

<b>MARION SCHOOL DISTRICT 60-3</b>	<b>NEPN Code: DJG</b>
<b>FISCAL MANAGEMENT</b>	

## **VENDOR RELATIONS**

The School Board wishes to maintain good working relations with vendors who supply materials, supplies 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.

The district purchases many materials, supplies and services from others. The district shall not extend favoritism to any vendors. The selection of materials or services should be based solely upon price, quality, service and need. Employees/school officials involved in the selection and/or purchase of materials and services should avoid situations that could interfere, or appear to interfere, with the ability to make free and independent decisions regarding purchases on behalf of the district.

Services and purchases from vendors must be free from any interference or perception that favorable treatment was sought, received or given, whether in the form of gifts, favors, entertainment, services or other gratuities. Any substantial gift or favor should not be accepted and the employee's supervisor should be notified. This guideline does not apply to items of small value commonly exchanged in business relationships, but even in this case, discretion and common sense should be the guide.

The exchange of social amenities with vendors is acceptable when reasonably based on a clear business purpose and within the bounds of good taste. Meetings accompanied by a meal with a vendor are sometimes necessary and desirable; however, excessive entertainment of any sort is not acceptable.

In general, gifts, favors and entertainment should:

- Be consistent with accepted business practice
- Comply with applicable law and accepted ethical standards
- Be sufficiently limited in value and in form that will not be construed as a bribe or payoff
- Avoid creating a situation where public disclosure of the facts will result in embarrassment to the employee and/or school district

Vendors have no obligation to contribute to solicitations from schools.

No employee or school official shall endorse any product of any kind in such a manner as will identify him/her in any way as an employee of the school district.

Suppliers are encouraged to submit information about their products. District employees/school officials will meet with vendors to discuss their products as time and schedule will allow.

**LEGAL REFERENCE:** SDCL – 5-18 - Public Contracts Awarded on Competitive Bids  
SDCL – 5-19 – Residential Preference in Public Contracts  
SDCL – 6-1-1 – Local Officer’s Interest in Public Purchase or Contract  
Unlawful – Contract Void  
SDCL – 6-1-2 – Conditions Under Which Contract with Local Officer  
Permitted- Contracts Voidable If Conditions Not Fully  
Met  
SDCL – 13-20 – School District Purchases and Contracts  
SDCL – 13-20-2.1- Interest of School District Officer or Employee in  
Sale of School Equipment as Misdemeanor-  
Exceptions

**1<sup>st</sup> Read:** October 10, 2011  
**2<sup>nd</sup> Read:** November 14, 2011  
**Approved:** November 14, 2011