

PURCHASING AND ACQUISITION

CH
(LOCAL)

Philosophy	The Board is committed to supporting the District's core business of teaching and learning with scalable systems that support productive, reliable, and efficient District operations across all departments, including the purchase and acquisition of goods and services.
Purchasing Authority	The Board delegates to the Superintendent or designee the authority to make budgeted purchases for goods or services in accordance with CH(LEGAL) and to make budgeted purchases up to \$50,000.
Purchasing Procedures	The Superintendent shall develop purchasing procedures to implement the requirements of state and federal law. [See also CB, CBB, CH(LEGAL), and COA]
Purchasing Method	The Board delegates to the Superintendent or designee the authority to determine the method of purchasing in accordance with CH(LEGAL) or CBB(LEGAL), as appropriate, or any other Board policy defining a purchasing method.
<i>Competitive Bidding</i>	<p>If competitive bidding is chosen as the purchasing method, the Superintendent or designee shall prepare bid specifications. All bids shall be in accordance with administrative regulations, and the submission of any electronic bids shall also be in accordance with Board-adopted policy. All bidders shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered.</p> <p>The District may reject any and all bids in accordance with state or federal law, as applicable.</p>
<i>Competitive Sealed Proposals</i>	<p>If competitive sealed proposals are chosen as the purchasing method, the Superintendent or designee shall prepare the request for proposals and/or specifications for goods or services to be purchased. All proposals shall be in accordance with administrative regulations, and the submission of any electronic proposals shall also be in accordance with Board-adopted policy. Proposals received after the specified time shall not be considered. Proposals shall be opened at the time specified, and all proposers shall be invited to attend the proposal opening. Proposals may be withdrawn prior to the scheduled time of opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.</p> <p>The District may reject any and all proposals in accordance with state or federal law, as applicable.</p>

PURCHASING AND ACQUISITION

CH
(LOCAL)

Electronic Bids or Proposals	Bids or proposals that the District has chosen to accept through electronic transmission shall be administered in accordance with Board-adopted procedures. Such procedures shall safeguard the integrity of the competitive procurement process; ensure the identification, security, and confidentiality of electronic bids or proposals; and ensure that the electronic bids or proposals remain effectively unopened until the proper time.
Authority to Sign Contracts	Except as explicitly provided in this policy, no employee shall be authorized to sign contracts that obligate the District. The Superintendent or designee shall be authorized to sign contracts up to \$50,000. Contracts at or above \$50,000 shall require approval by the Board and may be signed by the Superintendent or designee.
Authority Related to Current Contracts	If a vendor requests to be released from a contract previously authorized by the Board, or if the Superintendent or designee determines that the vendor is not performing according to the terms of the contract and the vendor does not contest termination of the contract, the Superintendent or designee is authorized to terminate the contract with the vendor. The Superintendent shall notify the Board when the Superintendent has terminated a Board authorized contract.
Disclosure Requirements	Each Board member shall be required to disclose in writing and file with the Board Secretary any past or present business relationship between the Board member and any vendor or bidder, regardless of the nature or amount, prior to any Board action taken on a procurement in which such a vendor or bidder participates. [See also BBFA(LOCAL), CV(LOCAL), DBD(LOCAL)]
Board Members	
Employees	Every District employee shall be required to disclose in writing to his or her supervisor, any past or present business relationship with any vendor or bidder, regardless of the nature or amount, prior to any Board action taken on a procurement in which such a vendor or bidder participates. [See also DBD(LOCAL)]
Vendor and / or Bidder	Each vendor and bidder shall be required to disclose, as a condition for doing business with the District, any past or present business relationship with a sitting Board member or District employee, prior to any Board action taken on a procurement in which the vendor or bidder participates. Failure to disclose shall be grounds for termination of any contract entered into with the vendor or bidder.
Notice to Bidders	Each request for proposal or invitation for bid issued by the District involving a procurement that may require Board action on a contract award shall contain express notice to bidders of this disclosure requirement and the consequences of its violation.

PURCHASING AND ACQUISITION

CH
(LOCAL)

Termination Clause	Each contract awarded by the Board shall include a termination clause providing that the contract may be terminated by the District if it is determined that the contractor did not comply with this disclosure requirement. The Superintendent shall notify the Board when the Superintendent has terminated a contract under this section.
Purchase Commitments	All purchase commitments shall be made by the Superintendent or designee on a properly drawn and issued purchase order or properly issued procurement card, in accordance with administrative procedures, including the District's purchasing procedures.
Responsibility for Debts	The Board shall assume 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] The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control. Persons making unauthorized purchases shall assume full responsibility for all such debts.
Personal Purchases	District employees shall not be permitted to make purchases for personal use through the District's business office.
Professional Advisory Services	<p>The District shall issue a Request for Proposals (RFP) or a Request for Qualifications (RFQ) for all professional advisory services listed below, no less often than every five years. Rotation shall not be required. All current professional advisors shall be permitted to participate in the RFP/RFQ process.</p> <p>Professional advisors include:</p> <ol style="list-style-type: none">1. Bond counsel;2. Delinquent tax attorney;3. Contracted auditor(s);4. Financial adviser;5. Legal counsel; and6. Risk management consultant.
Employee Conflict of Interest	Purchase of services or equipment from a business owned in whole or in part by a District employee or a person related to a District employee by blood (consanguinity) within the third degree or by marriage (affinity) within the second degree that results in the employee receiving compensation directly or indirectly shall be permitted only when the following occurs:

PURCHASING AND ACQUISITION

CH
(LOCAL)

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;
2. The business shall not be permitted to sell services or equipment to the District employee's department and department affiliates or campus and campus feeder pattern, as applicable, for as long as the employee continues in the department or campus position;
3. The business transaction has been approved by the Superintendent; and
4. The purchase of services and equipment has been contracted through a documented competitive process, if required by law or policy.

[See also DBD]

Supplier Diversity Initiative

The District's supplier diversity initiative ensures that the District shall use its best efforts to inform small businesses of current and future purchasing activities. The District shall encourage the participation of these businesses in purchasing of all goods and services. All solicitations issued by the District shall include a supplier diversity initiative form that is to be completed and submitted with the bid response.

Small Business

A "small business" shall be defined as a business entity that is independently owned and operated and is not dominant in its field of operation. The business shall employ fewer than 50 employees and/or shall have less than \$3 million in annual business volume from this local operation.