

Purchasing

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As the governing authority of the Mason County Public Library District, the Board of Trustees is authorized to enter into contracts and otherwise purchase products and services necessary to provide for quality Library service.

As a part of this policy, the Board has formally adopted the following procurement procedures.

Purchasing authority

The Director, or designee, shall have the authority to purchase/lease products and contract for services within the budget adopted and within the policies outlined below. This authority extends to signing agreements and contracts which exceed the limitations placed upon the Director below when authorized to do so by the Board.

Purchases under \$30,000

Any purchase or procurement under \$30,000 that has been addressed in the Library's approved budget may be purchased by the Director without the Board's further approval.

Any purchase over \$10,000 that has not been addressed in the Library's approved budget shall be brought to the Board for approval.

Purchases of products and services less than \$30,000 but more than \$5,000 may be made in the open market, without newspaper advertisement. Such purchases shall, whenever possible, be based on at least three competitive written proposals or ascertained from vendor's price lists or other quote information. Award shall be made to the supplier offering the best value.

Purchases of products and services less than \$5,000 may be made without competitive proposals.

Purchases over \$30,000

All purchase orders or contracts for products or services in excess of \$30,000, except those exempted below, must be advertised for competitive bidding. Purchases may not be parceled, split, or scheduled over a period of time in order to subvert the intent of this requirement.

State or Federal (GSA) Contract Pricing

The Library may purchase products and services outside of the bidding process if those products and services meet the specifications of price contracts awarded by the Kentucky Finance and Administration Cabinet or the Federal Government.

Competitive bidding exemptions

The Board may elect at any time to solicit bids or proposals for purchase of exempt products and services. Purchases that are exempted from competitive bidding within the Kentucky Revised Statutes (KRS) or within Kentucky Finance and Administration Policy (FAP) are also, as a general rule, considered exempt by the Library including:

- Contractual services where no competition exists, such as electrical energy, telephone service, and other public utility services. KRS 45A.095
- Services of a licensed professional, such as attorney, physician, psychiatrist, psychologist, certified public accountant, registered nurse, or educational specialist; a technician such as a plumber, electrician, carpenter, or mechanic; or an artist such as a sculptor, aesthetic painter, or musician, provided, however, that this provision shall not apply to architects or engineers providing construction management services rather than professional architect or engineer services. KRS 45A.380
- Subscriptions for the purchase of periodicals in either paper or electronic format. A subscription may include a professional journal, newspaper, or other required publication. KRS 45A.050

- Copyrighted material in either paper or electronic format for which only one source of supply is available. Items commonly covered under this section include:
 - Library books. KRS 45A.095
 - Published books, maps, periodicals, and technical pamphlets. KRS 45A.050
 - Works of art for museum and public display. KRS 45A.050
- Services of a visiting speaker, professor, expert witness, or performing artist. KRS 45A.095
- Rates fixed by law or ordinance. KRS 45A.095
- Cooperative purchases made between state agencies, political subdivisions, state universities, agencies of other states, or agencies of the federal government. KRS 45A.300
- Advertisements, public media, public displays, billboards, signage, and booths. Dissemination of information and the purchase or rental of promotional related items for the Library's use. FAP 111-09-00
- Equipment repair service and parts. FAP 111-09-00
- A product or service for which there is only one (1) known capable supplier as occasioned by the unique nature of the requirement, supplier, or market condition.
- Contracts for group life insurance, group health and accident insurance, group professional liability insurance, worker's compensation insurance, and unemployment insurance. KRS 45A.380
- A product or service made necessary by an emergency, which will cause public harm as a result of the delay in competitive procedures. KRS 45A.380

Tax exemption

As provided for by KRS 139.470(7), the Library is exempt from Kentucky Sales and Use Tax as applied to purchases of tangible personal property or services. This exemption applies only to purchases of property or services for use by the Library. The exemption cannot be claimed by a contractor purchasing property to be used in fulfilling a contract with the Library.

Payment

All invoices and pre-payments shall be paid promptly in accordance with generally accepted business and accounting practices.

Emergency purchases

In certain circumstances the Director may be forced by emergency circumstances to make unbudgeted expenditures, payments, or contractual agreements that fall outside of the provisions of purchases as outlined in this policy in order to procure or provide services or goods without which the Library could suffer harm or additional harm.

Such harm may include the safety of patrons, staff, or facilities. Notification of such emergency will be given to the President of the Board of Trustees as soon as circumstances allow. Discussion of the emergency circumstances and the authorization of the Director's expenses will take place at the next regularly scheduled meeting or special meeting at the discretion of the Board.