

# PASADENA ISD PURCHASING PROCEDURES

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# **Purpose and Goals**

The overall purpose of the District's purchasing program is to provide procedures and guidelines which will assist in obtaining the best value while procuring goods and services through utilizing best practices to ensure compliance with board policy, state laws and federal regulations.

This manual is intended to provide guidance to district employees at the campus and department levels which will promote consistency in procurement practices throughout the District.

One of the goals established in the development of this manual is to provide practical guidelines and easy to understand instructions in a manner which will allow all district staff to implement best practices at each campus and department.

# Services

The Pasadena Independent School District Purchasing Office is responsible for the organization and administration of procurement/purchasing for the District in accordance with the authority delegated by the Superintendent and the Board of Trustees. The goal of the purchasing office is to provide at the time and place needed in the proper quantity and of the proper quality: all materials, supplies, tools, and services required for the District's operations at the lowest possible cost while maintaining a reputation for fairness and integrity.

#### Contacting the Purchasing Department

The Purchasing Department receives many phone calls, faxes and visits each day. Experience shows us that an email is the most efficient way to contact a member of the Purchasing staff. The other ways work too... just not as well.

We publish an internal listing of which buyer or clerk is assigned to what category item, along with the awarded vendors for that category. This listing forms a convenience "Yellow Pages" for our customers.

#### **Purchasing Code of Conduct**

The following code of conduct was developed for the Purchasing Department staff. However, the standards and ideals are applicable to all district employees involved in the purchasing process.

# **CODE OF CONDUCT**

- Avoid the intent and appearance of unethical or compromising practice in relationships, actions and communications.
- Demonstrate loyalty to the District by diligently following the lawful instructions, procedures and
  policies using reasonable care while exercising only the authority, which has been delegated to
  you.
- Refrain from any private business or professional activity that would create a conflict between personal interest and the interests of the District.
- Refrain from soliciting or accepting money, loans, credits, discounts, gifts, entertainment, favors or services from present or potential vendors.
- Handle confidential or proprietary information with due care and proper consideration of ethical and legal ramifications and government regulations.
- Promote positive supplier relationships through courtesy and impartiality.
- Know and obey the letter and the spirit of laws governing the purchasing function and remain alert to the legal ramifications of all purchasing decisions.
- Ensure that all segments of society have the opportunity to participate in governmental contracts.
- Enhance the stature of the purchasing profession by improving technical knowledge and adhering to the highest ethical standards.

Violation of any policies, regulations, or guidelines, including making a false claim, offering a false statement, or refusing to cooperate with a District investigation, shall result in disciplinary action, including termination of employment.

#### The Purchasing Website and Staff

# Purchasing Department Web Site:

#### **Purchasing Web Site**

Executive Director of Finance, (713) 740-0195

Director of Purchasing: Laurie Pruett, (713) 740-0191

Senior Buyer: Tanya Morgan, (713) 740-0198

Buyer: Lovie Lord, (713) 740-0193

Buyer: Laura Montano, (713) 740-0189

Buyer: Ted Jones, (713) 740-0194

Bid Specialist: Karen Clayton, (713) 740-0196

Vendor Specialist: Susan D'Arcy, (713) 740-0197

Requisition/PO Inquiry: (713) 740-0196

# **Legal Considerations**

The Purchasing Department monitors all purchasing activities, to assure purchasing compliance with all applicable statutory and legal requirements, district policy, best purchasing practice, and adherence to ethical standards advocated by the Board of Trustees. Awards of purchase contracts shall be subject to the following legal requirements.

# **Board Policy**

- BBFB (LEGAL) Ethics Prohibited Practices
- CH (LEGAL) Purchasing and Acquisition
- CH (LOCAL) Purchasing and Acquisition
- CHH (LEGAL) Purchasing and Acquisition Financing Personal Property Purchases
- CHG (LEGAL) Purchasing and Acquisition Real Property and Improvements
- CK (LOCAL) Safety Program/Risk Management
- CR (LEGAL) Insurance and Annuities Management
- CV (LEGAL) Facilities Construction
- CV (LOCAL) Facilities Construction
- <u>DBD (LEGAL)</u> Employment Requirements and Restrictions Conflict of Interest

DBD (LOCAL) Employment Requirements and Restrictions – Conflict of Interest

# Federal Regulations

- Office of Management and Budget (OMB) Circular A-21 Educational Institutions
- Office of Management and Budget (OMB) <u>Circular A-87</u> State and Local Governments

#### **State Statutes**

- <u>Texas Education Code Chapter 44</u> Fiscal Management Subchapter B
- <u>Texas Education Code Chapter 45</u> School District Funds Subchapter G
- Texas Business and Commerce Code
- <u>Texas Local Government Code Chapter 171</u> Regulation of Conflicts of Interest of Officers of Municipalities, Counties and Certain Other Local Governments
- <u>Texas Local Government Code Chapter 176</u> Disclosure of Certain Relationships with Local Government Officials: Providing Access to Certain Information
- <u>Texas Local Government Code Chapter 271</u> Subchapter B Purchasing and Contracting Authority of Municipalities, Counties and Certain Other Local Governments
- <u>Texas Local Government Code Chapter 271</u> Subchapter D State Cooperation in Local Purchasing Programs
- <u>Texas Local Government Code Chapter 271</u> Subchapter Z Miscellaneous Provisions
- Texas Government Code Chapter 552 Public Information
- Texas Government Code Chapter 791 Interlocal Cooperation Contracts
- <u>Texas Government Code Chapter 2054</u> Information Resources
- <u>Texas Government Code Chapter 2157</u> Purchase of Automated Information Systems
- <u>Texas Government Code Chapter 2251</u> Payment for Goods and Services
- <u>Texas Government Code Chapter 2252</u> Contracts with Governmental Entities
- Texas Government Code Chapter 2254 Professional and Consulting Services
- <u>Texas Government Code Chapter 2269</u> Contracting and Delivery Procedures for Construction Projects
- <u>Texas Health and Safety Code Chapter 361</u> Solid Waste Disposal
- Texas Health and Safety Code Chapter 435 Dairy Products
- <u>Texas Agriculture Code Chapter 150</u> Imported Meat

#### Awarded Vendor List

The <u>Awarded Vendor List (AVL)</u> is made up of vendors that have been awarded through a contract issued by Pasadena ISD. Using vendors listed on the AVL is the best way to help the District to stay compliant with purchasing law. In addition, it is the easiest way to purchase goods and services because pricing has already been negotiated on the District's behalf.

A brief over view of each type of information presented in the AVL is shown below.

<u>Search for Approved Vendors</u> — While on the AVL you can hit the CTRL and F keys on your keyboard to invoke the search field. This field provides an opportunity for you to search the AVL by entering any sequence of letters or words. The search is conducted throughout the entire AVL and returns all matches. It is recommended that you begin your search with a couple of letters or one word. You can narrow your search by adding additional letters or words.

<u>Bid Number</u> – The bid number is the number assigned to the solicitation in which the vendor was awarded a contract. Vendors may have more than one bid number since they may provide various categories of products and/or service. The first half of the number indicates the fiscal year in which the initial solicitation was performed while the second half indicates a sequential contract number within that fiscal year. This number should be included when possible on all requisitions using the Special Instructions field in Frontline.

<u>Title</u> – This column indicates the name of the original solicitation. End users should use the contract title that matches what you are requesting to be purchased.

<u>Buyer</u> – This field provides contact information for the Buyer in purchasing that handled the solicitation. This is generally the same buyer that will handle this category unless the Purchasing Department has reorganized their categories.

<u>Expiration</u> – This field will show you if the contract is active and when it will expire. Only contracts that are active will show in the AVL.

# How Vendors Get Added to the Awarded Vendor List (AVL)

Pasadena ISD regularly issues bids/proposals for goods and services, and we encourage vendors to watch the <u>Current Bid Opportunities</u> page for upcoming opportunities. Vendors interested in receiving notices for future opportunities, can receive more information by going to the <u>PISD eBid System</u>.

# **Purchasing Cooperatives**

The District also partners with other purchasing entities such as ESC Region 5, Department of Information Resource (DIR), TASB's BuyBoard, The Cooperative Purchasing Network (TCPN), Houston- Galveston Area Council (H-GAC), US Communities and Harris County Department of Education (HCDE) Choice Partners Cooperative. Vendors are recommended to contact these entities as well. The Purchasing Department manages a list of these <u>approved vendors using legal cooperatives</u>. End users are encourage to view this list frequently for an additional 7,000+ vendors.

Pasadena ISD is also eligible to procure goods and services through State of Texas contracting programs such as <u>Texas State Term Contracting</u>, <u>Texas Multiple Award Schedules (TXMAS)</u>, and <u>Department of Information Resources (DIR)</u>.

#### Creating a New Vendor in Frontline

When making a purchase, you may occasionally identify a vendor that has not had a vendor number created or there may be other circumstances that require a new vendor number. To get a vendor number created, you will need to obtain a <u>W-9</u> from the vendor. To request a new vendor in Frontline use entry point <u>Request New Vendor</u>. The W9 must be attached in Frontline when requesting new vendor. You will receive an email once the vendor code has been created.

#### Yellow Pages

The <u>Yellow Pages</u> is useful when you know the category of product you need, but don't have an idea of which vendor to utilize. Information on this page is sorted alphabetically by category. There is an alphabet available for you to jump to the various letters quickly. You can also use the TOP button to return to the top of the page.

<u>Categories</u> – These are the categories as identified by the Purchasing Department.

<u>Contract Number</u> – This number may represent the PISD solicitation number or that we generally use a cooperative for this category. See the Cooperatives section above for more information on how to find a cooperative vendor using the Master Cooperative Contract List.

<u>Expiration Date</u> – This is the date of expiration for any PISD awarded contracts. These dates may be extended if the contract has renewal options and after the board has approved the renewal.

<u>Buyer</u> - This field provides contact information for the Buyer in purchasing that handled the solicitation. Generally this same buyer will handle this category unless the Purchasing Department has reorganized their category.

#### **Purchasing Guidelines**

All purchases, leases, maintenance agreements, and contracts must comply with the following general requirements set by the Board in local policy [CH] "Purchasing and Acquisition".

To assist the campuses with the purchasing of food and incentives, we have established the following <u>Purchasing Do's and Don'ts</u> and <u>Q & A</u>. We have created a simple table for <u>Purchasing Guidelines</u> (See Chart at bottom of this section)

Schools and departments are encouraged to use vendors currently under contract with the District for all procurements. If the District does not have a current contract for the category or service needed, the following procedures apply.

For purchases of personal property or services totaling less than \$50,000 in the aggregate for the fiscal year, schools and departments will be allowed to purchase using the Best Value criteria for the individual transaction, with the following guidelines:

#### Purchases - (Up to \$500)

Purchases up to \$500 may be made in the most expeditious manner possible in order to meet the needs of the schools and departments. Although encouraged to utilize PISD awarded vendors, new vendors may be entered as needed.

Principals and budget managers have the authorization to make spot purchases up to \$500. A spot purchase is a one-time purchase occasioned by a small requirement, an unusual circumstance, or to take advantage of a favorable market condition (ex: going out of business sale). The spot purchase may be done with the LPC Card or Check Request. A tax exemption form must be presented to the vendor at the time of the purchase. PISD does not reimburse for state sales tax.

Any employee reimbursement for supplies over \$200 must be approved in advance by the Business Office.

#### Purchases from \$500-\$10,000

Items or services over \$500 must be processed on a PISD Purchasing Requisition, with few exceptions (see below). Staff should utilize a PISD awarded vendor or a cooperative contracted vendor to ensure quick processing. Schools and departments must provide a written quotation for the requisition. If using a cooperative contract the vendor should reference their cooperative contract number and cooperative name on the quote.

#### **Exceptions:**

- Travel reimbursements
- Purchases made with Fund 865 Funds (Student Clubs)
- · Interlocal Examples include Communities in Schools, Region 4 ESC, etc. (Please check with Purchasing Director as these may require board approval)
- · Newspaper Subscriptions to the Houston Chronicle and other local newspapers
- · Newspaper legal notices
- Admission Fees associated with Student Field Trips

- · Membership Fees to professional associations
- · Registrations
- Professional Services; Note: Over \$50,000 requires Board approval.
- Postage purchased from the Post Office
- Items or services for which prior written approval (email) to place the order without a requisition has been obtained from the purchasing director.

PISD awarded vendors or cooperative contracted vendors may be processed as a blanket order for the year rather than the user having to do several requisitions each time a need arises. Please keep in mind purchasing is no longer increasing blanket purchase orders during the school year, unless the order is made out to an awarded vendor for the category being ordered. Once you use up your blanket order that was issued to an un-awarded vendor, you will have to issue a new requisition for another blanket purchase order if you still want to use that vendor. Blanket orders are closed at the end of the school year.

#### Purchases \$10,001 to \$49,999

If not using a PISD Awarded Vendor or Cooperative Contract, purchases \$10,001 to \$49,999 may require three written quotes. This does not guarantee the purchase will be able to be made if the District spends over \$50,000 in the aggregate for the entire fiscal year in that category. Category spend is maintained by the Purchasing Director. The requisition may not be processed until written documentation of the quotes is provided.

#### Purchases \$50,000 and over

For any purchases over \$50,000 not utilizing a PISD awarded vendor or a cooperative contracted vendor, the Purchasing Department should be contacted so that a formal competitive procedure can be followed in the procurement process. The Purchasing Department will assist the campus or department in following the statute requirements for competitive procurements and in preparing the contract recommendations for Board consideration. The Purchasing Department maintains lists of potential vendors for this purpose. The Purchasing Department can assist the campus or department by identifying any potential problems or pitfalls that might occur with the procurement.

When dealing with federal funds we must follow the more restrictive of the federal or state laws. EDGAR Procurement rules beginning July 1, 2018.

# Purchases \$100,000 and over (using PISD Awarded or Cooperative Vendors)

For any purchase over \$100,000 that involves PISD Awarded or Cooperative awarded vendors, the request must be accompanied by (3) written quotes from vendors.

# Purchases over \$250,000 (Involving Federal Funds)

You must do an independent estimate AND cost/price analysis (see handout for example) and then follow procedure for over \$50,000 as listed above.

# Self Certification of Micro-Purchase Threshold

Per § 200.320(1)(iv)(C) the Non-Federal entity may increase to the micro-purchase threshold up to \$50,000. Non-Federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The non-Federal entity may self-certify a threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with §200.334. The self-certification must include a justification, clear identification of the threshold, and supporting documentation. Section (C) allows public institutions, to increase to a higher threshold consistent with State law. In this case, PISD has increased their threshold to \$49,999.99 to be compliant.

# Pasadena Independent School District

#### Pasadena Independent School District

#### Self-Certification of Increased Micro-Purchase Threshold

WHEREAS, Pursuant to Board Policy CH (Local), the Board has authorized the Superintendent to develop purchasing procedures to implement the requirements of state and federal law. Further, the District's Board of Trustee has delegated authority to the Superintendent to make budgeted purchases of goods and services costing less than \$50,000.

WHEREAS, Pursuant to 2 CFR § 200.320(a)(1)(iv), a non-Federal entity may self-certify a Micro Purchase Threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with 2 CFR §200.334.



THEREFORE, Pasadena ISD self-certifies that effective February 24, 2021, and for fiscal year 2020-2021, its Micro Purchase Threshold, as defined by 2 CFR 200.320(a)(1)(ii), is hereby increased to \$49,999.99. Unless otherwise required by the District's internal purchasing regulations or controls, purchases up to the Micro Purchase Threshold may be purchased without soliciting competitive price or rate quotations if the District considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly.

This self-certification is based on the following justification, as recognized and authorized by 2 CFR §200.320(a)(1)(iv)(C):

Texas law generally permits public school districts to make non-competitive purchases for goods or services valued less than \$50,000 in the aggregate, as set forth in Texas Education Code §44.031(a).

In any instance where Texas or other federal law imposes a requirement to competitively procure any good or service costing less than \$50,000, or where Texas or other federal law imposes more stringent purchasing standards or procedures than set forth in 2 CFR Part 200, the District will continue to follow the more restrictive legal requirement.

ARPROVED BY

Printed Name: Dee Ann Powell, Ed. D.

Superintendent, Pasadena ISD

Date: 2/24/2021

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# PASADENA ISD PURCHASING LEVELS AND REQUIREMENTS

STATE and LOCAL FUNDS						
	Purchase Commitment Amount	Support Recommended	Additional Forms	RFP/BID	Board Approval	
1	Purchases with AWARDED VENDORS or COOPERATIVE	1QUOTE (unless over \$100,000 then 3 quotes are required)	OBTAIN WRITTEN QUOTE	ALREADY COMPLETED BY PURCHASING or COOP	ALREADY COMPLETED BY PURCHASING	
2	Purchases \$49,999 and below in the aggregate (by category) with NON- AWARDED VENDORS	1QUOTE at discretion of Purchasing Director	OBTAIN WRITTEN QUOTE	NOT REQUIRED, IF ANNUAL CATEGORY SPEND IS UNDER \$50,000	NOT REQUIRED	
3	Purchases over \$50,000.00 with NON- AWARDED VENDORS	FORMAL BIDS REQUIRED	PISD BID or COOP	REQUIRED	REQUIRED	
4	SOLE SOURCE PURCHASE (Approved by Purchasing prior to vendor completing Affidavit)	1QUOTE	SOLE SOURCE AFFIDAVIT	NOT REQUIRED	REQUIRED IF VENDOR ANNUAL SPEND IS OVER \$50,000	
FEDERAL FUNDS						
5	Purchases over \$49,999.00 with AWARDED VENDORS or COOPERATIVE	3 QUOTES	OBTAIN WRITTEN QUOTES	ALREADY COMPLETED BY PURCHASING or COOP	ALREADY COMPLETED BY PURCHASING	
6	Purchases \$49,999 and below in the aggregate (by category) with NON- AWARDED VENDORS	1QUOTE at discretion of Purchasing Director	MUST USE VARIOUS VENDORS "SPREAD AROUND"	NOT REQUIRED	NOT REQUIRED	
7	Purchases between \$50,000 - \$249,999 with NON-AWARDED VENDORS	FORMAL BIDS REQUIRED	PISD BID or COOP	REQUIRED	REQUIRED	
8	Purchases over \$250,000.00 involving FEDERAL FUNDS	PRICE AND COST ANALYSIS ALSO REQUIRED	PISD BID or COOP	REQUIRED	PURCHASING OR COOF WILL COMPLETE	
9	SOLE SOURCE PURCHASE involving FEDERAL FUNDS	1QUOTE	TEA APPROVED SOLE SOURCE	NOT REQUIRED	REQUIRED IF VENDOR ANNUAL SPEND IS OVER \$50,000	

#### Annual Aggregate

# State, Local, and Federal Funds

Pasadena ISD requires that schools and departments reference an awarded contract when creating a requisition. An <u>Awarded Vendor List (AVL)</u> containing all currently awarded vendors is available online to assist them. Pasadena ISD has over 100 awarded categories in effect that cover many routine needs for the District. Contracts include MRO Supplies, Instructional Materials, Technology Items, and Screen Printing Services.

In addition, end users have the option of using an awarded vendor from the <u>Master Cooperative List</u>. This list is maintained monthly by the Purchasing Department and contains over 40,000 additional awarded vendors from over 18 cooperatives which PISD is a member.

Each purchase order processed by the Purchasing Department is coded to a Category Code. A list of codes can be found in the <u>Google Sheet</u>. Nightly reports are reviewed by the Director to ensure that all purchases are in compliance with state and federal laws. Categories that are identified to exceed thresholds are denoted in red to help buyers know when certain purchases cannot proceed. Categories that are nearing thresholds are denoted in orange to warn buyers. Reports for federal and state and local funds are analyzed to make informed decisions.

All procurement requests are reviewed by both the Purchasing Director and the Buyer. The Buyer looks for compliance with existing pricing and contract terms and conditions. The requisitions are reviewed by the Director of Purchasing for compliance with procurement statutes and District policies. Because of this review process, trends are identified and appropriate action may be taken.

# **Purchasing Pitfalls**

Some of the most common pitfalls that are experienced involve the following:

<u>Rush Orders or Check Requests</u> – Allowing enough time to process requisitions is paramount to having success. It must be noted that acquiring goods or services without a properly issued purchase order is a violation of board policy (CH LOCAL).

<u>Component, Separate or Sequential Purchases</u> – This is basically dividing purchases up into multiple requisitions in order to avoid normal purchasing practices. This is a violation of board policy and state law (CH LEGAL and Texas Education Code Chapter 44).

#### Purchases over \$50,000

Under Texas Education Code 44.031, all school district contracts, 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;
- The reverse auction procedure as defined by Section 2155.062 (d), Government Code;
- 7. The formation of a political subdivision corporation under Section 304.001, Local Government Code.

Exceptions to Competitive Bidding - Texas Education Code 44.031 (a) and (b)

# Professional and Consulting Services

Under Texas Education Code 44.031 (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. NOTE: federally funded professional service contracts must be let on a competitive basis.

Competitive bids shall not be solicited for professional services of any licensed or registered:

- certified public accountant,
- architect,
- landscape architect,
- land surveyor,
- physician, including a surgeon,
- optometrist,
- professional engineer,
- state-certified or state-licensed real estate appraiser, or
- registered nurse.

Contracts for these professional services shall be made on the basis of demonstrated competence and qualifications to perform the services and for a fair and reasonable price. Government Code 2254.002, 2254.003(a).

In connection with certain professional service contracts, specifically architectural or engineering, Chapter 2254, Government Code, requires a two-step negotiation process. The two-step process only allows negotiation of price after an initial selection based upon demonstrated competence and qualifications of the person/firm.

#### **Emergency Procurements**

Under Texas Education Code 44.031 text of subsec. (h) as amended by Acts 1999, 76<sup>th</sup> Leg., ch. 1225, "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."

The Board of Trustees has delegated to the Board President and/or Superintendent the authority to take necessary action in the event of a catastrophe, emergency, or natural disaster affecting the District and the authority to contract for the replacement or repair of school facilities and/or equipment under Education Code Chapter 44, Subchapter B. [see CH (LOCAL)].

#### Sole Source Purchases

There are very few sole source vendors with the increased shopping options on the internet and more competition than previously available. Please contact the Purchasing Director to ensure your purchase is indeed a sole source.

If the Purchasing Director approves your purchase via sole source:

Provide the <u>PISD Sole Source form</u> to the vendor so that the vendor can complete the form.

Make sure that the authorized company official signs the form.

Make sure the signature of the company official is notarized.

Submit the form to the PISD Purchasing Department prior to processing the Purchasing Requisition or the Check Request. If the Purchasing Department approves the Sole Source Affidavit, the sole source affidavit will be stored in the purchasing department. If there are any problems with the affidavit, the Purchasing Department will contact you.

Sole source purchases over \$50,000 will also require Board approval.

If you are processing a Purchasing Requisition, the Purchasing Department will match up the Sole Source Affidavit to the Purchasing Requisition and process the order.

If you are processing a Check Request, make sure to type in SOLE SOURCE on the requisition in the field that says Bid Number, attach a copy of the email approval from purchasing authorizing for you to pay for the SOLE SOURCE with Check Request, a copy of the approved Sole Source Affidavit, and submit for approval as required.

Selected purchases may be exempt from competitive procurement if they meet established criteria for a sole source purchase:

- · Identification and confirmation that competition in providing the item or product to be purchased is precluded by the existence of a patent, copyright, secret process, or monopoly.
- · A film book or manuscript.
- · A utility service; including electricity, water, gas, etc. where competition is not available.
- · A captive replacement part or component for a larger piece of equipment.

Please call the Purchasing Department with any questions.

#### Non-competitive Designation for Purchases of Certain School District Services

By state law and local policy, a Texas school district is required to attempt to obtain competition for purchases that meet specific thresholds, and it is always in the best interest of the school district to compete all purchases no matter the dollar amount. Sometimes specific purchases may not allow for competition due to the nature of the service, based on how it is made available or who will be providing the service, and no true competition exists. These qualifying purchases may be approved by the Purchasing Department and be designed as a non-competitive procurement. However, if the Purchasing Department determines that competition can be found, the procurement must follow the standard purchasing guidelines for competitive purchases.

NOTE: This designation does not conflict with the requirements set forth in Section 44.031(j) of the Texas Education Code for items qualify to be purchased from a single source (also known as "sole source").

Purchase of certain services made under this process should be defined as:

- When an expertise or service is available only through a governmental entity, whether local, state, or federal, to comply with legal requirements.
- When an employee of the school district pays to obtain a membership into an exclusive professional organization, registration fees related to school business, fees associated with UIL or other school related competitions.
- When an employee of the school district attends a conference, assembly, seminar, workshop, or training session related to school business or job skills in a specific discipline or area of expertise, and must pay a fee in order to attend.
- Subscription fees to particular publications needed in the performance of duties or educational requirements.
- Field Trips to specific locales or events.
- A particular facility location makes it prohibitive to go to another less conducive location based on proximity to the school or facility.
- Based on availability or schedule, a particular rental property or facility is chosen while other locations are unavailable or are not conducive to the needs of the school district.

#### **Advertisement**

Under Texas Education Code 44.033 (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. Additionally, PISD utilizes the World Wide Web to advertise bid/proposal opportunities and increase its competitive environment.

# Competitive Bidding

# Definition

Competitive bidding is a formal process consisting of procedures that may also be referred to as competitive sealed bidding, or more simply as sealed bidding or formal bidding. Competitive bidding is the preferred method of procurement.

The competitive bidding process requires that bids evaluation and awards be made solely upon bid specifications, terms and conditions contained in the request for bids document, and according to the bid prices offered by vendors and pertinent factors that may affect contract performance; no substantive changes are permitted to the bid terms, conditions and specifications.

The request for bids contains the purchase description or specifications covering the item(s), work and/or services needed, the terms and conditions for the proposed bid contract, the time and place for opening bids and other provisions, as necessary. The advertisement for bids; and description in the request for bids of item(s), work and/or services needed, and specific terms and conditions must be done in a manner that accomplishes the primary purposes of competitive bidding - stimulate competition and obtain the lowest practical price for the work, service and/or item(s) needed.

#### Purpose and Intent for Competitive Bidding

The purpose and intent of competitive bidding is to help public schools secure the best work and materials at the lowest practical prices by stimulating competition. If a district advertises purchasing needs relating to large expenditures, purchasing in large quantities will probably result in lower costs either per unit item or in the aggregate.

To eliminate unfair advantage, vendors that develop or draft specifications, requirements, statements of work, and invitations for bids are excluded from competing in such procurement.

#### **Bid Document Elements**

The following items are necessary in the preparation of a bid document and in requesting bids. Note: It is important to note that each element must be appropriately structured to suit the items or services bid.

- Newspaper Advertisement
- Notice to Bidders
- Standard Terms and Conditions
- Special Terms and Conditions
- Evaluative Criteria and Relative Weights (mandatory for construction services)
- Specifications
  - Scope and Intent
  - Definitions and Applicable Documents
  - o Requirements
  - Quality Assurance
- Price Form/Response Sheet
- Criminal Background Check and Felony Conviction Notice
- Non-Resident Bidder's Certification
- Non-Collusion Statement
- Conflict of Interest Questionnaire
- Compliance with HB 1295
- Compliance with HB 89 and SB 252
- Note: additional forms to comply with 2 CFR 200 are required when using federal funds.

#### Vendor Award Criteria

Under Texas Education Code 44.031 (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; and
- 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

# Note: This criteria is not applied when using federal funds.

- 9. Any other relevant factor specifically listed in the request for bids or proposals. Factors that the district may consider under this criterion would include:
  - a. Vendor response time
  - b. Compatibility of goods/products purchased with those already in use by the district.

Note: Price is always the highest percentage in evaluations. Experience is based on a survey of references submitted by proposers. Quality, Needs, Relationship, and Long Term Cost are evaluated by using department/campus. Purchasing will evaluate price, HUB, and geographic location.

# Competitive Sealed Proposals and Request for Proposals

# Definition

Competitive proposal procedures provide for full competition among proposals. The procedures allow for negotiation with the proposer or proposers to obtain the best services at the best price. During the evaluation process prior to award of a contract, the negotiation process allows modification and alteration of both the content of the proposals and price.

Professional and nonprofessional service contracts involving federal funds are required to be let on a competitive basis, under 2 CFR 200. Competitive procurement procedures, Section 44.031(a) (2) -(8), TEC, are for certain procurement situations as an alternative to competitive bidding procedures. Competitive proposal procedures are recommended, where other procurement procedures are not required according to state or federal rules, laws or regulations, to stimulate competitive prices for services.

To eliminate unfair advantage, vendors that develop or draft specifications, requirements, statements of work, and requests for proposals are excluded from competing in such procurement.

# Highlights of this procurement method

- Competitive Sealed Proposal must be used for award of a construction contract
- Competitive Procurement Limit Summary is identical to competitive bidding
- Newspaper Advertisement is identical to competitive bidding
- Notice to Proposers is identical to competitive bidding
- Impartiality and equal access and opportunity is identical to competitive bidding

Below is an example of a Request for Competitive Sealed Proposal (RFCSP) process. It may also be used for a Request for Proposal (RFP), with appropriate modifications made to accommodate the less structured requirements of that method.

# **Competitive Sealed Proposals**

The use of a Competitive Sealed Proposal (CSP) shall be determined by a responsible purchasing authority who determines that the use of competitive sealed bidding is either not practicable or not advantageous to the district (for construction services use of this method must be determined by the board of trustees before the advertisement for proposals).

Terms and conditions are identical as those for competitive bidding except any reference to bids or proposers should be changed or interpreted as offers or offerors. Additionally, anything addressing the finality of the offer needs to be disregarded because proposals are negotiable.

To eliminate unfair advantage, vendors that develop or draft specifications, requirements, statements of work, and requests for competitive sealed proposals are excluded from competing in such procurement.

# Components of the Request for Competitive Sealed Proposals

Notice	Identical to Competitive Bidding.	
Statement of Work	This includes a description of the item or service	
	to be purchased.	
Proposal Clauses	Can be identical to the competitive bids, but may	
	be subject to negotiations.	

#### Competitive Sealed Proposal Document Elements

This section includes a brief explanation of each element contained in a proposal document. The following items are necessary in the preparation of a request for proposal.

Note: It is important to note that each element must be appropriately structured to suit the proposed items or services and to identify acceptable ways to customize request for proposal documents.

- Newspaper Advertisement
- Notice to Proposers
- Standard Terms and Conditions
- Special Terms and Conditions
- Scope of Work general in nature
  - Scope and Intent
  - o Definitions and Applicable Documents
  - o Requirements tend to be more open ended than competitive bid
  - Quality Assurance
- Price Form/Response Sheet
- Criminal Background Check and Felony Conviction Notice
- Non-Resident Bidder's Certification

- Non-Collusion Statement
- Conflict of Interest Questionnaire
- Compliance with HB 1295
- Compliance with HB 89 and SB 252
- Note: additional forms to comply with 2 CFR 200 are required when using federal funds.

# Negotiation

Negotiation is the most difficult part of the Request for Competitive Sealed Proposal process, and the most difficult to control. From the beginning of the process through contract award, it must be made clear to vendors and using departments/campuses that designated person(s) may do the negotiation for the district.

Negotiation is subject to the same guidelines as any purchasing action: impartiality and equal opportunity to compete.

As in any purchasing action, record keeping is vital, and accurate records of conversations must be kept in order to prove fairness throughout the negotiating process.

Special requirements apply in connection with negotiating a contract for construction services. In connection with any contract for construction services for which request for bids, proposals, or qualifications are published, it is important to note that offerors must be notified in writing when negotiations are terminated in order to initiate negotiations with the next best ranked offeror.

# Evaluative Criteria and Relative Weights for Proposals and Competitive Sealed Proposals (mandatory for construction services)

The evaluative criteria and relative weights the governmental entity may consider are as follows:

- 1. Price (x%);
- 2. Experience and reputation of proposer (x%);
- 3. Quality of the proposer's goods or services (x%);
- 4. Safety record of proposer (x%);
- 5. Proposed personnel (x%);
- 6. Proposer's financial capability (x%); and
- 7. Other relevant factor specifically listed in the request for proposals (x%).

# **Requisition Processing**

The purchasing department will process requisitions within 24-48 hours from the time it shows up in the purchasing inbox, with the exception of peak periods.

Purchasing will monitor cumulative purchases for the year by category code to see when formal bids will have to be advertised and approved by the Board of Trustees. These aggregates are tracked for the entire District per category.

#### **Food for Meetings**

Outside Food Caterer or Food Trays – Review the Awarded Vendor List (AVL) for caterers and eateries to provide you with food for your meeting.

Your requisition should contain the following information:

- 1. Who is the food for? (District employees, non-employees, mixed group, etc.)
- 2. The location for the food to be set-up.
- 3. Number of people expected in attendance.

#### **Contracted Services**

Professions not listed above as Professional Services should be considered Contracted Services and are subject to state and federal bidding laws.

In order to secure consulting services in unlicensed areas such as professional development, musical instrument instruction, choreography instruction or other services which are not considered professional services as defined by state law (contact Purchasing with any questions), you must complete the following steps prior to receiving any services.

- Identify prospective vendors form the Awarded Vendor List (AVL). If you cannot identify
  prospective vendors due to the type of service which is required, contact the Purchasing
  Department for assistance.
- 2. Complete a Consultant Contract.
- 3. If the vendor doesn't exist in Frontline, they may need to complete an Internal Revenue Service Form W-9.
- 4. Enter a requisition in Frontline with the Consultant Contract attached.

#### **Contract Management**

Contract management involves all aspects of contracts from the review and approval process, the receiving of goods or services, vendor evaluation, vendor payment and contract close out. This section is focused on what makes up a contract along with the approval process for all contracts obligating the District.

#### **Contracting Basics**

A contract is an agreement between two parties for goods or services for consideration. Simply stated, a contract is a legal arrangement for one person to provide a good or service in exchange for money.

A contract can be as simple as a purchase order or may be a complicated multi- page document that requires extensive legal review.

Normally, contractual obligations are met with no problems. However, things go wrong once in a while. These are the times that certain clauses or terms become very important. If you are asked to review a contract, here are a couple of basic things to look for:

- 1. Legal Venue The legal venue should always be in Harris County, Texas in order to place the District in the most advantageous position.
- 2. Governing Law Texas should always be cited as the governing law for any contract that the District enters into.
- 3. Dispute Resolution Any dispute resolutions provisions should avoid requirements for arbitration. Requirements for mediation before litigation are generally more advantageous for the District.
- 4. Termination Any long term contract should include a provision for cancellation based on a certain number of days of written notice. This will allow the District to be flexible in curriculum programming as well as other changing situations.
- 5. Fund Out Clause It is recommended that contracts contain a clause that allows the District the opportunity to cancel the contract with no penalty in the event that budgetary allocations are not appropriated by the Pasadena ISD Board of Trustees or otherwise not made available to the District.

# **Contract Approval**

- The Director of Purchasing and/or General Counsel must review all contracts, lease and maintenance agreements before signing according to the flow chart below.
- Principals and Administrators are not authorized to sign on behalf of the District without the delegation of authority by Associate Superintendent of Finance or Director of Purchasing, and having the document reviewed by the Purchasing Office or General Counsel prior to it being signed. Contract Approval Flow Chart NEW! (See Chart Below)

# Contract Approvals See Board Policy CH(LOCAL)

	ases, Sole Source, and License Agreements below \$50,000				
Dept. Head/Supervisor/Principal	2. Director of Purchasing				
Process #2 for Contracted Services, Sole Source, and Licen	÷				
<ol> <li>Assoc. Supt. / Dept. Head / Principal</li> </ol>	4. Superintendent				
General Counsel	5. Board				
3. Director of Purchasing					
Process #3 for Professional Services below \$50,000					
<ol> <li>Dept. Head/Supervisor/Principal</li> </ol>	3. General Counsel				
Associate Superintendent					
Process #4 for <u>Professional Services</u> above \$50,000 AND <u>Interlocal Agreements</u> (Government to Government Services)					
<ol> <li>Assoc. Supt. / Dept. Head / Principal</li> </ol>	3. Superintendent				
General Counsel	4. Board				
Process #5 for the Sale, Exchange, or Lease of Real Estate, Property, Easements, and ROWs					
Assoc. Supt. Facilities & Construction	3. Superintendent				
2. General Counsel	4. Board				
Process #6 for Emergency Purchases due to Fire, Water, S	moke or Natural Disaster				
Superintendent	2. Board				
	z. board				
Process #7 for Employment Settlement Agreement					
1. HR	3. Superintendent				
2. General Counsel	4. Board				
Process #8 for Special Education Settlement Agreements					
Special Education	3. Superintendent				
General Counsel	4. Board				
Process #9 for Drink Vending Machines (Only Districtwide					
Assoc. Supt. For Finance	3. Superintendent				
General Counsel	4. Board				
Process #10 for Snack Vending Machines (Only Campus/D	epartment Permitted)				
1. Assoc. Supt. / Dept. Head / Principal	2. General Counsel				
Process #11 for Facility Use Agreements for Campus Facili	ties				
1. Principal	2. Coordinator of Safety				
Process #12 for Facility Use Agreements for Districtwide A	*				
Athletic Director	2. General Counsel				
Process #13 for Student Field Trips Out of the Country or					
Principal     Principal	4. Superintendent				
2. ASCD	5. Board				
3. General Counsel	J. Board				
Process #14 for Student Field Trips in State					
Principal	3. General Counsel				
2. ASCD	5. General counsel				
Process #15 for Class Pictures, Senior Rings, Caps/Gowns, Yearbooks (NOT using 865 funds)					
Principal	Director of Purchasing				
	z. onector or raintaining				
Process #16 for Any Contracts using 865 funds 1. Principal	2. General Counsel				
1. Frincipal	z. General Counsel				

<sup>\*\*</sup>Cooperative Purchases are contract(s) from a vendor using an Interlocal agreement that has been previously approved by the Board.

#### Contract Approval Process (Non-Professional Services)

- 1. Complete the <u>Consultant Services Contract Template</u> by filling in the boxes in red underline or selecting from the provided drop down box.
- 2. Complete the <u>Independent Contractor vs. Employee Determination Form</u> electronically and print the completed copy to submit with contract for review.
- 3. If the vendor is not setup in Frontline, <u>click here</u> to download a W9 for the vendor to complete and return.
- 4. Complete the Contract Approval Form
- 5. Follow the Contract Flowchart for the proper approvals needed.
- 6. Send the completed Consultant Services template, independent contract excel file, W9 and Contract Approval Form to each of the required approvers listed in the flowchart. You should send to the first approver listed from the bottom and after they have reviewed and signed off then forward to the next up the list until fully reviewed.

Only the Director of Purchasing, Associate Superintendent of Finance, or designee are authorized to sign contracts on behalf of the District.

When using a PISD contract template the other party always signs first.

# **Contract Approval Process (Professional Services)**

- 1. This process should only be used for the following professions:
  - Licensed Real Estate Appraising
  - Nursing
  - Medicine
  - Optometry
  - Certified Public Accounting
  - Landscape Architecture
  - Architect
  - Engineer
  - Land Surveyor
  - Fiscal Agent
  - Financial Consultant
  - Attorney
  - Technology Consultant
- 2. Complete the <u>Professional Services Contract</u> Template by filling in the boxes in red underline or selecting from the provided drop down box.
- 3. Include Scope of Work on page denoted Exhibit A
- 4. Complete the <u>Independent Contractor vs. Employee Determination Form</u> electronically and print the completed copy to submit with contract for review.
- 5. If the vendor is not setup in Frontline, <u>click here</u> to download a W9 for the vendor to complete and return.
- 6. If you vendor does not have their own invoice they can submit our <u>invoice template</u> for payment.
- 7. Complete the Contract Approval Form
- 8. Follow the <u>Contract Flowchart</u> for the proper approvals needed.
- 9. Send the completed Professional Services template, independent contract excel file, W9 and Contract Approval Form to each of the required approvers listed in the flowchart. You should send to the first approver listed from the bottom and after they have reviewed and signed off then forward to the next up the list until fully reviewed.

This applies to engineering, architectural or other professional services. The requirements for approval differ greatly from other types of contracts. The following describes the various requirements based on the value of the contract.

No services may be received until a properly authorized purchase order is issued.

#### **Purchase Requisition Info**

The step by step instructions for processing purchase requisitions are located within the District's Website and may be accessed through this link. <u>Create Traditional Requisition</u>

The step by step instructions for approving purchase requisitions are located within the District's Website and may be accessed through this link. Approving Requisitions

**Creating a Warehouse Requisition** 

#### Blanket or Open Purchase Orders

Blanket or Open purchase orders can be a useful tool when procuring products or services throughout the school year. A Blanket Purchase Order is generally issued to vendors when you do not know exactly what you will be purchasing or how much, but you know the vendor you will be using. The most common vendors involved are retail oriented. For example, if you need to purchase refreshments for a parent meeting, it would be an inefficient use of time to visit the store, determine the exact costs, return to your office to submit a requisition and then purchase the items upon receipt of a detailed purchase order. Kroger, Sam's Club, Home Depot, and Lowe's are examples. When entering a blanket PO the end user must supply the list of authorized buyers in the special instructions section of the requisition. This will provide the vendor with those names of staff that can place an order against the blanket.

#### **Receiving Orders**

#### **RECEIVING REPORTS**

End Users are responsible for prompt receiving of materials delivered directly to their location. Receiving report should be complete within two (2) business days. The following are some of the problems related to late or improper receiving reports:

- · Non-payment of invoices
- · Loss of vendor credit
- · Loss of vendor support
- · Non-delivery or delayed delivery of other end user's orders
- · Higher costs on future purchases
- · Remember to receive on all "Shipping and Handling Charges" also

.

Common Problems Associated with Receiving Material

#### A. DUPLICATE SHIPMENTS

If a duplicate shipment of merchandise is received, the school or department has two options: If funds are available, they may keep the merchandise if approved by the purchasing department and pay for it or return it to the vendor. Items returned to the vendor may result in restocking fees. Please refer restocking fees to Purchasing for disposition.

If funds are available and the school department decides to keep the merchandise, it must be paid by issuing a Check Request when the invoice arrives and the user department must attach the email approval received from purchasing where they were authorized to keep the items.

If a duplicate shipment of merchandise is received, the school/department may refuse the later shipment at the time of delivery. If it is not refused and the school/department decides to return it to the vendor, the following procedures should be followed:

#### 1. If the vendor is within the city

- Contact the vendor and request pick up
- Request a credit memo be issued

# 2. If the vendor is out of town:

- Request an RMA number from the vendor
- Request the vendor make shipping arrangements to pick-up the material from the school or office
- Contact the Purchasing Office
- Returns must be made within 30-days of receipt

# B. DAMAGED MERCHANDISE / ITEMS RECEIVED IN ERROR

If supplies/materials are damaged or received in error at the time they are delivered, the School / department should refuse to accept the shipment. However, if damaged or erroneous materials are accepted, annotation should be made on the delivery ticket, packing slip, and receiving report. Then the procedures for returning duplicate shipments should be followed. Please make sure to notify both purchasing and accounts payable about damaged or items received in error in order that payment is not sent to the vendor for these items.

If supplies/materials are returned because of a school / department error and through no fault of the vendor, there may be a restocking charge and/or return freight charge. These additional charges will be charged against the school or department budgets.

For assistance with damaged or erred merchandise, please call the appropriate Buyer in the Purchasing Department.

#### C. OUTSIDE VENDOR'S REPAIRS

For equipment that does not have a maintenance contract, departments or schools must submit to the Purchasing Department a requisition for repairs. Be specific by including on the requisition the make, type, model and serial number of the equipment with a brief description of the problem. Only one vendor can be used per requisition. Therefore, if you have three IBM typewriters and one vendor does all repairs, there would be only one requisition needed. Multiple pieces of equipment must have separate requisitions if different vendors are involved. Have the vendor provide you with an estimate of what it may cost so you can include that information on the requisition. If the school or department has not recommended a vendor, the Purchasing Department will assign one in accordance with state and local regulations.

Once the vendor determines what exactly needs to be repaired and what the actual cost is, if the amount is higher than what was estimated on the requisition, send an email to purchasing (make sure to include the budget manager in the email) requesting that we revise the purchase order to indicate the actual cost. Keep service tickets for a history file on your equipment.

Upon receipt of the returned item, the using department should complete the receiving report.

Repair requisitions should not be sent to Purchasing for equipment that has a maintenance contract. Simply call the vendor, verify that your maintenance contract is active, and request service.

If you feel that your work has not been handled properly, please contact Purchasing in writing so records can be maintained about the performance of the vendors. Purchasing will work with you to rectify any problems you may be experiencing.

#### Frequently Asked Questions

#### OFFICE DEPOT ORDERS

Call Purchasing at 713-740-0198 for answers to all questions and concerns about this vendor or related orders.

# **BOOK ORDERS**

Book orders from publishers require "ISBN" code numbers. Include them in the Special Instructions section of the requisition. Also include the number of books when ordering sets. This helps the receiving person know how many books to expect.

#### **DISCOUNTS**

On discounted items - indicate if price listed is with or without discount. State discount percentage or actual if known. Do not include the discount in computing your total price.

#### FURNITURE DELIVERY

Furniture purchased off a PISD bids, includes freight charges, inside delivery, and set-up. "Inside delivery" means that the delivering company will unload and set the furniture inside the building.

IF THE FREIGHT CARRIER REQUESTS THAT A DISTRICT EMPLOYEE HELP UNLOAD A TRUCK. THE CAMPUS SHOULD CONTACT PURCHASING IMMEDIATELY. THIS IS UNACCEPTABLE AND IS AGAINST THE TERMS AND CONDITIONS OF THEIR PURCHASING CONTRACT.

Please do not be alarmed about "refusing" delivery, when necessary. This method is well known to vendors.

When furniture is delivered, do not throw away the boxes or padding until the following has been verified:

- · Look for any hidden damage
- · Is the item exactly what you ordered?

# **CATALOGS**

Avoid using outdated catalogs. Model numbers, catalog numbers, prices, and items change frequently.

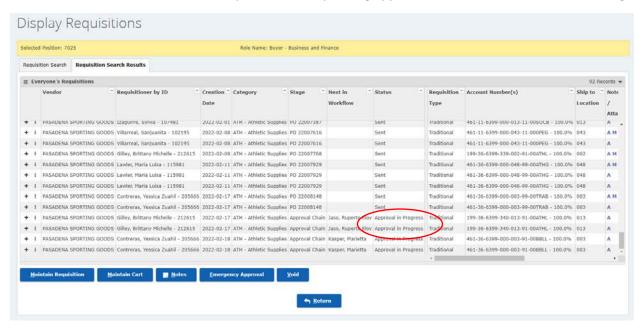
#### QUOTES

#### (Written or Verbal)

When availability and pricing have been checked with more than one vendor, send quotes to the Purchasing Department and reference the requisition number on the paperwork.

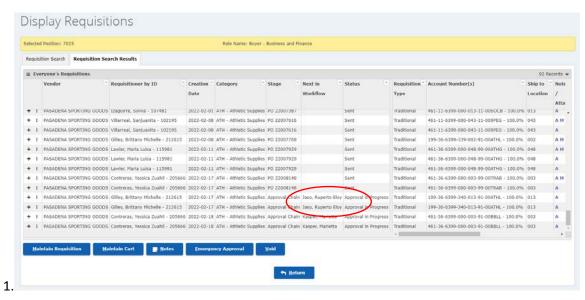
Once I've entered a requisition in Frontline, how can I check the status?

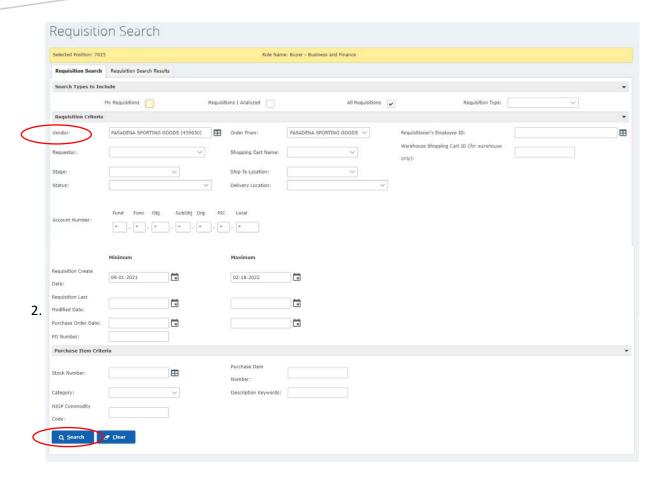
Frontline screen **Search My Requisition** will show you the current status of your requisition. If you see **Next in Workflow** Status, then the requisition is still pending approvals and has not reached Purchasing.



# How can I tell who needs to approve a requisition?

The Requisition Approval Status Report (located on the My Requisition Search) will show where the requisition is in the approval process.





# 3. My requisition is all approved, how soon can I get my purchase order?

The Purchasing Department allows 48 hours to process a purchase order, once it has been fully approved and reaches Purchasing. This time allowance may be longer during peak requisition periods, such as the beginning and ending of the budget year, and federal fund deadlines. Including all attachments, comments, and required information on your requisition will ensure it is processed quickly.

I need to change the budget code on my requisition but it's partly approved and I can't make the change. What do I do?

- 1. If the requisition is still in the Needs Approval Status, you should run the Requisition Approval Status Report, and contact the next Approver on the list and ask them to unrelease the requisition.
- 2. If you cannot reach the person who still needs to approve the requisition, contact the Director of Purchasing about Unreleasing the requisition.

#### I've entered a requisition and now it is not needed. Can I delete it?

- 1. You can delete the requisition yourself, if you have not released it.
- 2. If you have released the requisition and your budget holder has not approved it yet, you should ask your budget holder to reject the requisition.

3. If the requisition has reached the processed status, you should contact the Purchasing Department and ask that the requisition be rejected.

# I have a purchase order that I need to cancel. Can I delete it from the system?

Once a purchase order has been issued to the vendor you cannot simply cancel the purchase order. You must contact the vendor and notify them that you wish to cancel the order. You should make notes on your paperwork of who you spoke with and the date you spoke with them about cancelling the purchase order. Once you and the vendor agree that the order will be cancelled, you can "cancel remaining" by emailing the buyer. If the vendor requires a cancelled purchase order, you should contact the Purchasing Department about getting this paperwork to the vendor.

#### How can I go back into my requisition to add a line?

- 1. If the requisition is still in the needs approval status, you will need requisition to be unreleased by the next approver listed on the Requisition Approval Status.
- 2. If the requisition has reached the processed status, you need to contact the Purchasing Department about making any changes to the requisition.

I need a vendor to send me a W-9 so they can be built in the system. Where is this form located?

You can download the IRS Form W-9 on the IRS website.

# I have a lot of items to enter; can I just do an attachment?

If the amount of lines you are entering is 10 or more, add a line that says "see attachment" and attach a printed copy of what you are ordering. If the amount of lines you are entering will be under 10, you must enter each line item.

# **Technology Purchases**

- When creating a technology requisition for items that connect to the PISD network (software, computers, laptops, tablets, projectors, and networking equipment) remember to select Technology Technical Services 750TS in the Ship-To
- ❖ Also, all technology hardware items over \$500 (meaning each item is equal or over \$500) you must remember to select Technology Technical Services − 750TS in the Ship-To Location to be barcoded.
- All computers, e.g., desktops, laptops, netbooks, tablets (iPad, Samsung, Lenovo, Kindle, Venue, etc.), or anything with a processor, regardless of format or price must also have Technology Technical Services 750TS in the Ship-To Location. When in doubt, contact Technical Services for clarification.

#### Federal Funds and EDGAR

#### Guidelines Related to Specific Costs

Funds must be expended for reasonable and necessary costs in conducting grant activities. Reasonable means a cost is consistent with prudent business practice and comparable to current market value. Necessary means the cost is essential for you to accomplish the objectives of the project. Your organization must comply with the applicable Federal cost principles in expending grant funds. See the last section of this appendix for a list of the Federal cost principles. This document addresses certain specific costs only and is not intended to be all-inclusive.

#### Advertisements

Advertisements are allowed for recruiting grant personnel only as long as the advertisement is not in color and not excessively large. Advertisements are allowed for communication with the public and press when the costs are considered necessary as part of the outreach effort for the grant.

#### Alcoholic Beverages

Alcoholic beverages are not allowable under any circumstances.

#### Audit Fees

Audit fees are allowable in accordance with the following: n Audit fees and expenses may not be charged to State-funded grants. Audit fees and expenses are allowable only when the audit is required by and performed in accordance with OMB Circular A-133, Audits. Audit fees and expenses may not be charged as a direct cost when such audit-services costs are part of your organization's indirect cost pool.

#### Awards for Recognition and Incentives for Participation

Minimal-cost certificates, plaques, ribbons, small trophies, or instructionally-related items to be used in the classroom (such as pens and pencils) are acceptable incentives for participation in program activities or awards for recognition. The following items may be donated by others but may not be purchased with grant funds:

- gifts or items that appear to be gifts
- souvenirs, memorabilia, or promotional items, such as T-shirts, caps, tote bags, imprinted pens, and key chains
- "door prizes," movie tickets, gift certificates, passes to amusement parks, and so on
- food of any kind (snacks, beverages, refreshments, meals, and so on)

#### Calendars and Calendaring Systems

Calendaring systems to manage personal calendars—whether paper calendars, personal digital assistants (PDAs), or electronic or software calendars—are not allowable costs.

#### Cellular Telephones for Personal Use

A cellular telephone for personal use is not an allowable cost.

# Ceremonies, Banquets, or Celebrations

Costs associated with ceremonies, banquets, or celebrations are not allowable.

#### Conflict of Interest

Any purchase or expenditure that would pose a conflict of interest, real or perceived, is not allowable.

#### Construction, Remodeling, or Renovation

These costs are not allowed unless specifically authorized in the authorizing program statute and unless specifically approved by TEA in the applicable grant application.

#### Consultants

You shall not use or pay any consultant in the conduct of this application if the services to be rendered by such consultant could have been rendered by your employees. You must select consultants based on demonstrated competence, qualifications, and experience and on the reasonableness of the proposed fee.

#### Employee Service Awards

Employee service awards cannot be paid from grant funds.

#### Employer Contributions to Voluntary Retirement Plan

Employer contributions to an employee's voluntary retirement plan, such as a 401k or 403b, are not allowable.

#### Entertainment, Recreation, Social Events

Costs associated with any type of entertainment, recreation, or social event are not allowable.

# Field Trips

If specified in the grant program, educational field trips are allowable under certain circumstances if allowed in the grant program. Educational field trips are approved, planned instructional activities that involve students in learning experiences that are difficult to duplicate in a classroom situation. These field trips should provide hands-on activities that encourage students to experiment and ask questions. The field trip must support Texas Essential Knowledge and Skills (TEKS), must be reasonable in cost, and must be necessary to accomplish the objectives of the grant program. The field trip must also appear as a part of the teacher's lesson plans, which should include activities that prepare students for the trip and follow-up activities that allow students to summarize, apply, and evaluate what they learned from the trip. Costs for the field trip must be reasonable. Any entrance fees and transportation costs must be reasonable in

comparison to the intended objectives of the trip. For audit purposes, your organization must maintain documentation of the field trip and must provide clear evidence of how the expense ties back to an instructional objective. Documentation should include the following:

- destination of each field trip
- costs associated with each field trip
- objectives to be accomplished from conducting the field trip
- teacher's lesson plan and follow-up activities

If the supplement-not-supplant requirement applies to the grant program in question, documentation must demonstrate the supplementary nature of the field trip as well.

Examples of appropriate educational field trips include the following:

- curricular academic activities focused on math, science, and technology, such as service learning, internships, UIL competitions (robotics, math), or science and technology fairs
- laboratory and field investigation instruction, used to improve students' understanding of science TEKS objectives
- trips to a river, archaeological site, or nature preserve that might include contracting with local science centers, museums, zoos, and horticultural centers for visits and programs
- trips to the local library to increase access to high-interest reading materials
- visits to colleges and universities to encourage interest in the pursuit of higher education

# Unallowable Costs Related to Field Trips

The following costs are not allowable:

- field trips for social, entertainment, or recreational purposes
- field trips that supplant and do not supplement local or state expenditures or activities
- field trips that are not part of a teacher's lesson plan or that do not meet the instructional objectives of the grant program
- field trips that are not reasonable in cost or are not necessary to accomplish the objectives of the grant program
- field trips that are not properly documented (as described above)

#### Food and Beverage Costs

Expenditures on food must be reasonable in cost, necessary to accomplish program objectives, and an integral part of the instructional program. If TEA determines that you expended grant funds on food costs that are not reasonable or necessary to meet the intent and objectives of the grant, TEA reserves the right to restrict you from expending any funds on food costs or to disallow expenditures on food costs.

#### Food Costs for Participant Meetings/Training

Unless otherwise specified by TEA, a limited amount of funds may be expended on meals for participant meetings or training events. The use of grant funds for this purpose is specifically limited to light working lunches for participants when the working lunch is noted on an agenda, is clearly described, and is

mandatory. The purpose of a working lunch should be to shorten the overall meeting or training time and to facilitate accomplishing the objectives of the meeting or training and the overall program.

Specifically, grant funds may be expended for the following costs provided that the grantee maintains adequate and sufficient documentation that the costs were necessary and reasonable to further the intent and objectives of the grant.

- Light Lunch during an All-Day Meeting or Training Session: Light lunch for participants who are
  cloistered in an all-day (at least six-hour) meeting or training session. You must document that it
  was impractical for participants to obtain lunch on their own (for example, because of an
  isolated location or distance to eateries) and that their attendance at the meeting or training
  session was essential to accomplishing the objectives of the grant. You must maintain an agenda
  that clearly identifies the topics discussed during the meeting or training session and the time
  allocated to each topic, including the lunch period. Only a nominal amount of grant funds may
  be used per participant.
- Working Lunch during an All-Day Meeting or Training Session: Light meals during a "working lunch." A working lunch is defined as an activity in which staff or participants are engaged in exercises or activities during the normal meal time. You must maintain an agenda that shows that no other opportunity for a meal was provided and that clearly identifies the exercise or activity the participants were engaged in. You should also retain a representative sample of the work product, if any, that was generated as a result of the working session. Only a nominal amount of grant funds may be used per staff or participant. No other food costs, including beverages and other refreshments, breaks, or snacks, are permitted.

#### Allowable Food Costs for Parents and/or Students

The following food costs are allowable for parents or students:

- nutritional snacks for students in extended day (after-school) programs
- nutritional snacks for children in child care while parents are participating in grant activities
- food necessary to conduct nutrition education programs for parents
- parent involvement activities in which refreshments are necessary to encourage participation or attendance by parents, such as in low-income areas, and thus meet program objectives.

Full meals for parents or students are not allowable for these purposes under any circumstances. Expenditures must be reasonable in cost, necessary to accomplish program objectives, and an integral part of the instructional program.

# **Unallowable Food Costs**

The following costs are not allowable:

- refreshments of any kind, including beverages, breaks, and snack foods except as necessary for parent involvement activities to encourage attendance
- refreshments or meals at an awards banquet or functions
- any food costs that is not necessary to accomplish the objectives of the grant program
- any food cost associated with an event in which a guest speaker or other individual conducts a presentation

#### breakfast

#### Fund-Raising Activities

Costs of organized fund raising, including solicitation of gifts and bequests, endowment drives, financial campaigns, and similar expenses incurred to raise capital or obtain contributions are not allowable. Costs associated with training on fund-raising are not allowable.

#### Gifts

Gifts or items that appear to be gifts are not allowable.

#### Interest Paid

Interest paid in a prior grant period may not be charged retroactively to this grant period.

# Land Purchase and Improvements

Land purchase and improvements to land are not allowable costs, unless specifically authorized in the grant program statute and specifically approved by TEA in the grant application.

#### Legal Fees

Legal fees and expenses are allowable only as necessary for the administration of the grant program. Retainer fees are not allowable costs.

#### Membership in Civic and Social Organizations or Lobbying Organizations

Memberships in civic and social organizations and in organizations that are substantially engaged in lobbying are not allowable costs.

# Personal Calendaring Systems

Calendaring systems to manage personal calendars—whether paper calendars, personal digital assistants (PDAs), or electronic or software calendars—are not allowable costs.

#### **Printing Costs**

Printing costs are allowable when documentation demonstrates that they are reasonable and necessary. Any multi-color printing must be reasonable in cost and must be necessary to carry out the objectives of the grant program. Documentation must be maintained demonstrating that any such costs are reasonable and necessary.

# Professional or Individual Liability Insurance

Professional liability insurance for individual employees is not an allowable cost.

# Promotional Items, Memorabilia, or Souvenirs

Promotional items, memorabilia, or souvenirs are not allowable costs.

# Renovation, Remodeling, or Construction

Renovation, remodeling, or construction is not allowable unless specifically designated as allowed in the authorizing statute and specifically approved by TEA in the applicable grant application.

#### Social Events

The costs associated with social events of any kind are not allowable.

#### Substitute Pay for Private Nonprofit Schools

Substitute pay for private nonprofit school teachers is not allowable under any circumstances.

#### Training or Technical Assistance on Grant Writing

Funds may not be used for training or technical assistance on grant writing or for costs associated with obtaining funds from another grant.

#### Transportation Costs

The cost of transporting students (or parents, if appropriate for the particular grant program) to or from extracurricular grant activities is an allowable expenditure. You may not charge the grant for costs incurred in transporting students to and from the regular school day.

#### **Travel Costs**

Amounts authorized for maximum recovery for travel and per diem costs against the grant are restricted to those that are approved in the State of Texas Appropriation Bill in effect for the particular funding period. Any amount over this limit must come from local funds. If local policy restricts travel, per diem, and other travel expenses to a rate less than State law, the applicant must budget and request reimbursement at the lesser rate. Travel allowances are not allowable expenditures in Texas.

Travel generally means a destination outside the city or town in which the individual works (i.e., duty point). Travel can also mean transportation from one duty point to another within the same city or town, such as with an itinerant teacher or counselor who visits multiple campuses in the same work day.

Travel allowances, in which the per diem is paid to the employee regardless of the amount actually expended, are not allowable.

# <u>Travel Costs for Executive Director, Superintendent, or Board Members</u>

Travel costs for executive directors, superintendents, or board members or directors are allowed only when they are specifically related to carrying out the objectives of the grant project and only with specific TEA approval.

#### Allowable Travel Expenses

The following travel expenses are allowable:

• Mileage reimbursement is allowable for travel necessary to carry out the objectives of the grant project. When an employee is on travel for the purposes of the grant, mileage reimbursement

cannot exceed the rate established by the Texas Comptroller. (Effective January 1, 2022, reimbursement for mileage is not to exceed 58.5 cents per mile.) If local organization policy reimburses at a lower rate, you must claim that lower rate.

- Airfare is allowable at the lowest fare available and must be documented with a receipt. First-class airfare is not allowable.
- Car rental fee (at destination) is not allowable unless other transportation such as taxi or shuttle
  is not available for performing official business or unless you document that car rental is more
  cost effective than alternate modes of travel. (The car rental must be documented with a
  receipt.)
- Airport parking is allowable.

In-State Per Diem (meals and lodging) for overnight travel in Texas is reimbursed at actual cost not to exceed the maximum amount allowed by State law, or local policy, whichever is less. Beginning October 1, 2021, the maximum allowable lodging is \$96.00 per night, not including taxes. Meals are allowable at actual cost not to exceed \$36.00 per day. If local school policy requires reimbursement at a lower rate, you must use the lower rate. (Lodging must be documented with a receipt.) Any amount over the allowable amount must be paid from local funds. Tips for meals cannot be reimbursed.

Out-Of-State Per Diem (meals and lodging) is reimbursed at actual cost not to exceed the maximum amount allowed by the Federal government, or local policy, whichever is less. All other guidelines apply. Out-of-state meal and lodging rates are available on the comptroller's website at: https://fmx.cpa.state.tx.us/fm/index.php. Select State of Texas Travel Information under PAGE 60 TEXAS EDUCATION AGENCY BS6004 SCHEDULE INSTRUCTIONS REVISION 2.4 the Travel heading. Select Out-of-State Meal and Lodging Rates under the Resources heading. Select the Domestic Maximum Per Diem Rates link, then select the state to which you will be traveling.

- Taxi fares for official business are allowable. Tips cannot be reimbursed.
- Itemized miscellaneous business expenses (such as business phone calls, printing, or materials) for carrying out official business of the meeting, conference, or workshop are allowable.
- Registration fees to attend workshops or conferences are allowable. Social events or recreational events available at a cost above the basic registration fee may not be paid from grant funds.

# Unallowable Travel Expenses

The following travel expenses are not allowable:

- first-class airfare
- Per Diem (meals and lodging) for meeting, conference, or workshop participants who live in the same city where the event is held. (Automobile mileage is allowable.)
- tips or gratuities (including service charges) of any kind
- alcoholic beverages
- entertainment, recreation, or social events
- any expense for other persons
- automobile mileage or taxi fares for other than official business
- personal accident insurance or personal effects coverage for rental cars

- rental car for personal use or for purposes not associated with the official business of the meeting, conference, or workshop
- travel allowances (i.e., per diem paid regardless of participant's actual expenses)
- non-instructional field trips (see guidance under "Field Trips")

#### <u>Travel Documentation</u>

Travel costs must be properly documented to be reimbursable. The employee must document travel costs with a travel voucher or other comparable documentation. Documentation must include the following at a minimum:

- name of the individual claiming travel reimbursement
- destination and purpose of the trip, including how it was necessary to accomplish the objectives of the grant project
- dates of travel
- actual mileage (not to exceed reimbursement at the maximum allowable rate)
- actual amount expended on lodging per day, with a receipt attached (may not exceed the maximum allowable)
- actual amount expended on meals per day (may not exceed the maximum allowable; tips; gratuities are not reimbursable)
- actual amount expended on public transportation, such as taxis and shuttles
- actual amount expended on a rental car, with receipt attached and justification for why a rental car was necessary and how it was more cost effective than alternate transportation
- actual amount expended on incidentals, such as hotel taxes, copying of materials, and other costs associated with the travel
- total amount reimbursed to the employee

#### Tuition

Tuition fees, either paid directly to an institution or on a reimbursement basis to an employee, are allowable only for courses directly related to the grant program and where authorized in the grant program as an allowable use of funds.

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