



Superintendent's Circular

NUMBER:
FIN-07
Version 01

PURCHASING GUIDELINES

This circular will remain in effect unless rescinded or superseded by a subsequent version.

Procurement procedures at BPS follow state and federal laws and City policies. Non-compliance with these laws could result in invalid procurements and unenforceable contracts. The State Procurement Law (M.G.L. c. 30B) mandates standard procedures for local jurisdictions to ensure fairness and consistency when purchasing supplies or services. The information below provides the necessary procedures and requirements for purchasing supplies or services following competitive and non-competitive procurement regulations.

INDIVIDUALS AUTHORIZED TO SIGN CONTRACTS ON BEHALF OF THE BOSTON PUBLIC SCHOOLS

No Boston Public School employee, other than those listed below, may enter into a contract with any vendor. This includes but is not limited to contracts, agreements, memorandums of understanding, grants, partnership agreements, or any other expenditure that binds the district to pay for services/goods. This includes purchases of services or goods for under \$10,000.

Only three (3) BPS employees are authorized to enter into contracts on behalf of the Boston Public Schools:

- The superintendent of schools
- The BPS chief financial officer
- The BPS deputy chief financial officer

1. PURCHASES LESS THAN \$10,000.

The standard for selection: Following [M.G.L. c. 30B, § 2](#) "Sound Business Practices," the school or department must solicit three quotes via telephone, email, catalog, or the [City Certified Business Directory](#). A record of these quotes should be recorded on this [form](#) and kept on file at the school or department for auditing purposes.

Required document: Requisition

Authorization: Purchase order

Turnaround time*: 1 -2 Weeks

2. PURCHASES BETWEEN \$10,000 - \$100,000

The standard for selection: When procuring supplies or services that are not a [sole source](#) or [exempt](#) from Chapter 30B, schools and departments must solicit [written quotes](#) from at least three vendors via telephone, email, catalog, or the [City Certified Business Directory](#). A record of these quotes should be recorded on this [form](#) and kept on file at the school or department for auditing purposes. The contract should then be awarded to the responsible and responsive supplier offering the needed quality of supply or service at the lowest price quotation. In cases when obtaining three quotes is impossible despite reasonable effort, awarding the contract based on one or two quotes is acceptable.

Important Note: School districts may still opt to issue an IFB

when procuring supplies or services estimated to cost \$100,000 or less.

Required documents: To ensure a timely and efficient procurement process, all required documents should be submitted to the Business Office/Procurement office at least four weeks before the desired procurement date: requisition, [Contract Request Form](#), detailed specifications, and, if applicable, a [sole-source letter](#) addressed to the Business Manager. Before submitting, use the detailed [checklist](#) to verify that all required information has been completed.

Authorization: Purchase order and written quote contract (WQC), signed by the vendor and approved by the superintendent and the City auditor.

Turnaround time*: 2 - 4 Weeks

3. PURCHASES OF MORE THAN \$100,000

The standard for selection: For supplies or services estimated to cost more than \$100,000, an invitation for bids (IFB) or a request for proposals (RFP) can be used. In a bid process, IFB, you award the contract to the qualified bidder who meets your specifications and offers you the best price. [Information for Bid \(IFB\) Sealed bids \(M.G.L. c. 30B, § 5.](#) In a proposal process, RPF, you award the contract to the offeror submitting the most advantageous proposal, considering your specified evaluation criteria and price. [Request for Proposals \(RFP\) Sealed proposals \(M.G.L. c. 30B, § 6](#)

Notice/Advertising Requirements: The Business Services and Finance Procurement Unit will submit an ad for schools and central departments to be posted at least two weeks before bids or proposals are due in the [City Records](#). If the procurement exceeds \$100,000, an advertisement will be published in the [Goods and Services Bulletin](#) at least two weeks before bids or proposals are due.

Required documents: Requisition and a completed [Contract Request Form](#) with a detailed written description of the items or services to be purchased.

Authorization: Purchase order and fully executed contract

Turnaround time*: 4 - 8 Weeks

***NOTE:** These timelines may not apply to all procurement requests. The turnaround times listed above are approximate and do not apply to peak procurement periods, ranging from 08/15 to 09/30 and 04/15 to 06/30.

4. MOAS AND MOUS AGREEMENTS

The following types of agreements are exempt from Chapter 30B and do not require a City of Boston standard contract to be executed: an agreement between agencies, boards, commissions, authorities, departments, or public instrumentalities of one city or town (ch. 30B§1(7)); or an agreement to purchase supplies or services from or to dispose of supplies to an agency or instrumentality of the federal government, the Commonwealth, or any of its political subdivisions or any other state or political subdivision thereof (ch. 30B§1(9))

- **Memoranda of Agreement (MOA)**, in addition to outlining the terms and obligations of each government agency, requires payment or exchange or transfer of funds between the parties. There are only to be used between two or more government agencies. If one or more of the parties to the agreement is not a government agency, *then the normal rules related to standard contracts apply*. There is no dollar threshold for an MOA.

All MOAs must be initially reviewed by the BPS Law Department, signed by the City Corporation Counsel and City Auditing, and necessary signer(s) involved in the agreement before it can be accepted as a valid contractual agreement.

- **Memoranda of Understanding (MOU)** is an agreement of terms and obligations that does not include funds transfer between the parties. While parties to an MOA must all be government agencies, parties to an MOU may, but are not required to be, government agencies.

All MOUs must be initially reviewed by the BPS Law Department, signed by the City Corporation Counsel, and necessary signer(s) involved in the agreement before it can be accepted as a valid contractual agreement.

NOTE: The Law Department reserves the right to require City departments to execute a formal contract in any situation involving agreements with non-government entities.

Authorization: Purchase order and fully executed and signed MOA agreement

Turnaround time*: 4 - 8 Weeks

5. GRANT CONTRACTS

Under Massachusetts General Law, a “grant agreement” is defined as “an agreement between a governmental body and an individual or nonprofit entity, the purpose of which is to carry out a public purpose of support or stimulation instead of procuring supplies or services for the benefit or use of the governmental body.” If a grant agreement properly fits within this definition, then it is exempt from the requirements of Chapter 30B.

The first step in the analysis of whether a grant agreement can be used is to determine the public purpose of the grant and how grant funds are being directly linked back to the public delivery of a program. Generally, supporting a non-profit organization, or keeping it operational, is not a permissible public purpose. While non-profits may operate for the public good, grant funds must be directly linked back to the specific delivery of a program. Please review this [Law Department memo](#) for further considerations and guidance when determining whether a grant process is applicable. If you plan to conduct a grant process because each case is evaluated individually, please contact the BPS Office of the Legal Advisor at 617-635-9320.

6. EMERGENCY PURCHASES

In the case of an unforeseen emergency, if complying with all of Chapter 30B's requirements would put people or property at risk, you are allowed to procure the necessary item or service without full compliance. However, it is important to keep a record of the emergency procurement, including the reason for deeming it an emergency, the supplier's name, the contract amount and type, and a list of the supplies or services purchased under each contract. Additionally, document any procedures used to elicit

competition. It is important to inform the Business Services Procurement Unit of the emergency purchases as soon as possible. Please refer to the [Goods and Services Bulletin](#) for further guidance on processing and emergency procurement.

7. FOOD PURCHASES

Food purchases are allowed for events where parents, suppliers, constituents, and community members attend — not just students, teachers, or the superintendent. If it's a fund 100, it must be purchased against the following food budget, 53204. If using fund 200, please check with Yvonne Macrae, Director of Grants and External Funds, ymacrae@bostonpublicschools.org, to ensure that the grant rules allow food purchases. Please review Superintendent's Circular FIN-03 and additional guidelines on reimbursements for food purchases.

8. REAL PROPERTY – ACQUISITIONS AND DISPOSITIONS – M.G.L. C. 30B

Real Property Acquisitions and Dispositions: After determining the value of the acquisitions and disposing of the real property valued over \$35,000.00, an invitation for bids (IFB) or a request for proposals (RFP) can be used. In a bid process, an IFB can select the proposer who meets your quality requirements and offers the lowest price. [Information for Bid \(IFB\) Sealed bids \(M.G.L. c. 30B, § 5.](#) In a proposal process, an RPF will allow you to compare the relative merits of the proposals you receive and the price. [Request for Proposals \(RFP\) Sealed proposals \(M.G.L. c. 30B, § 6 .](#) Contact Business Services for further information on when to use a license or a lease.

Notice/Advertising Requirements: The Business Services and

Finance Procurement Unit will submit an ad to be published in the Central Register at least 30 days before executing a binding agreement to acquire the property. M.G.L. c. 30B, § 16(d)

Authorization: Purchase order and fully executed contract

Turnaround time*: 4 - 8 Weeks

RESOURCES

BPS Legal Advisor

Legal Advisor legal@bostonpublicschools.org
617-635-1577

Computer Equipment

OIIT: Director of Technology Business Operations Operations-Department-Heads@bostonpublicschools.org
617-635-9190

Educational and Administrative Applications

OIIT: Director of Technology Business Operations, Operations-Department-Heads@bostonpublicschools.org
617-635-9190

Purchasing, Textbook Adoptions

Business Services: Assistant Business Manager
finance-staff@bostonpublicschools.org 617-635-8207

PeopleSoft/Financials Training

Business Services: Assistant Business Manager)
finance-staff@bostonpublicschools.org 617-635-8207

Furniture and Rugs

Facilities Mgt.:

Operations-Department-Heads@bostonpublicschools.org 617-635-9119

Playground Equipment

Facilities Mgt.:

Operations-Department-Heads@bostonpublicschools.org
617-635-9117

Grants/External Funds

Director of State & Federal Grants finance-staff@bostonpublicschools.org 617-635-9577

Field Trips

Transportation: Executive Director of Transportation

Operations-Department-Heads@bostonpublicschools.org 617-635-9000

Budget Management

Assistant Budget Director, finance-staff@bostonpublicschools.org
617-635-6984

For more information about this circular, contact:

Owner:	Assistant Business Manager
Department:	Business Services
Mailing Address:	Bruce C. Bolling Building, 2300 Washington Street, Roxbury, MA 02119
Phone:	617-635-8207
Email:	finance-staff@bostonpublicschools.org

Mary Skipper, Superintendent

- [Essential Training Guide](#) is available here.
- [Business Services Guide](#) is available here.