consolidated Procurement Code.
- Aiken County School District is subject to the State Procurement Code.

REVISIONS

- September 15, 2021 the State completed its revision to the Model Procurement code for School Districts
- *Pursuant to Section 11-35-5340 and Regulation 19-445.3000, the Procurement Services Division has updated the 2011 Code and created a **2021 Model School District Procurement Code**. The 2021 Model Code adopts changes in the State procurement laws relevant to school districts.*

SIGNIFICANT CHANGES SUMMARY

- New thresholds for “small purchases”.The revision include general, COTS (Commercial Off The Shelf) and Minor Construction purchases.
- Resident Vendor Preferences - Local, state and US for commodities and services.
- Sole Source and Emergency procurements greater than \$50,000 must be advertised

THRESHOLD CHANGES FOR SMALL PURCHASES

CURRENT THRESHOLD

- \$2500.01- \$10,000 ~ Three written quotes
- \$10,000.01 - \$50,000 – Formal Request for Quotes Procurement Dept (advertised)
- \$50,000.01 and greater ~ Sealed Invitation for Bid Procurement Dept (advertised)

NEW THRESHOLD

- \$0 - \$10,000 ~ **No Competition**
- \$10,000.01 - \$25,000 ~ **Three informal quotes (no advertisement)**
- \$25,000.01 - \$100,000 ~ **Three formal quotes (no advertisement & must include written clause “Price Is Fair and Reasonable” by Procurement Dept)**
- Procurements greater than \$100,000 ~ **Competitive sealed bids/responses. (advertised)**


**Even though the state has established revised thresholds, the District is allowed to take a more restrictive approach. For internal purposes, current thresholds can still be utilized and reflected in the District’s internal procurement procedures manual.*

VENDOR PREFERENCES

COMMODITY CONTRACTS

- RVP - Resident Vendor Preference (Aiken County Vendors) 7%
- SCEPP - South Carolina End Product 7%
- USEPP – United States End Product 2%

SERVICE CONTRACTS

- RCP - Resident Contractor Preference (Aiken County Vendors) 7%
 - RSCP - Resident Subcontractor Preference 2%
 - RSCP – United States End Product 4%
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PREFERENCE APPLICATION EXAMPLE

- Preference must be requested by vendor at time of bid submission. Opportunity provided in solicitation.
- Preferences are ONLY used to determine the low bid. Contract is awarded at full bid price.
- Combined preferences are capped at 10% total. (ex. Aiken county, South Carolina, USA)
- Proof of company residency required.

VENDOR	PREFERENCE	BID	REDUCTION	ADJUSTED BID		
Vendor A		\$100,000		\$100,000		
Vendor B	RVP	\$100,000	7%	\$93,000	LOW BID	
Vendor C		\$98,000		\$98,000		
Vendor D		\$97,500		\$97,500		

***Company B is based in Aiken County and received a 7% vendor preference. The contract award will be made to Company B for \$100,000.**

SOLE SOURCE & EMERGENCY

SOLE SOURCE

- Greater than \$50,000 must be advertised in the South Carolina Business Opportunity (SCBO) for five days as “INTENT TO SOLE SOURCE”
- Greater than \$250,000 must be advertised in SCBO for ten days as “INTENT TO SOLE SOURCE”
- May be Protested

EMERGENCY

- Greater than \$50,000 must be advertised in SCBO as soon as practicable after the emergency.
- May be Protested

*SCBO —Central Advertising system for state agencies, county government and school districts throughout South Carolina. SCBO is operated by SC Department of Procurement Services

NEXT STEPS

1. This presentation is accompanied by a marked-up version of the code for the Board's review.
2. The proposed code will be submitted for Board consideration and approval at the January 25th meeting.
3. Once approved by the Board, the revised code will be submitted to the State for review and approval.
4. Once approved by State, Procurement will issue the new version of the Code to appropriate District personnel. Informational sessions will be provided for bookkeepers to address the changes and transition.