

# EXHIBIT 1

Lafayette Community College  
Board of Trustees Special Meeting Agenda  
Tuesday, September 8, 2020

12:00 p.m.

Conference Room, Student Success Center Building

- I. Adoption of Agenda..... (Exhibit 1)
- II. Reports and/or Board Discussion
  - A. Faculty Senate Report
- III. Old Business (Action, Report, or Discussion)
- IV. New Business (Action, Report, or Discussion)
  - A. Air Scrubber Purchase Approval..... (Agenda Item IV.A.)  
(Exhibit 2)
- V. Public Comment

The Board of Trustees agenda shall contain one opportunity for public comment. This structure has been designed to provide the public with an opportunity to comment on any topic. The Chair of the Board explains the Board's approach to the public comment with the following statement: **"At this time we invite anyone in the audience to speak to the Board about any item or concern that pertains to the college. By policy, at this time the Board will not take any action on any item or concern, but we will be happy to take it under advisement for possible future action."** The Board also retains the right to set time limits on public comment.

In the event that a large number of citizens are present and wish to speak in favor or in opposition to an issue before the Board, the Board reserves the right to poll the number of citizens in favor of and in opposition to the issue at hand as well as to limit the number of spokespersons representing opposing viewpoints. The Board also retains the right to set time limits as deemed appropriate.

- VI. Next Regular Board Meeting: Thursday, September 10, 2020 at 5:30 p.m., Tentative Agenda Items.
- VII. Adjournment

Agenda Item #: IV.A.

Date: September 8, 2020

SUBJECT

Purchasing air scrubbers (bipolar ionization) using SPARK Phase II funds without allowing for bids

REASON FOR CONSIDERATION BY THE BOARD

Facilities would like to purchase air scrubbers (bipolar ionization) to be installed in nearly all campus buildings except the gymnasium using some SPARK Phase II funds and some CARES funding.

BACKGROUND

We just received SPARK Phase II funds, \$254,000. We also have access to some CARES institutional funds, \$406,000.

We would like to use much of the SPARK Phase II funds and some CARES funds to pay for and install air scrubbers (bi-polar ionization) to clean the air in our buildings which will provide additional protection against COVID-19. The cost of the air scrubbers is about \$170,000 for nearly all of our buildings. The offices would be the only part of the gymnasium which would receive air scrubbing, however, since this would be replaced during the gymnasium expansion, air scrubbers would not be included in the gymnasium offices at this time.

SPARK II funds are required to be spent by December 30<sup>th</sup>. In addition, completed documentation must be submitted.

You will also recall, any college purchase of at least \$20,000 requires bids.

Our Bidding Policy, 5.01 accommodates special circumstances which would allow the selection of a particular vender. As part of our bidding policy, 5.01 B. 7. states, "Other purchases deemed by the President to not be appropriate for bidding" is available in situations such as this. Consequently, we have the option to make the purchase when government funds are made available to spend with an imposed, restricted time frame.

PRESIDENT'S RECOMMENDATION

The President recommends the Board of Trustees approve the purchase of air scrubbers (bipolar ionization) for \$170,000 from Integrity using SPARK Phase II and CARES institutional funding.

The Board of Trustees of Labette Community College will provide faculty, staff and students with necessary and appropriate supplies, equipment and services to complete the educational mission of the College. In carrying out this objective, it is the policy of the Board to purchase such goods and services at the best possible cost within the provisions of the cash-basis law and budget restrictions.

A. Code of Conduct

The following code of conduct is adopted for all College personnel concerning their involvement in the purchasing process:

1. Give first consideration to institutional policies and objectives.
2. Obtain the maximum value for each dollar expended.
3. Demand honesty in sales representation whether offered through oral or written statements, advertising or product samples.
4. Grant all competitive bidders equal consideration; regard each transaction on its own merit. Promote fair, ethical and legal trade practices.
5. Use, only by consent, the original ideas and designs devised by one vendor for competitive purchasing purpose.
6. Decline personal gifts or gratuities.
7. Accord a prompt and courteous reception to everyone calling on legitimate business.

It shall be the policy of the Board not to enter into any contract for the purchase of property or services with any person or with any members of the immediate family of any person who is:

1. A member of the Board of Trustees, President, Vice Presidents, Dean of Instruction of the College or with any firm in which any of these persons or their immediate family have a financial interest.
2. An employee of the College involved in the requisitioning or purchasing of the property or service involved, or in the selection of prospective bidders or in the awarding of contracts on behalf of the College or from any firm in which any of the above mentioned classes of persons or any members of their immediate families (spouse, child or a person living in the same household) have a financial interest.

B. Bidding Policy

The Board of Trustees will seek sealed competitive bids for all purchase of supplies, equipment and services for which the estimated cost is in excess of \$19,999. Authority to purchase items whose estimated cost is less than \$20,000 is delegated to the President or their designee.

## EXHIBIT 2

This bid practice will apply to all purchases of the College except the following circumstances:

1. "Sole source" procurements of unique goods or services available only from a single supplier with no competition.
2. Services supplied by regulated public utilities and transportation companies.
3. Wages, salaries and fringe benefits to College personnel and reimbursements for travel and other work-related expenses.
4. Purchases of goods for resale by the College bookstore or other departments of the College.
5. Educational materials directly related to the curriculum and secured by copyright.
6. Purchases of goods and services by separate student, alumni and other organizations through accounts maintained for them by the College as fiscal agent.
7. Other purchases deemed by the President to not be appropriate for bidding.

### C. Board Bidding Procedure

The purchase of all materials, equipment and services subject to this procedure shall be made on the basis of conformity to specifications developed by the administration and reviewed by the Board of Trustees in open session. Such specifications will constitute an adequate basis for defining and evaluating the quality and quantity of the goods or services being procured, and the capability of the vendor to provide the goods or services in the specified time frame and in the specified quality and quantity. No such specifications will be fixed in a manner which effectively precludes reasonably competitive bids on alternative products or services which adequately meet the needs of the College. Specifications which are brand specific, whether the brand name is mentioned or not, must be accompanied by a written justification.

All bid specifications shall clearly establish the following rights of the Board of Trustees:

1. The right to reject any or all bids or proposals, 2.) to accept a bid or proposal which appears to be in the best interest of the College, 3.) to waive any informalities in any part of any bid or proposal.

### D. Bid Opening

Bids will be opened in public session, with at least three individuals from the College present, at the time and place stated in the bid notice, and will be evaluated for conformity with the bid specifications by administrative review. Board action will normally take place at the first regularly scheduled Board meeting after the bid opening.

Any bids received after the formal bid opening will be returned unopened to the vendor. Bidders will not be allowed to modify bids after being opened except as might be required to clarify whether or not a bid is in conformity with specifications. No bid will be considered unless it conforms to specifications.

## EXHIBIT 2

### E. Awarding of Contract

The Board of Trustees will normally award the contract to the low bidder who meets specifications. Exceptions may occur under the following circumstances:

- A. The quality, suitability and usability of the goods or services is unacceptable for the purpose intended.
- B. Evidence exists to question the vendor's ability to perform the required services.
- C. It is the policy of the Board of Trustees to support bidders domiciled within the taxing district of the College. Therefore, if the low bid is submitted by a bidder domiciled outside the College's taxing district, a bidder domiciled within the College's taxing district may be deemed the preferred bidder and awarded the bid if:
  - 1. The quality, suitability and/or usability of the goods or services are equal and fully comply with the minimum bid specifications, and the vendor has the capability to adequately service the product.
  - 2. The amount of the bid of the bidder domiciled within the College taxing district is not more than 1% greater than the amount of the low bid.

A bidder will be considered to be domiciled within the taxing district if they operate a place of business within the taxing district or if it has a sales representative whose residence is within the taxing district.

Revised: 5/11/04

Reviewed: 2/14/17