



Purchasing Department Manual

July 2020



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Pursuant to Requirements in 2 CFR Part 200: Uniform Administrative Requirements, Cost Principals, and Audit Requirements for Federal Awards, and Education Department General Administrative Regulations (EDGAR)

The District shall comply with all EDGAR federal regulations in the management of federal grant awards and state-administered grants, as designated by the Texas Education Agency.

EDGAR Compliant

The District’s purchasing procedures are intended to comply with all federal (2CFR 200), state and local procurement requirement, including new EDGAR Procurement Standards.

For solicitations notating “EDGAR Form”, the Socorro ISD’s Purchasing Department shall be responsible for ensuring compliance with all federal, state and local procurement requirements and for ensuring that the district maintains an up-to-date procurement history to include, but not limited:

- Independent Estimate
- Cost and Price Analysis
- Advertisement date(s) of the procurement
- Selection criteria with weights
- Evaluation/selection of Vendor
- Negotiation of profit if only one (1) vendor responded
- Contract provisions

Not EDGAR Compliant.

These solicitations shall not be utilized with federal/state mandated funds.

Socorro ISD will comply with the United States Department of Agriculture (USDA)/ Texas Department of Agriculture (TDA) regulations.



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1-Introduction

1.1 Mission Statement

The Department of Purchasing will procure a continuous supply of goods and services at the best value, in support of Socorro Independent School District and its commitment to provide the best academic environment possible.

1.2 Purpose

To distribute and see the execution of the Purchasing policies and procedures to all employees of the Socorro Independent School District, hereafter referred to as “SISD” or “District”.

1.3 Scope

The scope of the District in centralizing the purchasing function is to comply with state laws and policies of the Socorro Independent School District Board of Trustees, hereafter, called the Board. State law does not mandate that District purchase at the lowest price available in the marketplace. The law mandates that the District purchase at the best value, meeting published specifications, in accordance to the applicable competitive pricing statues and local Board policies. Therefore, the primary object of the Purchasing Department is to make purchases in compliance with the applicable statutes and policies. CFR 200.318 General procurement standards (a) The non-Federal entity must use its own documented procurement procedures which reflect applicable State, local, and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this part.

1.4 Former Procedures

This manual rescinds all previous operational policies and procedures, whether written or verbal, concerning the purchasing functions.

1.5 Responsibility

It is the responsibility of the District employees involved in any aspect of the purchasing function to be familiar with these policies and procedures. The employees are to follow them in the execution of day-to-day business, and to report any violations to their immediate supervisor. The primary staff responsibility for compliance with procedures is assigned to the Director of Purchasing.

1.6 Organization chart

The Purchasing Department performs many operations in the procurement of goods and services for the district. It is basically divided into two interrelated sections and functions, the order processing group and the contracting and bidding group. Please reference the attached organizational chart.

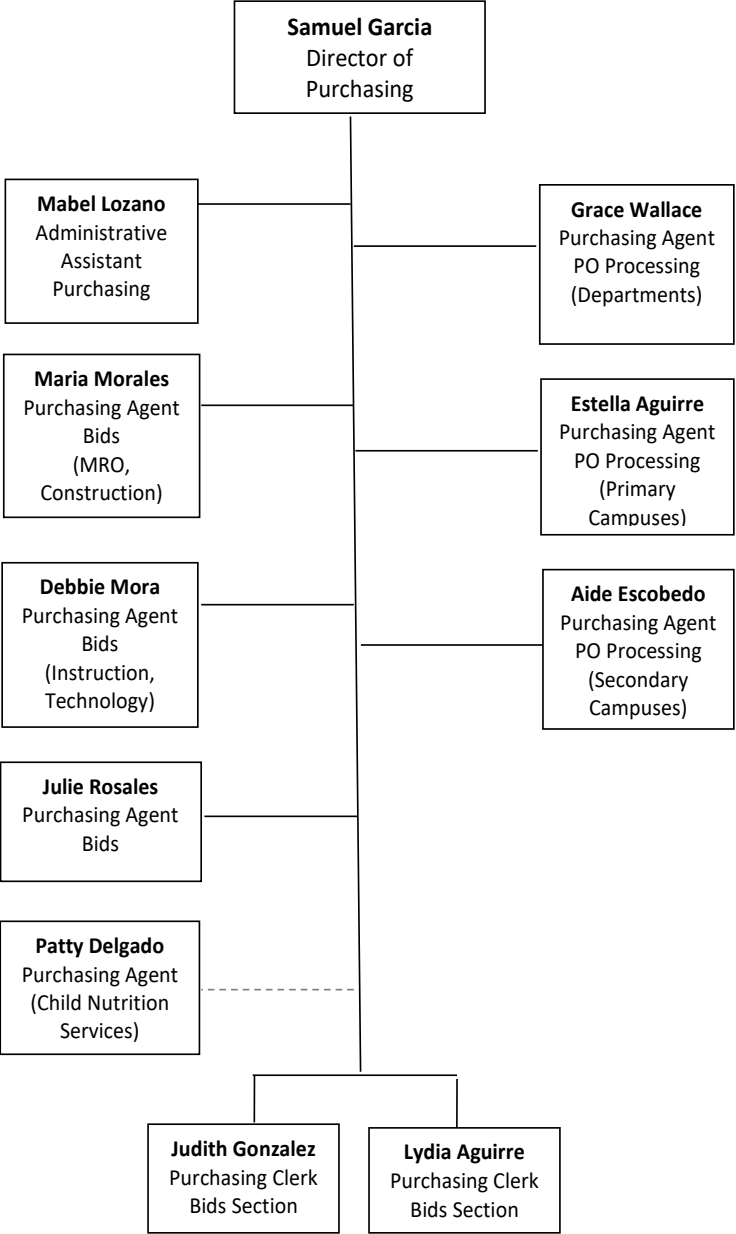


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Purchasing Department Organizational Chart



As of 6/19/20



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The following is from District policy DH-Exhibit.

Professional Ethical Conduct, Practices, and Performance.

Standard 1.1. The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the District, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

Standard 1.2. The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.

Standard 1.3. The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.

Standard 1.4. The educator shall not use institutional or professional privileges for personal or partisan advantage.

Standard 1.5. The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.

Standard 1.6. The educator shall not falsify records, or direct or coerce others to do so.

Standard 1.7. The educator shall comply with state regulations, written local Board policies, and other state and federal laws.

Standard 1.8. The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.

Standard 1.9. The educator shall not make threats of violence against District employees, Board members, students, or parents of students.

Standard 1.10. The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.

Standard 1.11. The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.

Standard 1.12. The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.

Standard 1.13. The educator shall not consume alcoholic beverages on school property or during school activities when students are present.



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Gifts and gratuities

Employees of the District shall not accept or receive gifts or gratuities from representatives of companies directly from the company. This pertains to supplies, equipment, or construction for the District. The employees may not promise or obligate future awards or compensation based upon gifts, gratuities, rebates or discounts given.

Restrictions on certain purchases

District funds will not be used to purchase personal items. Memberships to organizations and certain subscriptions are considered personal and not allowed unless approved prior by the Superintendent or designee. Memberships should be for the position/entity and not the individual.

1.8 Conflicts of Interest

School district employees are limited in the types of employment in which they may be involved outside of normal school activities.

1. An employee shall not accept or solicit any gift, favor, service, or other benefit that could reasonably be construed to influence the employee's discharge of assigned duties and responsibilities.
2. An employee shall not have a personal financial interest, a business interest, or any other obligation that in any way creates a substantial conflict with the proper discharge of assigned duties and responsibilities or that creates a conflict with the best interest of the District.
3. Each employee shall disclose, to the best of his or her knowledge, in writing to the Superintendent, Director of Purchasing, or designee any financial or ownership interest in any business or other purchase arrangement with the district.
4. An employee who believes he or she has or may have a conflict of interest shall disclose the interest to the Superintendent or designee, who shall take whatever action is necessary, if any, to ensure that the District's best interests are protected.



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Employees shall adhere to the laws, rules, regulations, policies and the following standards of conduct.

1. Conduct business honestly, openly and with integrity.
2. Avoid conflicts of interest situations by not conducting business with a company or firm which the official or any member of the official's family has a vested interest.
3. Avoid preferential treatment of one outside interest group, company or individual over another.
4. Avoid using the position for personal gain.
5. Never accept or offer illegal payment, for goods/services rendered.
6. Refrain from accepting gifts, free services or anything of value for or because of any act performed or withheld.
7. Permit the use of school property only for officially authorized activities.

Purchasing Department Internal Code of Ethics

1. Avoid the intent and appearance of unethical or compromising practice in relationships, actions and communications.
2. Demonstrate loyalty to your employer by diligently following the lawful instructions of your employer, using reasonable care and only authority granted.
3. Refrain from any private business or professional activity that would create a conflict between personal interests and those of your employer.
4. Refrain from soliciting or accepting money, loans, credits, discounts, gifts entertainment, favors or services from present or potential suppliers.
5. Handle confidential or proprietary information with due care and proper consideration of ethical and legal ramifications and governmental regulations.
6. Promote positive supplier relationships through courtesy and impartiality.
7. Know and obey the letter and spirit of laws governing the purchasing function and remain alert to the legal ramifications of purchasing decisions.
8. Ensure that all segments of society have the opportunity to participate in district contracts.
9. Discourage purchasing involvement in employer-sponsored programs of personal purchases, which are not business related.
10. Enhance the stature of the purchasing profession by improving your technical knowledge and adhering to the highest ethical standards.

CFR 200.318 General Procurement Standards (c) (1) In addition to avoiding conflicts of interest and ensuring full and open competition as described above, the District's written procurement procedures for purchases made with federal funds reflect applicable state and local laws and regulations and conform to the following federal standards for procuring goods and services with federal funds.



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1.9 Governance

One of the main guidelines governing the procurement function is from the Texas Education Code, Subchapter B. 44.031, Purchasing Contracts.

(a) Except as provided by this subchapter, all school district contracts for the purchase of goods and services, except contracts for the purchase of produce or vehicle fuel, valued at \$50,000 or more in the aggregate for each 12-month period shall be made by the method, of the following methods, that provides the best value for the district:

- (1) competitive bidding for services other than construction services;
- (2) competitive sealed proposals for services other than construction services;
- (3) a request for proposals, for services other than construction services;
- (4) an interlocal contract;
- (5) a method provided by Chapter 2269, Government Code, for construction services;
- (6) the reverse auction procedure as defined by Section 2155.062(d), Government Code; or
- (7) the formation of a political subdivision corporation under Section 304.001, Local Government Code.

(b) Except as provided by this subchapter, in determining to whom to award a contract, the district shall consider:

- (1) the purchase price;
- (2) the reputation of the vendor and of the vendor's goods or services;
- (3) the quality of the vendor's goods or services;
- (4) the extent to which the goods or services meet the district's needs;
- (5) the vendor's past relationship with the district;
- (6) the impact on the ability of the district to comply with laws and rules relating to historically underutilized businesses;
- (7) the total long-term cost to the district to acquire the vendor's goods or services;
- (8) for a contract for goods and services, other than goods and services related to telecommunications and information services, building construction and maintenance, or instructional materials, whether the vendor or the vendor's ultimate parent company or majority owner:
 - (A) has its principal place of business in this state; or
 - (B) employs at least 500 persons in this state; and

(9) any other relevant factor specifically listed in the request for bids or proposals.

(b-1) In awarding a contract by competitive sealed bid under this section, a school district that has its central administrative office located in a municipality with a population of less than 250,000 may consider a bidder's principal place of business in the manner provided by Section 271.9051, Local Government Code. This subsection does not apply to the purchase of telecommunications services or information services, as those terms are



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- (c) The state auditor may audit purchases of goods or services by the district.
- (d) The board of trustees of the district may adopt rules and procedures for the acquisition of goods or services.
- (e) To the extent of any conflict, this subchapter prevails over any other law relating to the purchasing of goods and services except a law relating to contracting with historically underutilized businesses.
- (f) This section does not apply to a contract for professional services rendered, including services of an architect, attorney, certified public accountant, engineer, or fiscal agent. A school district may, at its option, contract for professional services rendered by a financial consultant or a technology consultant in the manner provided by Section 2254.003, Government Code, in lieu of the methods provided by this section.
- (g) Notice of the time by when and place where the bids or proposals, or the responses to a request for qualifications, will be received and opened shall be published in the county in which the district's central administrative office is located, once a week for at least two weeks before the deadline for receiving bids, proposals, or responses to a request for qualifications. If there is not a newspaper in that county, the advertising shall be published in a newspaper in the county nearest the county seat of the county in which the district's central administrative office is located. In a two-step procurement process, the time and place where the second-step bids, proposals, or responses will be received are not required to be published separately.
- (h) If school equipment, a school facility, or a portion of a school facility is destroyed, severely damaged, or experiences a major unforeseen operational or structural failure, and the board of trustees determines that the delay posed by the contract methods required by this section would prevent or substantially impair the conduct of classes or other essential school activities, then contracts for the replacement or repair of the equipment, school facility, or portion of the school facility may be made by a method other than the methods required by this section.
- (h) If school equipment or a part of a school facility or personal property is destroyed or severely damaged or, as a result of an unforeseen catastrophe or emergency, undergoes major operational or structural failure, and the board of trustees determines that the delay posed by the methods provided for in this section would prevent or substantially impair the conduct of classes or other essential school activities, then contracts for the replacement or repair of the equipment or the part of the school facility may be made by methods other than those required by this section.
- (i) A school district may acquire computers and computer-related equipment, including computer software, through the Department of Information Resources under contracts entered into in accordance with Chapter 2054 or 2157, Government Code. Before issuing an invitation for bids, the department shall consult with the agency concerning the computer and computer-related equipment needs of school districts. To the extent possible the resulting contract shall provide for such needs.



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(j) Without complying with Subsection (a), a school district may purchase an item that is available from only one source, including:

- (1) an item for which competition is precluded because of the existence of a patent, copyright, secret process, or monopoly;
- (2) a film, manuscript, or book;
- (3) a utility service, including electricity, gas, or water; and
- (4) a captive replacement part or component for equipment.

(k) The exceptions provided by Subsection (j) do not apply to mainframe data-processing equipment and peripheral attachments with a single-item purchase price in excess of \$15,000.

(l) Each contract proposed to be made by a school district for the purchase or lease of one or more school buses, including a lease with an option to purchase, must be submitted to competitive bidding when the contract is valued at \$20,000 or more.

(m) If a purchase is made at the campus level in a school district with a student enrollment of 180,000 or more that has formally adopted a site-based decision-making plan under Subchapter F, Chapter 11, that delegates purchasing decisions to the campus level, this section applies only to the campus and does not require the district to aggregate and jointly award purchasing contracts. A district that adopts site-based purchasing under this subsection shall adopt a policy to ensure that campus purchases achieve the best value to the district and are not intended or used to avoid the requirement that a district aggregate purchases under Subsection (a).

CFR 200.318 General procurement standards. (b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

1.10 Enforcement of Purchase Procedures: Criminal Penalties; Removal; Ineligibility - Texas Education Code, Subchapter B. 44.032.

(a) In this section:

- (1) "Component purchases" means purchases of the component parts of an item that in normal purchasing practices would be purchased in one purchase.
- (2) "Separate purchases" means purchases, made separately, of items that in normal purchasing practices would be purchased in one purchase.
- (3) "Sequential purchases" means purchases, made over a period, of items that in normal purchasing practices would be purchased in one purchase.

(b) An officer, employee, or agent of a school district commits an offense if the person with criminal negligence makes or authorizes separate, sequential, or component purchases to avoid the requirements of Section 44.031(a) or (b). An offense under this subsection is a Class B misdemeanor and is an offense involving moral turpitude.



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(c) An officer, employee, or agent of a school district commits an offense if the person with criminal negligence violates Section 44.031(a) or (b) other than by conduct described by Subsection (b). An offense under this subsection is a Class B misdemeanor and is an offense involving moral turpitude.

(d) An officer or employee of a school district commits an offense if the officer or employee knowingly violates Section 44.031, other than by conduct described by Subsection (b) or (c). An offense under this subsection is a Class C misdemeanor.

(e) The final conviction of a person other than a trustee of a school district for an offense under Subsection (b) or (c) results in the immediate removal from office or employment of that person. A trustee who is convicted of an offense under this section is considered to have committed official misconduct for purposes of Chapter 87, Local Government Code, and is subject to removal as provided by that chapter and Section 24, Article V, Texas Constitution. For four years after the date of the final conviction, the removed person is ineligible to be a candidate for or to be appointed or elected to a public office in this state, is ineligible to be employed by or act as an agent for the state or a political subdivision of the state, and is ineligible to receive any compensation through a contract with the state or a political subdivision of the state. This subsection does not prohibit the payment of retirement benefits to the removed person or the payment of workers' compensation benefits to the removed person for an injury that occurred before the commission of the offense for which the person was removed. This subsection does not make a person ineligible for an office for which the federal or state constitution prescribes exclusive eligibility requirements.

(f) A court may enjoin performance of a contract made in violation of this subchapter. A county attorney, a district attorney, a criminal district attorney, a citizen of the county in which the school district is located, or any interested party may bring an action for an injunction. A party who prevails in an action brought under this subsection is entitled to reasonable attorney's fees as approved by the court.

2 Bidding

2.1 Procedures for Electronic Bids or Proposals - Texas Education Code, Subchapter B 44.0313.

(a) A school district may receive bids or proposals under this chapter through electronic transmission if the board of trustees of the school district adopts rules to ensure the identification, security, and confidentiality of electronic bids or proposals and to ensure that the electronic bids or proposals remain effectively unopened until the proper time.

(b) Notwithstanding any other provision of this chapter, an electronic bid or proposal is not required to be sealed. A provision of this chapter that applies to a sealed bid or proposal applies to a bid or proposal received through electronic transmission in accordance with the rules adopted under Subsection (a).



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Competitive solicitations - are a formal process that may also be referred to as competitive proposals, request for qualifications, competitive sealed proposals etc. It is an option available to school districts for the procurement of goods or services. The request for solicitations contains the purchase description or specifications covering the item(s), work and/or services needed, the terms and conditions, the time and place for opening of the solicitations and other provisions as necessary. The advertisement for solicitations; and description in the request for proposal(s) of item(s), work and/or services needed, and specific terms and conditions must be done in a manner that accomplishes the primary purpose of competitive solicitation – stimulate competition and obtain the lowest practical price for the work, service and/or items(s) needed. Competitive solicitation is a lengthy process. From the initial step of “determination of need” through the award of contract by the Board, the average time period is approximately thirty (30) to one-hundred twenty (120) calendar days. The competitive solicitation process requires that proposals be evaluated and awards based solely on specifications, terms and conditions contained in the solicitation documents, and according to the prices offered by vendors and pertinent factors that may affect contract performance. SISD does not award solely on the basis of the lowest bid(s), rather on the lowest and best value as determined to be in the best interests of the District.

The Board of Trustees is the contracting authority for the District. The Director of Purchasing makes formal recommendations to the Board for an award of contract. No contract shall be created, express or implied, until a final written contract is issued and signed by an individual authorized by Socorro ISD.

Request for Bid / Invitation to Bid

The invitation to Bid (ITB) / Request for Bid (RFB), is used when the department knows the type of goods or services required. The quantity is a known fact and will not vary during the fiscal year. Costs are usually readily identified before the process begins and can be guaranteed as stated.

CFR 200.319 Competition (a) All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.

Public Notice – Notice of the time by when and place where the solicitation/bids or proposals or the responses to a request for qualifications, will be received shall be published in the county in which the district’s central administration office is located, once a week for at least two weeks before the deadline for receiving bids, proposals, or responses to a request for qualifications; and if there is not a newspaper in that county the advertisement shall be published in a newspaper in the country nearest the county seat of the county in which the district’s central administration is located. Texas



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District will follow public notice recommendations per USDA/TDA. Solicitations utilizing USDA funds will be issued for an estimated 30 days. Notice will include District phone number and address of location where any potential offeror may obtain the solicitation.

Bid acceptance and Evaluation Process

1. Bids are to be accepted at the advertised date and time.
2. The names of the submitting bidders and their respective unit and/or overall prices will be read into the record.
3. Bids will be evaluated on the basis of compliance to the published specifications.
4. Bids will be awarded on the basis of lowest or overall lowest prices, meeting specifications, as deemed in the best interest of the District.
5. Correction/withdrawal of bids; cancellation of awards criteria – in case of errors in extensions, unit prices shall govern. In cases of errors on unit prices bidders shall be allowed to withdraw their bids on the respective line items. Bid awards may be rescinded in cases of non-performance or non-compliance to the published specifications, term and/or conditions.

Competitive Sealed Proposals / Requests for Proposals

Conditions for use – The competitive sealed proposals (CSP) or Request for Proposal (RFP) is an alternative to competitive bidding. An important difference between competitive sealed proposals and competitive bidding relates to the finality of initial offers. Under competitive sealed proposals, changes in the nature of a proposal, and in prices, may be negotiated after proposals are opened. In contrast, changes in the price of goods and services are not negotiable in the competitive bidding process.

Competitive proposal procedures are recommended where other procurement procedures are not required according to federal rules, laws or regulations, in order to stimulate competitive prices for services. Request for Proposals may also generate non-sealed competitive proposal which would allow a school district to open the proposals upon receipt. CFR 200.320 Methods of procurement (c) Procurement by sealed bids (formal advertising).

Public Notice – same requirements as for the competitive bid process.

Receipt / evaluation procedures for proposals

The primary difference from the Competitive Bid process lies within the evaluation process. Competitive Bids are awarded solely upon how the bidder satisfied the written specifications. Full disclosure regarding participating bidders and their respective pricing offers is open to the public upon the opening of the bids. However, within the RFP process only the names of



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participating respondents can be made available to the public. The pricing information has to remain confidential to the District until an award of contract is made. Failure to do so can result in the returned proposals being rendered “void” with the entire proposal process being required to start over. Requests for Proposals are tabulated, reviewed and evaluated by a team of staff members from the Purchasing Department and the end user requesting the proposal. A point system can be utilized in the scoring process so that all recommendations can be justified for award of contract.

Procedures for negotiating with vendors.

Whereas, negotiations are not allowed with the Competitive bid process, negotiations are an integral part of the RFP/CSP process. All selected respondents are allowed the opportunity to respond to questions and required modifications to the original proposal as deemed necessary by the District. Upon completion of the negotiation process, selected respondents can and may be asked to submit their “Best and Final Offer” (BAFO) for review by the District.

Procedures for award of Contracts

Upon acceptance of the Best and Final Offer, the evaluation team will submit their recommendation for award, in writing through the Purchasing Department to the Board of Trustees. No contract shall be created, express or implied, until a final written contract is issued and signed by an individual authorized by Socorro ISD.

Interlocal Contracts.

The Interlocal Cooperation Act – “The purpose of this chapter is to increase the efficiency and effectiveness of local governments by authorizing them to contract, to the greatest possible extent, with one another and with agencies of the state” Texas Government Code, Chapter 791. Interlocal Cooperation Contracts, Subchapter A. General Provisions. 791.001 Purpose.

Authorization for agreement – “A local government may contract or agree with another local government to perform governmental functions and services in accordance with chapter. Texas Government Code, Chapter 791. Interlocal Cooperation Contracts, Subchapter B. General Interlocal Contracting Authority 791.011 Contracting Authority; Terms Local Government defined. – “In this subchapter, “local government” means a county, municipality, special district, school district, junior college district or other legally constituted political subdivision of the state”.



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Request to Process

The Purchasing Department utilizes a Request to Process form to capture the necessary information needed to begin the solicitation process. An administrator or Campus Principal must fill out and submit this request. This form is to be used for any calendar solicitation and any expenditure in excess of \$50,000 that is not currently under contract award. A copy of this form is available on the Department website. Specifications for proposals along with the process bid/solicitation form are to be turned in to the Purchasing Department for review by the Director of Purchasing. The Director of Purchasing will review the specifications and schedule a solicitation opening date.

Advertising of Solicitation. – Any solicitations over \$50,000 or more will require to be advertised in one local newspaper once a week for two consecutive weeks. Solicitations utilizing USDA funds will be advertised in two local newspapers.

Opening of Sealed Proposals

When using the e-Bid system, the district's electronic web based vendor registration and bidding system, the process is automated.

Paper or manual bids are still accepted and on certain occasions, the e-Bid system may not be used, therefore all proposals must be sealed and plainly marked with the name of the proposer along with the date and time of the opening. Proposals need to be received in the office, Socorro ISD District Service Center, Purchasing Department, 12440 Rojas Drive, El Paso, Texas 79928 prior to the opening time. All proposals must be stamped with the date and time of receipt. Sealed submittals will be received by Socorro Independent School District at the time and date which were advertised. At this time the proposer shall be invited to attend the opening and the identity of all respondents will be read aloud. Any proposals which are received after the opening date and time will be stamped accordingly and returned to the vendor without action. Faxed proposals will not be accepted. No proposal can be received or withdrawn after the opening time without the consent of the Director of Purchasing. The Director of Purchasing can and will have final decision on acceptance or declining of proposals which were received after the opening date and time based on the Districts best interest.



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When evaluating submittals, a recommendation committee will be composed and review the proposals on the following factors:

- (1) the purchase price;
- (2) the reputation of the vendor and of the vendor's goods or services;
- (3) the quality of the vendor's goods or services;
- (4) the extent to which the goods or services meet the district's needs;
- (5) the vendor's past relationship with the district;
- (6) the impact on the ability of the district to comply with laws and rules relating to historically underutilized businesses;
- (7) the total long-term cost to the district to acquire the vendor's goods or services;
- (8) for a contract for goods and services, other than goods and services related to telecommunications and information services, building construction and maintenance, or instructional materials, whether the vendor or the vendor's ultimate parent company or majority owner:
 - (A) has its principal place of business in this state; or
 - (B) employs at least 500 persons in this state; and
- (9) any other relevant factor specifically listed in the request for bids or proposals.

The committee may recommend the most responsive vendor(s) with the best proposal. Whenever the lowest price is not recommended, the committee will provide written justification for the recommendation submitted to the Board of Trustees.

In a case of tie the committee may consider the following factors;

1. Location of vendor
2. Number of days for delivery
3. Past performance

All proposals in the amount of \$100,000 or more need to be approved by the Board of Trustees. CH (Local)

All proposals that result in a total award of less than \$100,000 can and will be awarded administratively by the Director of Purchasing.

If proposal recommendations are approved by the Board of Trustees, the Purchasing Department will post the awarded tabulation on the SISD Purchasing website. Construction solicitation vendors will be sent a tabulation of the awarded summary sheet.

In the case of a protest or dispute of an action taken by the Department of Purchasing any vendor may write a letter outlining any concerns which may exist to:

Director of Purchasing
12440 Rojas Drive
El Paso, Texas 79928



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2.5 Emergency Purchase

Definition – Purchase or purchases made not in accord to the competitive bidding requirement due to an emergency condition such as a natural or man-made disaster.

Conditions for use – If school equipment or a part of a school facility or personal property is destroyed or severely damaged or, as a result of an unforeseen catastrophe or emergency, undergoes major operational or structural failure, and the board of trustees determines that the delay posed by the methods provided for in this section would prevent or substantially impair the conduct of classes or other essential school activities, then contracts for the replacement or repair of the equipment or the part of the school facility may be made by methods other than those required by this section. Texas Education Code, Chapter 44, Fiscal Management, Subchapter B. Purchase; Contracts, 44.031(h)

Documentation required – Verifications of the circumstances for the emergency condition and approval for, or ratification of, by the Board of Trustees of the emergency purchases.

2.6 Vendor Evaluation form

The purchasing department encourages feedback on the performance of the vendors the district contracts with. During the bidding process this documentation is extremely valuable in award recommendations. It ensures that reliable proven vendors will be recommended. A vendor evaluation form is available on the district web page. This form simplifies the reporting process and allows the department to communicate to the Purchasing Department on both areas for improvement and service related issues. This form can also be used to recognize any outstanding service received from a district vendor.

2.7 Bid calendar

The Purchasing department will maintain an annual bid calendar. The Purchasing Department will send a notification to the user department or campus at least 90 days prior to termination or renewal date requesting required information for a new solicitation or acceptance of renewal.



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SISD Commodity Code Listing

010	Administrative Services	215	Instructional Materials, Technical Trade
011	Advertising	216	Instructional Materials, Textbooks
015	Agricultural	217	Software/Program/Online Licenses
020	Air Conditioning & Related Items	218	Instructional Materials, Writing
030	Apparel, General	219	Instructional Materials, GT
031	Apparel, Fine Arts	220	Janitorial Equipment and Supplies
032	Apparel, Work Uniforms	225	Laundry, Dry Cleaning and Equipment Supplies
040	Appliances	228	Licenses, Instructional Software
045	Aquatic Equipment & Supplies	229	Licenses, District Operations
050	Art Equipment & Supplies	230	Lighting, Supplies & Fixtures
060	Athletic Equipment	240	Library Books
061	Athletic, Training Supplies	241	Library Services
062	Athletic Apparel	242	Library Supplies
063	Athletic Rental Facility	245	Mail Room Equipment & Supplies
070	Audio Visual Equipment & Supplies	250	Maintenance Equipment & Supplies
074	Automotive (Career and Technology)	251	Maintenance Equipment & Supplies, HVAC
075	Automotive (Equipment, New)	252	Maintenance Equipment & Supplies, Building
076	Automotive (Bus Related)	253	Maintenance Equipment & Supplies, Special Systems
077	Automotive (Services)		
078	Automotive (Maintenance)	254	Maintenance Equipment & Supplies, Food Service
079	Automotive (Food Services)	255	Maintenance Equipment and Supplies, Plumbing
080	Awards and Recognition	256	Maintenance Equipment and Supplies, Electrical
081	Awards, Graduation	257	Maintenance Equipment and Supplies, Aquatic
085	Building Equipment Supplies	258	Maintenance Equipment and Supplies, Welding
086	Buildings and Structures	259	Memberships
090	Catering Services	260	Medical Equipment and Supplies
091	Certifications	261	Medical Equipment and Supplies, Pharmaceutical
100	Communications	265	Musical Instruments and Supplies
110	Computer Hardware	270	Office Equipment
111	Computer Network	271	Office Supplies, Consumables
112	Computer Peripherals	280	PA System and Sound Systems
113	Computer Software	285	Painting Equipment and Supplies
114	Computer Supplies	290	Paper, Related Products
115	Copy Machines	300	Periodicals
120	Construction	310	Photographic Equipment & Supplies
121	Construction, Professional Services	320	Playground Equipment
125	Educational Services - Consulting	330	Plumbing Equipment & Supplies
130	Electrical Equipment & Supplies	340	Portable Classrooms and Related
135	Environmental Services, Chemical, Pest	350	Printing Equipment & Supplies
136	Environmental Services, Asbestos	351	Printing Services
140	Financial Services	355	Professional Services - Contracted
141	Financial Services, Depository	356	Professional Services - Contracted, Special Education
142	Financial Services, Benefits		
143	Flooring - Material and Supplies	357	Rentals
145	Floral Supplies	358	Rentals, District Operations
147	Food Service Equipment	359	Reimbursement
150	Food-Items Bakery	360	Safety Related Equipment & Supplies
151	Food-Items Dairy	370	Special Education, Equipment & Supplies
152	Food-Items Ethnic	371	Special Education, Instructional Material
153	Food-Items Frozen	375	Staff Development
154	Food-Items Perishable	380	Staffing Services, General
156	Food-Grocery Items	381	Testing Materials
160	Fuel	382	Testing Materials, Adult Learning
170	Furniture-Cafeteria	383	Tuition
171	Furniture Classroom	384	Stage/Field Services
172	Furniture Library	385	Theater Arts Supplies and Equipment
173	Furniture Office	386	Fine Arts Clinician
180	Grounds and Landscaping	387	Fine Arts Judges
190	Hardware and Hand Tools	388	Fine Arts Consultant/Instructor
200	Insurance, Health	389	Fine Arts Accompanist
201	Insurance Coverage	390	Travel Services
208	Instructional Materials, Social Studies	391	Travel Registration
210	Instructional Materials	392	Travel Airfare
211	Instructional Materials, Bilingual	393	Travel Hotel
212	Instructional Materials, Math	394	Travel Car Rental
213	Instructional Materials, Reading	395	Travel Expense Reimbursement
214	Instructional Material, Science	400	Utility Services



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410	Contracted Services	506	Tutoring Services, Bilingual
411	Contracted Services, Bilingual	507	Intervention, Academic
412	Contracted Services, Math	600	Online Services - Math
413	Contracted Services, Reading	601	Online Services - Reading
414	Contracted Services, Science	602	Online Services - Science
415	Mileage	603	Online Services - Social Studies
416	Contracted Services, Technical Trades	604	Online Services - Writing
417	Contracted Services, Fine Arts	605	Online Services - Technical Trade
418	Contracted Services, Fine Arts - Band	606	Online Services - Administrative Services
419	Contracted Services, Fine Arts - Orchestra	607	Online Services - Academics
420	Contracted Services, Fine Arts - Choir	608	Online Services - Athletics
421	Contracted Services, Special Education	609	Online Services - Career & Tech
422	Contracted Services, Gifted and Talented	610	Online Services - Bilingual
423	Contracted Services, Athletics	611	Online Services - Fine Arts Administration
424	Contracted Services, Academics	612	Online Services - Fine Arts Band
425	Contracted Services, Marketing	613	Online Services - Fine Arts Orchestra
426	Contracted Services, Administrative	614	Online Services - Fine Arts Choir
427	Contracted Services, Writing	615	Online Services - Gifted and Talented
428	Contracted Services, Guidance and Counseling	616	Online Services - Guidance and Counseling
429	Contracted Services, District Operations	617	Online Services - Special Education
430	Contracted Services, State/Federal Programs	618	Online Services - State and Federal Programs
431	Contracted Services, UIL	619	Online Services - Technology
432	Contracted Services - Technology	620	Online Services - UIL
433	Contracted Services - Child Nutrition	621	Online Services-Health
434	Contracted Services - Health Clinic	622	Online Services-COVID
500	Tutoring Services	623	Online Services-M & O
501	Tutoring Services, State/Federal Programs	624	Online Services-Tea Approved
502	Tutoring Services, Math	625	Online Services-Continuing Education
503	Tutoring Services, Reading	626	Online Services-Adult Education
504	Tutoring Services, Science	999	Shipping and Handling
505	Tutoring Services, Writing		



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2.9 Catalog award bids

Because of the wide variety of items, services, supplies, etc. that is utilized by a school district, many solicitations are requested and awarded on a “discount from catalog” basis. When utilizing these solicitations, the requestor needs to make sure they are using active vendor website/catalog, and indicating that the discount has been taken on the requisition.

2.10 Vendor Bid List

The Bid section of the Purchasing Department maintains a vendor listing of all vendors who have registered to receive solicitations via email, mail, and fax. *This is commonly referred to as a Bidders list.*

VENDORS REGISTER USING THE E-BID VENDOR REGISTRATION AT

<https://sisd.ionwave.net/Login.aspx>

(Reference Section 11 Vendor Registration Flowchart)

Any vendor who has previously responded to solicitation is on this list. If a vendor fails to respond to three straight solicitations, the department reserves the right to delete them from the vendor list.

Please note, that this is a list of vendors to receive bids, not a list of awarded vendors.

There is a list of vendors contained in Tyler MUNIS. *This is commonly referred to as the Vendor List.* This is neither an awarded vendor list nor a bidders list. Anyone who has received a check from SISD is included in this list.

The Award of Reference report is available on the district web site. It is a list of vendors that have awarded a contract for goods or services, through a district solicitation process. It is a very useful tool. Use the “find” feature to locate a vendor and the award information, such a solicitation number and solicitation name.



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Solicitations awarded by the Board of Trustees may be extended for additional terms and purchases provided that:

1. The Prices do not exceed the stated percent% of solicitation prices and the terms and conditions of the original solicitation remain firm.
2. The original solicitation has provisions for additional purchases.
3. All legal requirements are fulfilled.
4. The Purchasing Department prior to the end of the original term of the contract will document acceptance of the extension.

2.12 Open Records

All information collected, assembled or maintained by governmental bodies pursuant to law or ordinance, or in connection with the transaction of official business is public information and available to the public during normal business hours of any governmental body with certain exceptions.

Government Code section 552.104. Exception: Information Related to Competition or Bidding.

- (a) Information is excepted from the requirements of Section 552.021 if it is information that, if released, would give advantage to a competitor or bidder.
- (b) The requirement of Section 552.022 that a category of information listed under Section 552.022(a) is public information and not excepted from required disclosure under this chapter unless expressly confidential under law does not apply to information that is excepted from required disclosure under this section.

The concern is that information is not disclosed at inappropriate times leaving the District unprotected.

The District has specified procedures for open records requests. They are initiated in the Department of Human Resources, obtained, and released from their office.

2.13 Sales Taxes

- 1 Socorro Independent School District is exempt from the payment of state sales taxes by the fact it is a political subdivision of the State of Texas.
- 2 District employees may not use the District's tax-exempt status for purchases of personal property. Anyone avoiding the payment of sales tax by using this exemption may be liable for prosecution under Texas Penal Code, Chapter 39, Abuse of Office, Section 39.01. (This also applies to booster clubs, parent teacher organizations and other outside organizations. They must apply and receive their own tax-exempt status)
- 3 All Purchase Orders notify vendors of the District's tax- exempt status. Vendors can request a separate tax exempt form if necessary from the Purchasing Department.
- 4 The Districts Federal Tax I.D. number is 74-6029385.



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2.14 Suspension and Debarment

The district cannot enter into a contract with any company that has been debarred or suspended under the terms of Executive Order 12549, “Debarment and Suspension,” as described in the Federal Register Rules and Regulations, when using Federal Funds. This applies to all subcontractors as well. Vendors submitting bid and all solicitations awarded by SISD will have acknowledgement. When users request vendors that are not awarded an SISD bid, and are not using a Purchasing Cooperative, the Purchasing Agent will obtain a Suspension and Debarment form or insure the vendor is not listed on the Excluded Parties Listing located at www.sam.gov. Any vendors that are suspended or debarred will be brought to the attention of Director of Purchasing and no purchase order, contract or bid award will be made. CFR 200.213 Suspension and Debarment.

3.0 Requisitioning process

3.1 How do I make a purchase?

Reference Section 10 for a flow chart to the requisitioning process. This flow chart illustrates the steps involved in making a purchase. It does not, nor cannot address all of the steps, which may be required. Users are encouraged to use the chart, in conjunction with this manual, as tools to help guide them through the purchasing process. If, at any time, during the course of the process, it is felt that additional information, or one-on-one help is needed, users are encouraged to call a member of the Purchasing Department staff.

3.2 Requisitioning basics

In order to requisition supplies, services, equipment, or furniture not available from the warehouse stock, the following guidelines are to be used.

1. In the MUNIS system, prepare a requisition utilizing awarded vendors, through a competitive solicitation, cooperative contract, approved district contract or quote.
2. Provide a complete description of goods or services including type of item and stock/model number if available.
3. Designate the Receiving address.
4. Include the appropriate budget code.
5. Include any special delivery instructions in the text field.
6. Indicate the appropriate bid number, contract number in the procurement method field.
7. If using a discount from catalog bid, indicate if the prices include the discount. (Retain Documentation).
8. The requestor is responsible for ensuring proper discount is taken.
9. Indicate if there are any shipping and handling charges associated with the order.
10. The correct fund, function and object code need to be used.



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The Purchasing Department Prime Directives (After the Fact Orders)

1. Approval for purchases must be made prior to purchase.
2. Request for payment without a purchase order approved by the Purchasing Department can and will become the responsibility of the person ordering the merchandise.
3. The Purchasing Department must approve purchases via a requisition and assign purchase order number before purchases are to be made.
4. Employees should not purchase materials with their own money with the intention of being reimbursed. There are no employee reimbursements or petty cash unless approved by the Chief Financial Officer.



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Line Item Requisition –

A line item requisition is issued to a registered vendor to “furnish and deliver” specific items stated on the purchase order. A line item requisition will specify the exact price and quantity and usually for a one time delivery. A complete description including model or item numbers is necessary.

Open Purchase Order Request –

An open requisition is only allowable for vendors that are currently an awarded vendor through a district solicitation, cooperative agreement, contract or similar approved agreement.

It is issued to a registered vendor authorizing purchases from that vendor over a period of time, so that supplies, materials or services are available on as “as needed” basis by the end user. During this period, the District may; purchase certain specified items from the vendor not exceeding the total dollar limit. Information required: The time limit, a not to exceed dollar amount, the person(s) authorized to pick up (if local) products, a description of the type of goods/services, and the appropriate contract/bid number, including the bid item number and bid expiration date.

It may be required for certain vendors to have one purchase order per visit.

Note: In MUNIS, the unit price is \$1 and the Quantity is the total amount. Example, a \$500 open purchase order would be a Quantity of 500 and a unit of \$1. This will allow for online receiving.



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3.4 Approval Routing

There will be special or additional approval routing for the following types:

- Gifted and Talented
- Bilingual
- Title 1
- Technology
- Fine Arts
- State Compensatory Education
- Special Education Funded
- Title V
- Accelerated Reading
- Bond funded
- Staff Development
- High School Allotment
- Others

Special Commodity Classifications

In Tyler Munis, please use the Special Commodity field and select from the following when appropriate:

- SC3 - Maintenance Equipment, Supplies Online Vendor
- SC4 - Computer Hardware
- SC5 - Software
- SC6 - Audio Visual Equipment & Supplies
- SC8 - Warehouse Orders
- SC9 - Radios
- SC11- Capital Lease Transactions
- SC12- Travel



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In an attempt to have fast track delivery of selected items the following are on-line or e-procurement vendors. The user would use the on-line web site and select items, when complete; they would checkout at the Vendors website, noting the reference number given (cart or order number). Then the user will enter a one line item requisition to the selected vendor referencing the total dollar amount given and using the reference number given. The Purchasing Department will convert the MUNIS requisition order once approved and release the order in the vendor's website ordering system. The e-procurement vendors are available through the requisition module to create a requisition and a vendor cart at the same time.

Dell Computers, e-procurement

El Paso Office Products, e-procurement

Grainger, e-procurement

Lakeshore Learning, e-procurement

Office Depot, e-procurement

Pencil Cup Office Supplies, e-procurement

School Specialty, e-procurement

Staples, e-procurement

The on-line companies can be accessed through the internet directly or their links are available from the Department website. The e-procurement vendors are available through the Tyler Munis requisition module to create a requisition and a vendor cart at the same time.

One of the goals of the Purchasing Department is to review and approve all requisitions within 3-4 days from the campus/department's administrative approval. In order to accomplish this goal, we request that the campus/department respond promptly to all requests for information or corrections required on a requisition (due to availability of product and pricing constraints), we need acknowledgment of the request. If there is no response to a request, The Purchasing Department may be forced to delete the requisition. Please know that we will always do our utmost to assist you.



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3.6 Change Orders

A purchase order confirms the existence of a contract between the District and the vendor. Consequently, it cannot be modified or cancelled unilaterally. Change orders should be processed to correct information on a purchase order. Each campus/department approved user has authority to make changes to active purchase order for their campus/department. (See PO Change Orders Manual). Purchasing processes vendor changes and po cancellations only.

3.7 Request to Add a Vendor

Please use the request to add vendor form (available in the department website). Please include all necessary information, including email, phone and fax for approval and input into the Tyler Munis System. A W-9 form is required prior to entry into the system. Vendors will be added to the system if awarded a bid, contract or quotation.

3.8 Sole Source Purchases

Definition – A purchase for a commodity or service to the only known capable supplier, occasioned by the unique nature of the requirement, the supplier, or market conditions.

There must be no other like items available for purchase that would serve the same purpose or function.

From Texas Education Code 44.031

Without complying with Subsection (a), a school district may purchase an item that is available from only one source, including:

- 1 an item for which competition is precluded because of the existence of a patent, copyright, secret process, or monopoly;
- 2 a film, manuscript, or book;
- 3 a utility service, including electricity, gas, or water, and
- 4 a captive replacement part or component, for equipment

Examples of sole source

A book, manuscript, or play available only from the publisher
 OEM (Original Equipment Manufacturer) repair part
 Branded Drugs
 Electricity (in El Paso)



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3.9 Section intentionally left blank

3.10 Captive Purchases

A captive purchase is defined as a business or organization which provides services, supplies or materials that are only available through that organization. Examples: City permits, background checks, vehicle registration / permits.

3.11 Payment Authorizations

Payment authorizations are to be used only for the following instances:

Payment of Utilities

Reimbursement of mileage for approved recipients.

Payment for tuition reimbursement for specified grants.

3.12 Technology

If you plan to purchase a computer, or computer hardware please reference the available contract awards for these commodities. They are available on the District purchasing web page. At most times there are awards for the following:

Desktop computers

Laptops and tablets

Scanners and Peripherals

Projectors

Software

DIR (Department of Information Resources) is an available resource when the desired item cannot be procured through an SISD bid award.

If what you need is not available, please contact the Department of Technology Services to begin the quote process, and obtain the necessary warranty requirements.

3.13 Petty Cash

SISD does not allow for petty cash transactions.



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4.1 Quotation procedures

Purchases between \$1,000.00 no more than \$49,999.99

1. Originator forwards to Purchasing an Inquiry with details
2. Purchasing solicits a minimum of three (3) written quotes.
3. Purchasing Agent reviews and approves the quotes and provides a quotation number to the Originator for input in the Procurement Method field. (ex. supplies, materials, installation, product, and services/consultants)

Purchasing Agent reserves the right to request additional quotes based on professional judgment.

Quotations will be awarded based on the most responsible and best value and most responsive quote meeting the needs of the district.

All quotation transactions will be assigned a quote number and a log will be maintained by the Purchasing Department. CFR 200.320 Methods of procurement (b) Procurement by small purchase procedures.

4.2 Micro-Purchase

1 quote if less than \$999.99 Once the aggregate of \$10,000 annual threshold limit is met, 3 quotes will be required. CFR 200.320 Methods of procurement (a) Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (§200.67 Micro-purchase). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.



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5.1 Contracts – Common Law

1. A District Purchase Order is an offer. A contract is created between the District and the vendor only when the vendor accepts the terms and conditions of the Purchase order by causing the goods or services requested on the order to be delivered. In other words, the District's (Purchase Order) is a presentation to the vendor of what the District wants from the vendor and under what conditions (terms). Purchase orders provide a uniform way for the District to make offers to vendors with all terms in writing. This is why it is critical to the purchasing process that the school or departments receiving the goods or services immediately compare the delivery of it with the Purchase Order. If the vendor has altered the terms of the Purchase order to the point where the recipient is dissatisfied, then a possible breach of the contract has occurred. In such a situation the Purchasing Department should be contacted as soon as possible.
2. In the case of bids and request for proposals (solicitations), a different set of circumstances exists. Here, the offer is the vendor's bid or proposal. This is the vendors offer to the District of what the vendor will sell the District and under what terms. No contract shall be created, express or implied, until a final written contract is issued and signed by an individual authorized by Socorro ISD.

5.2 Contract Signatories

Contracts exceeding \$100,000 per year (CH (Local)) will be taken to the board of trustees for approval under the consent agenda.

District Policy allows for contracts to only be signed by the Superintendent, the Chief Financial Officer or the Director of Purchasing.

By procedure, District Purchase Agents are allowed to sign/approve purchase orders up to \$10,000.

Any purchase order in excess of \$10,000 must be signed/approved by the Director of Purchasing or the Chief Financial Officer.



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A request to process contract form needs to be completed and faxed to the purchasing department to begin the contracting process.

The key information required on the form is:

- Budget line item (account code)
- A complete description of services being provided
desired results if possible
- Vendor/consultant information (including name, phone, email, etc.)
- Date of Birth / Address of the consultant (to be used for
background checks as required) – consent and disclosure form
required
- Term of agreement, dates
- Agreed Dollar amount (does it include expenses?)
- Name of requestor (for questions)
- Teacher Retirement System (TRS) with dates

The consultant can provide his/her contract for consideration. It may be used in conjunction with the standard district contract.

5.4 Board Approval Contracts

This procedure is issued to provide guidance on processing contract and/or agreements which require Board Approval. (Memorandums of Understanding (MOU), Memorandums of Agreement (MOA), Affiliation agreement, Inter-agency and/or inter-local agreements with School District's or State Agencies, Educational Service Centers, City or County of El Paso, UTEP, EPCC etc.)

1. Complete **Board Approval Process Form** found on www.sisd.net/purchasing:
 - a. Click TAB Forms and Applications and select Board Approval Process Form (the form can be completed online, print out and submit for Cabinet Meeting)
Required Fields:
 - i. Include the name of contract, Agency name, and contact information.
 - ii. List the name of the SISD employee (stakeholder) who will be responsible for the agreement.
 - iii. List funding source
 - iv. List agreement amount (by school, per year etc.)
 - v. List the start and end dates
 - vi. Describe contract work plan (rationale) required deliverables, milestones, performance standards, and due dates.
2. **Contract/Agreement and Board Approval Process Form** must be submitted to Cabinet for review and approval via the Assistant Superintendent or Chief Officer for each respective area. Due date to the Purchasing Department for Board Approval, 1st working day of the month. **Late submissions will be placed on the next scheduled Board Meeting.**



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Risk of Profit or Loss – Independent contractors realize a profit or sustain a loss based on their success in performing the work or service.

Continuing Relationship – The relationship between an independent contractor and employer ends when the job is done.

Compliance with instructions - Independent contractors cannot be told when, where, or how to do the job.

Training – Independent contractors do not go through any type of instructional training period with a more experienced employee to learn how to do the job. Independent contractors specialize in the field in which they have been employed and do not require training.

Control over the hiring, supervising, and paying of assistants – Independent contractors maintain control of their assistants. The employer contacts the independent contractor if there is a problem, and the employer pays the independent contractor for the work done. The independent contractor then pays the assistants directly.

Set hours of work – An independent contractor sets working hours.

A full-time work requirement – An independent contractor has the availability to work for more than one client, and for more than one firm.

Availability – An independent contractor makes services available to the public on a regular and consistent basis.

Works off premises. – An independent contractor works off premises unless the nature of the services requires attendance on district facilities

Required work sequence- an independent contractor does not need to be told the sequence of work needed.

Requirement of reports – The independent contractor is not required to submit oral or written reports.

Payment by the hour, week or month – An independent contractor is paid in a lump sum fee basis when the job is done. An invoice must be generated to substantiate the payment.

Payment of business or travel expense – An independent contractor is responsible for his/her own travel expense. If paid, the employer must include the expense amount on the independent contractors 1099.



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Furnishing of tools and materials – An independent contractor has the necessary tools and materials to do the job.

Employer’s discharge rights – an independent contractor cannot be terminated as long as he/she is fulfilling the contract.

Workers termination rights – An independent contractor may be held financially responsible for any loss the employer may suffer due to an incomplete inaccurate or unsatisfactorily completed contract.

5.6 Lease Rental Contracts

Any lease contract in excess of \$100,000 must be submitted and approved by the board of trustees.

Any contract for rental must contain a cancellation provision and must be renewed by the issuance of a new Purchase Order for each fiscal year. Each contract must be approved by the Director of Purchasing

Any contract for lease must contain non appropriations clause and must be renewed by the issuance of a new Purchase Order for each fiscal year. The lease must be approved by the Director of Purchasing

Copy machine rentals are addressed separately.

5.7 Service contracts

All services that are to be contracted for a specified period of time should be submitted to the Purchasing Department to generate if necessary a contract protecting the interests of the district. A contract number will be assigned, and given to the user/requestor to reference on the Purchase requisition. The Purchasing department will maintain a log of all contract numbers. The user/requestor should detail as much information regarding the contract and its services on the requisition regardless of a contract being generated.

5.8 Contracts List

A list of current, effective contracts by number, title, and requesting school/department is maintained in the e-bid system by the Purchasing Department.

5.9 Background Checks

In accordance with SB9 requirements, if a contract request will have the contractor having unsupervised direct contact with students, the Purchasing Department will conduct a name based search background check using JD Palatine.



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The District has cooperative agreements/ resolutions with the following agencies to be used when district bids and contracts do not meet the need. The web sites are listed and also have links on the Purchasing Department web page. 1 quote if less than \$49,999.99; 2 quotes if between \$50,000.00 -\$99,999.99; and Board approval if greater than \$99,999.99 (quotes as needed).

6.1 Texas Procurement and Support Services (TPASS)

The Texas Procurement and Supports Services (TPASS, sometimes referred to as “State contracts”), or as the General Services Commission (GSC). There are a multitude of uses, primarily for copy machine rentals, term contracts for supplies and equipment, vehicles etc. They are also responsible for the TXMAS (Texas Multiple Award Schedule) and the DIR contract.

www.window.state.tx.us/procurement/

6.2 OMNIA Partners (Formerly known as National IPA, TCPN and U.S. Communities)

This purchasing cooperative is utilized for a variety of goods and services.

<https://public.omniapartners.com/contracts>

6.3 Buyboard (TASB)

The BuyBoard is sponsored by the Texas Association of School Boards and is a cooperative agreement available to the school district. It has a variety of contracts from School buses to Athletic Equipment.

www.buyboard.com

6.4 Houston-Galveston Area Council (HGAC)

The Houston-Galveston Area Council (H-GAC) is a cooperative the district belongs to that is more specialized for construction related equipment. It is a valuable resource for commercial equipment.

www.h-gac.com

6.5 Region 19 ESC

The ESC for Region 19 has the Allied States Cooperative program available to the district for various bids. The district can use the copy center, school zone store, audio visual equipment repair and various other services.

www.esc19.net



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- 6.6 Department of Information Resources (DIR)
The Department of Information Resources is part of the TPASS and excellent source for computer software, computer related equipment supplies and services.

www.dir.state.tx.us

- 6.7 NJPA
The National Joint Purchasing Alliance is a national cooperative for a variety of goods and services (including a financing agreement contract for the acquisition of copiers).

<http://www.njpacoop.org/>

- 6.8 West Texas Food Service Cooperative
This cooperative is part of ESC Region 17 and provides food purchasing and USDA commodity processing.

<http://www.esc17.net/default.aspx?name=fs.wtfsc>

- 6.9 Choice Partners, Harris County Department of Education
This cooperative provides a variety of goods and services.

<http://www.choicepartners.org>

- 6.10 Goodbuy, Purchasing Program of the Education Service Center, Region 2
This cooperative provides a variety of goods and services.

<https://goodbuy.esc2.net/>

- 6.11 Central Texas Purchasing Alliance (CTPA)
This cooperative provides access to participating Districts' bids for a variety of goods and services.



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7.1 Program Incentives and Awards

Program incentive and awards are an important part of conducting district activities. However, schools should examine closely the type of incentives or awards given to students for program participation in order to ensure the award or incentive does not appear to be a gift.

Gifts, or items that appear to be gifts are prohibited by the state constitution.

Souvenirs, memorabilia, t-shirts, tote bags or promotional items are specifically listed as unallowable in OMB A-87.

Reasonable awards and incentives for participation include such items as certificates, plaques, ribbons, small trophies, or inexpensive instructionally related items such as pens/pencils to be used in the classroom

7.2 Catering

The District has fiduciary responsibilities that should govern the expenditure of funds with regards to catering of meetings and district functions. Please reference to Regulation CHD at the district website.

7.3 Child Nutrition Funds (USDA Funds)

The District will follow the procurement guidelines from the United States Department of Agriculture (USDA)/Texas Department of Agriculture (TDA). Purchases utilizing Child Nutrition Funds will follow all rules/process/procedures as listed above and as described in the USDA Administrator’s Resource Manual, Section 17. District has included USDA Regulatory Requirements on its Terms and Conditions.



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Annual Aggregate This pertains to the total amount of purchases made by a school district within a single category of items during a twelve-month period. The state does not prescribe on what date the period starts and stops.

Backorder The undelivered part of a previous order which the vendor re-enters for shipment at a later date.

Bid A response to a specified request for goods or services. Usually requested for contracts exceeding an annual aggregate of \$50,000.

Bid Bond Bid bond guarantees an owner of property that a party bidding for a contract will, if his bid is accepted, enter into a contract and furnish performance and payment bonds for the carrying out of the work, or pay the owner the difference between the amount of his bid and that of the bid finally accepted.

Certified Check A check endorsed by a bank which guarantees its payment.

Change Order A purchaser's document used to modify a purchase order.

Competitive Pricing Mechanism A term used to collectively describe the various methods the state has provided to meet bidding requirements for purchases above \$50,000. These include bids, requests for proposal, competitive sealed proposals, cooperative contracts, and inter-local government contracts.

Delivery Schedule The agreed time or rate of future deliveries of purchased goods or services.

Discount An amount deducted from the selling price by the vendor. It is generally applied when a purchaser meets a stipulation that reduces the cost of the goods.

Express Warranty Vendor's representations concerning the nature and use of goods, which he intends the buyer to rely on.

Inventory A stock of goods or an itemized list of a stock of goods on hand at a particular time. When ascertained by a physical count of the items it is a "physical inventory"; when determined from records maintained for routine business activities, it is a "book inventory."

Invitation to Bid A request made by a purchaser to prospective suppliers for their competitive price quotations on goods or services.

Invoice The vendor's itemized list of goods or services shipped which specifies price and terms of sale.

Lump Sum The price agreed upon between vendor and purchaser for a single job or a single purchase of merchandise in bulk.

Manufacturer One who produces or assembles items from raw materials or components.

Negligence Under a legal duty the doing or omission of some act which a reasonable, prudent person would not have done or omitted under the circumstances.

Payment Bond Payment Bond, often referred to as a Labor and Materials bond, guarantees that bills for labor and material used in the work project will be paid. This coverage is usually included automatically in the Performance Bond so no additional charge is necessary.

Performance Bond Performance Bond guarantees the owner that work will be completed according to the contract specifications. This is considered the key bond in a work project because the owner not only wants the work completed- usually within a specified time- but also completed according to the owner's specifications.

Purchase To acquire goods or services for a price.



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Purchase Order A purchaser's formal written offer to a vendor containing all terms and conditions of a proposed transaction.

Purchase Requisition A formal request made to the Purchasing Department to procure goods or services from vendors.

Quotation A statement of price, terms of sale, and description of goods or services offered by a vendor to a prospective purchaser. When given in response to an inquiry, it is generally considered a sales proposal that states the current price of a commodity. For the District, it is primarily used for purchases up to \$50,000.

Rebate A form of discount in that the vendor returns, (or rebates) to a purchaser in consideration of the purchase of a specified quantity or value of goods usually within a stated interval.

Receiving Copy This is a receiving department document used to inform others of the receipt of purchased goods. Copies are usually distributed to the accounting department.

Request for Proposal (RFP) This is an alternate to the competitive bid process. The proposals are advertised and received in the same way as bids. Once opened, the District can select the best proposal and negotiate specific terms with the vendor to further lower the price or improve the contract.

Sample A small portion of goods taken as a specimen of quality.

Competitive Sealed Proposal (CSP) A term coined by the state to identify proposals dealing with construction. The term sealed is used to indicate that the proposals are not to be made available for public review.

Separate, Sequential, and Component Purchases Dividing a purchase into several parts or buying parts of a system on separate orders avoid having to use competitive pricing mechanisms to purchase goods and services.

Solicitation A response to a specified request for goods or services. Usually requested for contracts exceeding an annual aggregate of \$50,000.

Specification A comprehensive and accurate statement of the technical requirements descriptive of a good or service, and of the procedure to be followed to ascertain if the requirements are met. A federal specification is a specification established in accordance with procedures prescribed by the Federal Specification Board and approved for use by all government agencies.

Stock The supply of goods maintained in a store's system to satisfy anticipated demand.

Terms of Payment The method of payment agreed upon in a sales contract. The three basic terms are cash, open account, and secured account.

Vendor A seller of goods or services.

Warranty An undertaking, either express or implied, that certain fact regarding the subject matter of a contract is as it is declared or promised to be. Not to be confused with "guarantee," which entails contractual responsibility for the substandard performance of another party?

Wholesaler A purchaser who buys goods for resale to a retailer or industrial user.



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FAQ'S – Frequently Asked Questions

1. **Is it possible that payment can be made before I receive the merchandise?**
Yes, but prior approval from the Chief Financial Officer or Director of Purchasing is required and a purchase requisition and purchase order must be issued. The requisition must have the words “Prepayment required” with an explanation in the text field.
2. **Can I purchase the items I need and then be reimbursed?**
No. Unless prior approval from the Chief Financial Officer or Director of Purchasing is obtained, the individual can be personally responsible for paying the vendor.
3. **May I ask a vendor to hold an item for me in anticipation of a forthcoming purchase order?**
No, District policy states that only the purchase order has the authority to obligate District funds. Individuals will be required to pay for any item(s) placed on hold.
4. **Is it possible to purchase an item without a purchase order?**
Any individual who obligates District funds not in accordance to the approved purchasing procedures can be solely responsible to pay the vendor.
5. **May I accept merchandise on a consignment basis?**
No. The District will not assume the responsibility of the goods being damaged, stolen, or broken. The individual that authorizes the equipment to be on campus will be responsible for the payment of the equipment if anything should happen.
6. **May I preview films, books or other curriculum and then decide to purchase the item?**
No. All preview films; books and curriculum require a purchase requisition and purchase order. If it is decided that the item is not required the user is to submit a change order canceling the purchase order and return the item to the vendor.
7. **May I adjust the quantities on a purchase order?**
No. Any adjustment(s) will be treated as a purchase without a purchase order. A change order must be submitted and approved.
8. **May I adjust the description on a purchase order?**
No. Any adjustment(s) will be treated as a purchase without a purchase order. A change order must be submitted and approved.
9. **How do I cancel a purchase order?**
Users are to submit a change order canceling the requisition and purchase order.
10. **Can I purchase personal property for awards and recognition?**
No, personal property purchased can be considered a gift and not allowable according to the state constitution.
11. **What can be purchased as an award or recognition for a student?**
Reasonable items such as certificates, plaques, ribbons, small trophies or inexpensive instructionally related items such as pens/pencils to be used in the classroom.
12. **What can be purchased as an award for an employee?**
Reasonable items such as certificates, plaques, ribbons, small trophies, lapel pins can be purchased, but should be done with discretion.
13. **What do I do for contract renewals?**
Whenever renewing an existing contract, please complete the Contract Agreement Processing Form which is available on the purchasing website. Please indicate “renewal” on the form and include any changes to the existing contract and forward to the Purchasing Department (Administrative Specialist). Once approved, you will be notified of the contract number to use on a requisition.



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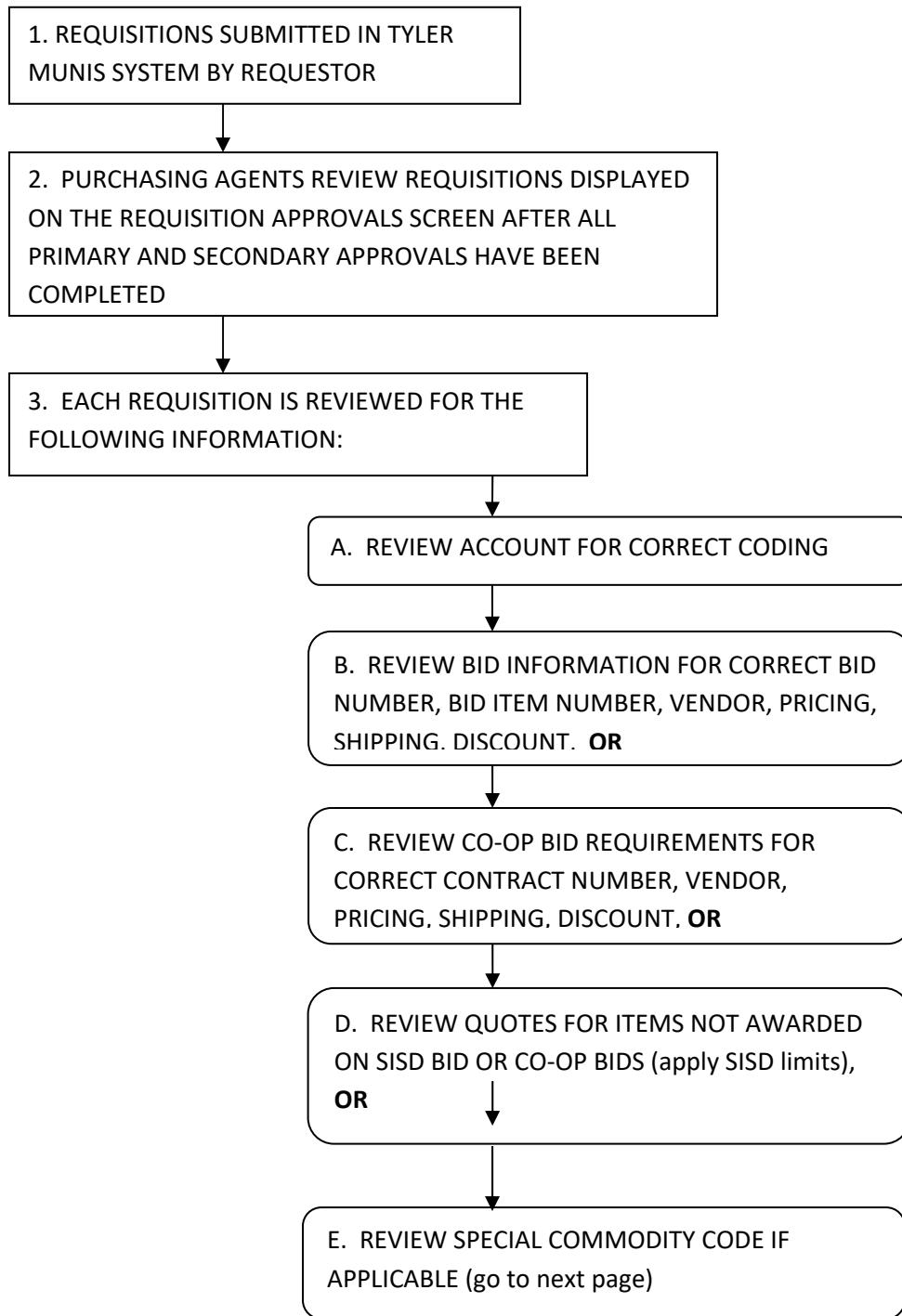
14. **When do I need a contract?**
Anytime a service is being provided, equipment is being rented or leased.
15. **Where do I find the Bid number or bid name?**
Go to the purchasing department web site and click on a link titled “AWARDED VENDORS”. It will produce a PDF file that you can search (find option) or cross reference by bid name, bid number and awarded vendor.
This is updated monthly and is a valuable resource.
16. **How do I get a copy of bid award?**
Go the purchasing department web site and click on the “AWARD SUMMARY SHEETS” (tab sheets) and it will provide a list of bid awards that are available for download in PDF format. If it is not listed, please contact your Purchasing Agent for a hard copy or e-mail.
17. **How long does it take to process a requisition?**
Normally the purchasing department tries to process requisitions in an expeditious manner. There are circumstances that can increase or decrease our efficiency. However the district tries to process in 3-5 days from date of final prior approval (director or campus).
18. **How do I know the status of a requisition?**
In MUNIS, query the requisition, the approval or workflow will indicate what pending approvals are needed.
19. **My requisition has not been approved for some time, what can I do?**
Look in the system (notes), check email correspondence and contact the appropriate Purchasing Agent or anyone in the Purchasing department. If the requisition is pending at a special approval level (prior approval), please contact the Program director (and if by email, copy the purchasing agent) to make them aware of the issues.
20. **Am I obligated to use a bid vendor if other vendors may be less expensive?**
A solicited vendor has a binding contract with the district and is entitled to some rights with this contract, such as “right of first refusal”. If prices obtained from non-bid vendors are significantly lower, there are options under the contract and bids special terms and conditions that allow the district to routinely gauge the market price, if the market price is significantly lower; the vendor has the option of lowering his agreed upon price or refusing and possibly losing the solicitation award. There are always circumstances that must be investigated.

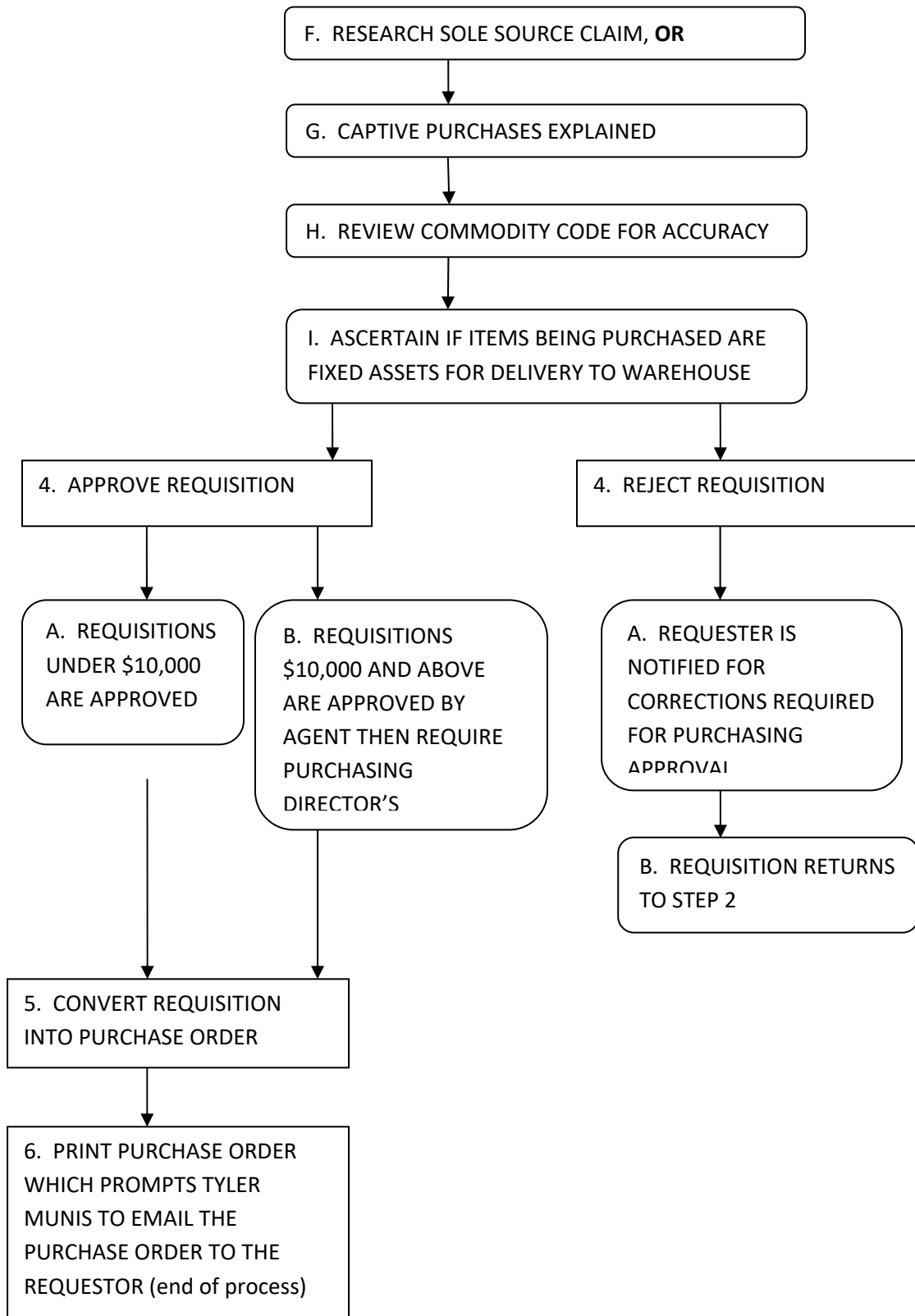


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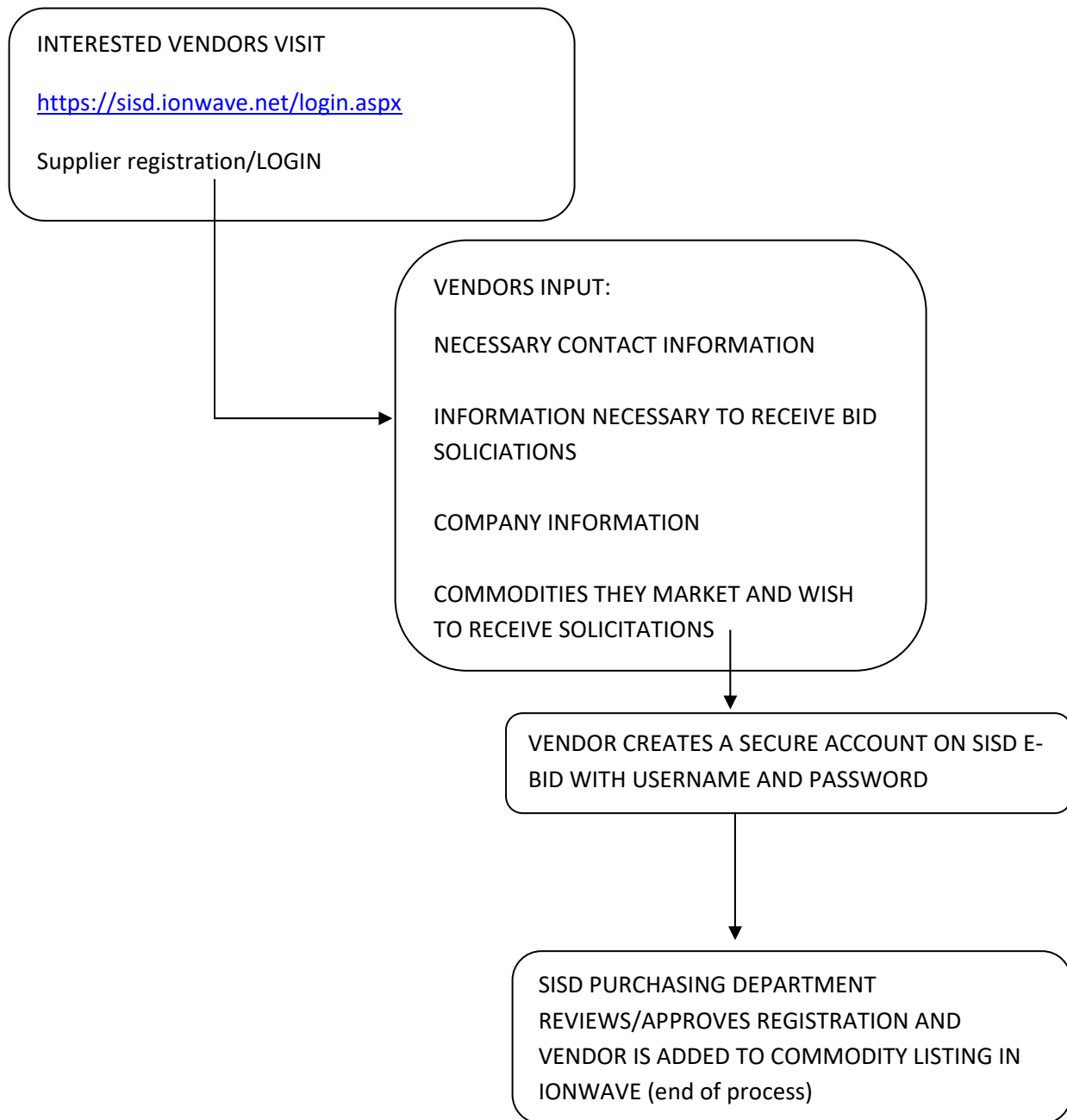




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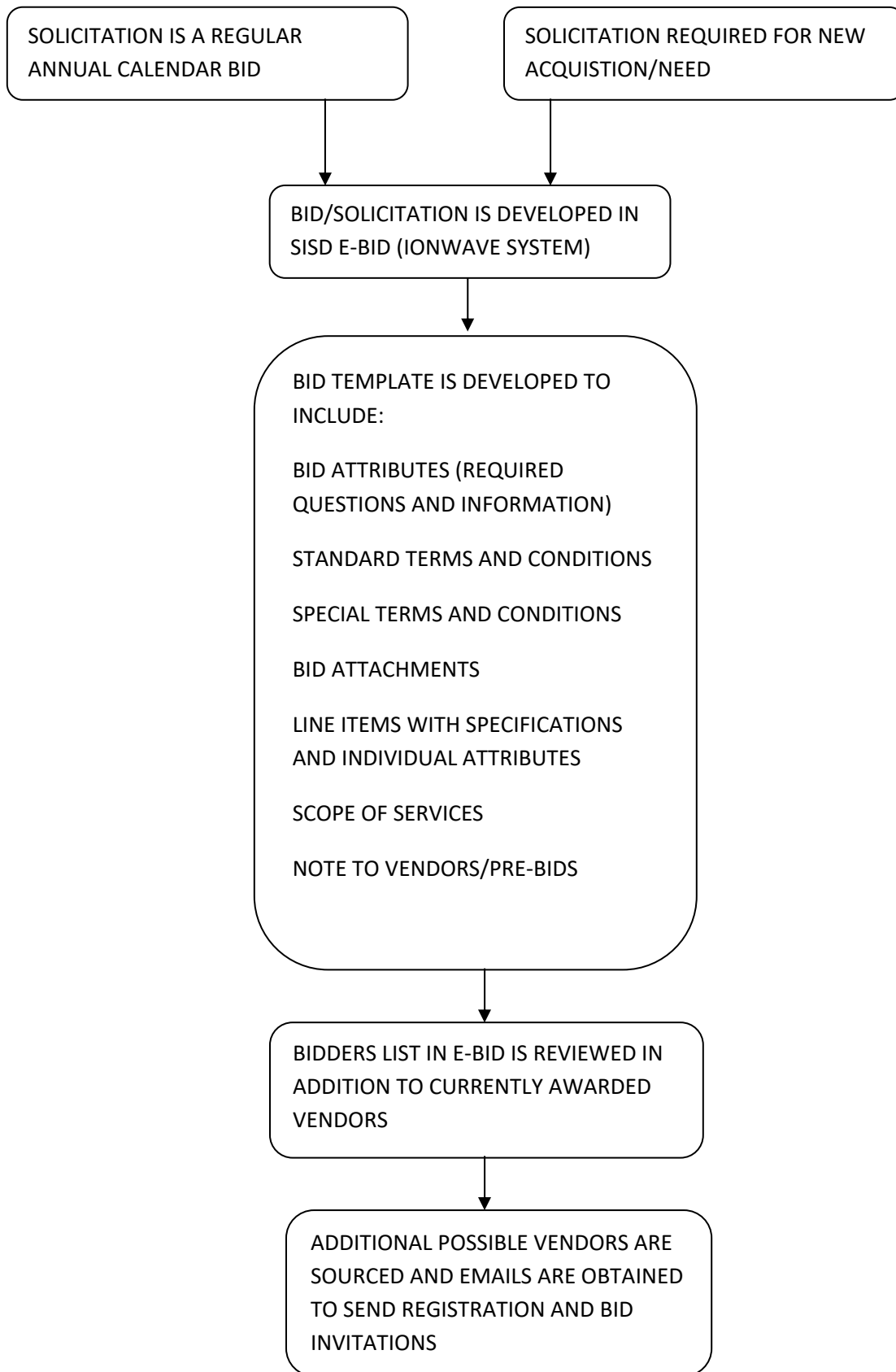
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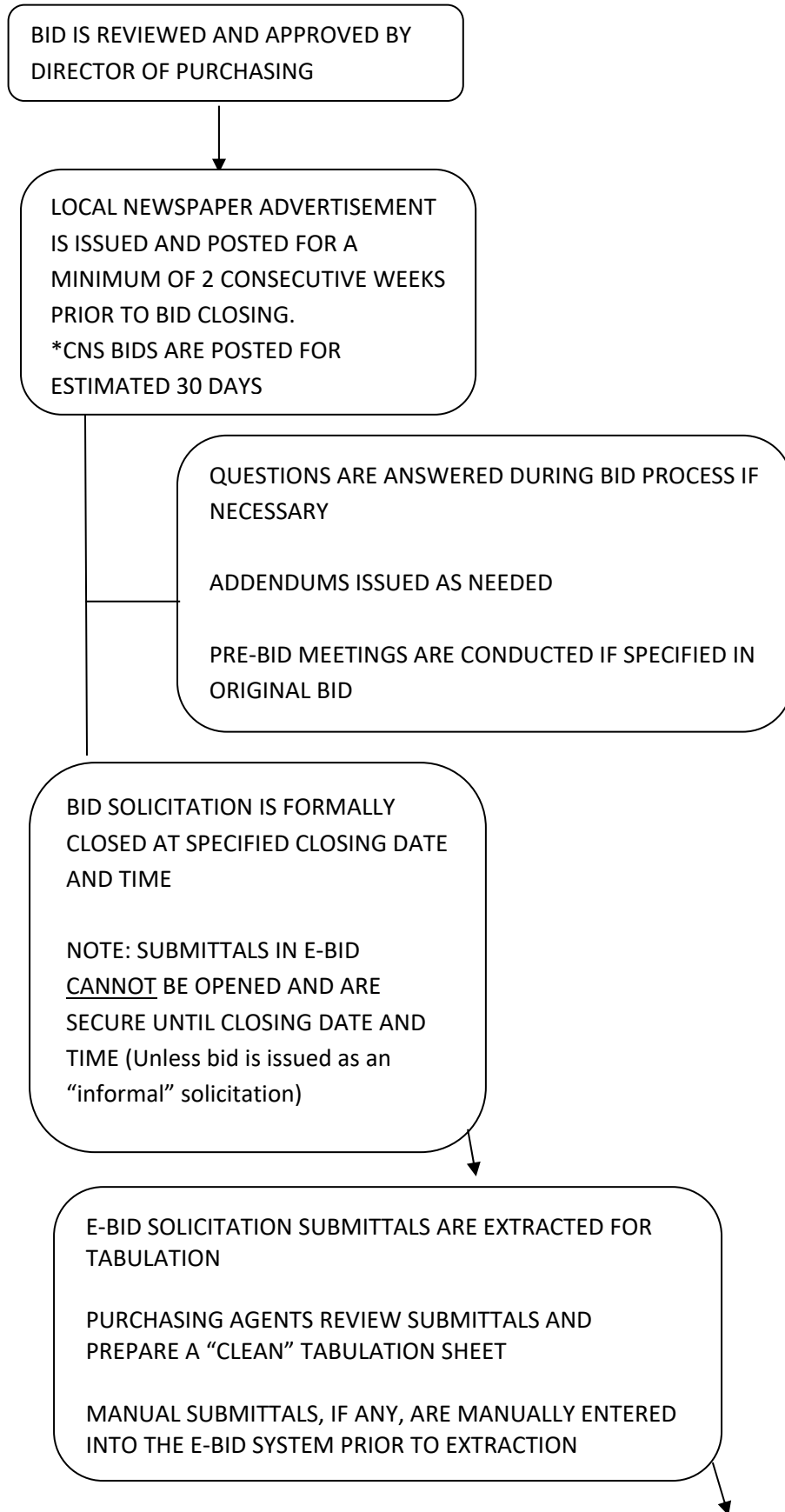
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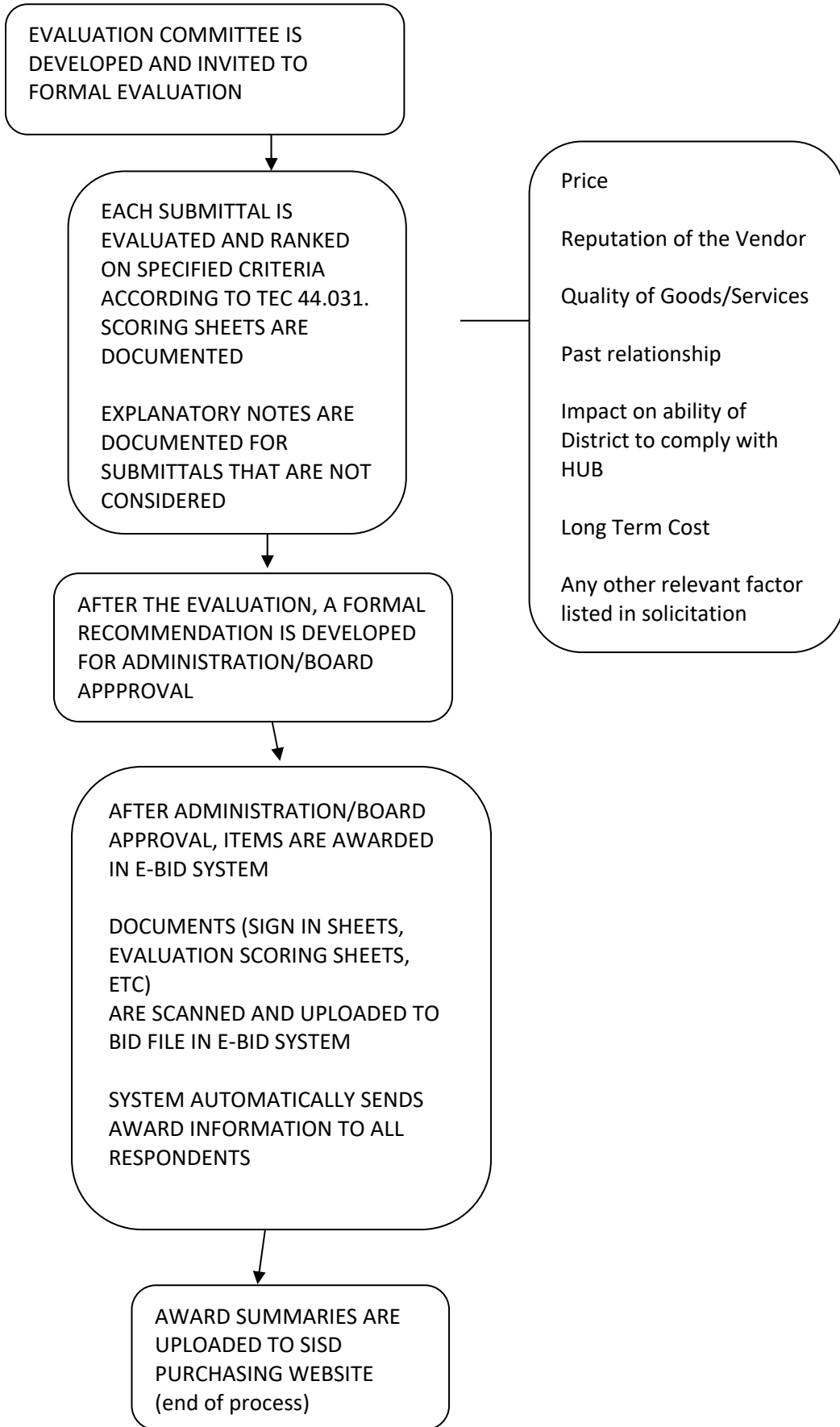
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Board Approval Process Form

CIQ - Conflict of Interest Questionnaire

Contract Agreement Processing Form

Consent and Disclosure Form

Consentimiento y Revelacion de Informacion - Forma

EDGAR Form (PO)

New Request for Quote

Request to Process Solicitations Forms

Request to Add and Modify - Employee

Request to Add and Modify - Vendor

Vendor Performance Report

W-9 Form



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14 Policies

The following polices (current as of date of manual) are found and explained in detail on the SISD website.

- 1) policies
- 2) Search
- 3) Browse topics (C)
- 4) Business & Support Services.

CH (Legal)	Purchasing and Acquisition
CH (Local)	Purchasing and Acquisition
CHE (Legal)	Purchasing and Acquisition (Vendor Relations)
CHF (Legal)	Purchasing and Acquisition (Payment Procedures)
CHG (Legal)	Purchasing and Acquisition (Real Property and Improvements)
CHG (Local)	Purchasing and Acquisition (Real Property and Improvements)
CHH (Legal)	Purchasing and Acquisition (Financing Personal Property Purchases)
CI (Legal)	School Properties Disposal
CI (Local)	School Properties Disposal
CO (Legal)	Food and Nutrition Management
CO (Local)	Food and Nutrition Management
COA (Legal)	Food and Nutrition Management Procurement
CV (Legal)	Facilities Construction
CV (Local)	Facilities Construction
CVA (Legal)	Facilities Construction (Competitive Bidding)
CVA (Local)	Facilities Construction (Competitive Bidding)
CVB (Legal)	Facilities Construction (Competitive Sealed Proposals)
CVB (Local)	Facilities Construction (Competitive Sealed Proposals)
CVC (Legal)	Facilities Construction (Design-Build Contracts)
CVD (Legal)	Facilities Construction (Construction Manager Agent)
CVE (Legal)	Facilities Construction (Construction Manager at Risk)
CVF (Legal)	Facilities Construction (Job Order Contracts)
FJ (Local)	Gifts and Solicitations.

The following administrative regulations (ad-regs) can also be found on the SISD website:

CH	Purchasing and Acquisition
CHD	Purchasing and Acquisition (Hospitality/ Catering)
CHE	Purchasing and Acquisition (Vendor Relations)
CHF	Purchasing and Acquisition (Payment Procedures)
CVB	Selection of Architect, Engineer and Contractor
FJ	Gifts and Solicitations



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