

**Purchasing Authority**

The Board delegates to the Superintendent the authority to make budgeted purchases for goods or services. All contracts shall be signed by the Superintendent or designee.

Purchasing Method

The Board delegates to the Superintendent or designee the authority to determine the method of purchasing in accordance with CH(LEGAL).

**Competitive Procurement Requirements**

District contracts must be submitted to a competitive procurement process when the aggregate purchase will total \$50,000 or more for each 12-month period. The Superintendent or designee shall prepare the request for bids or proposals and the bid or proposal specifications. All bids or proposals shall be submitted by the designated purchasing method, either through the District's electronic procurement system or in sealed envelopes, plainly marked with the name of the bidder or proposer, the date, the time of opening, and the bid or proposal number.

All bidders or proposers and other interested persons shall be invited to attend the bid or proposal opening as allowed by policy or by best practice if policy is not applicable but shall not be required to be present. Historically Underutilized Businesses (HUBs) shall be encouraged to bid.

Bid and Proposal Acceptance

The District may reject any and all bids or proposals. The Superintendent or designee shall accept the bid or proposal deemed to be in the best interest of the District as identified in CH(LEGAL).

Lease-Purchase Contracts

The competitive procurement process, as set up in this policy, shall be applied to all lease-purchase contracts for personal property.

Bids, Quotes, and Other Proposals Under \$50,000

The director of purchasing shall establish guidelines that may require bids, quotations, or proposals to be obtained prior to approving a purchase when it appears that best value and substantial savings can be realized by the District.

**Interlocal Agreements**

The Board authorizes the Superintendent on the Board's behalf to enter into interlocal agreements in accordance with Government Code Chapter 791 when:

1. The District determines that the interlocal agreement will increase efficiency and effectiveness of the District;
2. The interlocal agreement permits the District to enter into a purchasing contract offered through a cooperative purchasing program authorized by Local Government Code Chapter 271, the interlocal agreement will result in a purchase contract providing the best value to the District; or
3. Other local governments, including other school districts, desire the District to provide services to the local government

because of the District's equipment, knowledge, or expertise when:

- a. By providing this service to the local government, the District is fairly compensated,
- b. The District benefits by performing the service, and
- c. Expenditures by the District are included within the current District budget.

Interlocal agreements entered into by the Superintendent shall be presented to the Board as necessary for ratification and approval.

**Electronic Bids or Proposals**

The District may accept bids or proposals through electronic transmission in accordance with the following procedures. These procedures shall safeguard the integrity of the competitive procurement process; ensure the security and confidentiality of electronic bids or proposals; and ensure that electronic bids or proposals remain unopened until the proper time.

Procedures

To ensure the security and confidentiality of electronic bids or proposals, the following procedures shall be followed by District staff:

1. Both District users and vendors are required to access the system through a unique user account and password;
2. Individual user passwords shall be stored in a manner that cannot be accessed by any other user, and the District system administrator shall only have the ability to reset the password through a system-generated program based on a user request to reset a password;
3. All data transmitted between the District and vendors shall be encrypted using standard security technology;
4. The system shall limit inactivity by expiring a session based on a preset period of time;
5. All actions within the system can be audited for actions taken by any user;
6. All formal solicitations shall be electronically sealed in an electronic lockbox and not accessible to any user other than the initiating vendor;
7. The solicitation document includes, at a minimum, the date and time the bid was received by the system;
8. The system shall not allow for any late bids after the closing date and time;

9. The system shall only allow for bids to be electronically unsealed by authorized District staff; and
10. The system shall retain electronic copies of the vendors' responses for the minimum period of time required by the state of Texas records retention schedule or for an extended period time if required by the District.

**Responsibility for Debts**

The District shall have responsibility for debts incurred in the name of the District so long as those debts are for purchases made in accordance with the adopted budget, state law, Board policy, and the District's purchasing procedures. [See CE] Persons making unauthorized purchases shall assume full responsibility for all such debts.

**Electronic Vendors List**

For the purpose of obtaining bids or proposals on supplies, materials, equipment, and services, an electronic vendors list shall be maintained within the school administrative offices. Any and all bidders and proposers who fail to deliver or to comply with any of the terms, specifications, or contract requirements may be deleted from the vendors list for a period not to exceed two years from the time the infraction occurred and the vendor was notified in writing of removal from the list.

**Purchase Commitments and Delivery Procedures**

Commitment to purchase on the basis of low bid or proposal alone shall not be inferred, but contracts shall be awarded on the basis of best value to the District.

All purchase commitments shall be made by the Superintendent or designee on a properly drawn and issued purchase order or by electronic transaction, by use of a District-authorized and -issued procurement card, in accordance with administrative procedures.

**Employee Conflict of Interest**

The purchase of goods or services from a business owned in whole or in part by a District employee shall not be permitted. This provision includes any individual actively receiving compensation as a substitute or with any other temporary employee status.

The purchase of goods or services from a business owned in whole or in part by a person related to a District employee by blood (consanguinity) or by marriage (affinity) that results in the District employee receiving compensation directly or indirectly shall be permitted only when:

1. The District employee does not exercise discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions related to the services or equipment supplied by the business, in which case the business shall not be permitted to sell services or equipment to the District employee's department and department affiliates or campus and

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campus feeder pattern, as applicable, for as long as the employee continues in the department or campus position;

2. The business transaction has been approved by the Superintendent; and
3. The purchase of services or equipment has been contracted through a documented competitive process.

**Permissive Bids and Proposals**

Purchases of goods and services for which bidding and/or proposing is neither required nor prohibited by law may be based on any procurement method that the Superintendent or designee determines provides the best value for the District.

**Personal Purchases**

District employees shall not be permitted to make purchases for personal use through the District's business office except through contracts specifically designated as employee purchase agreements.