

**Purchasing Authority**

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

Emergency Purchases

An emergency purchase shall be defined as a purchase that provides for the acquisition of goods or services to meet an immediate need, resulting from conditions or events that may imperil students, employees, or the security of the District's facilities.

Emergency purchases may be made without an approved purchase order in place before the purchase is made but shall be issued as quickly as possible.

**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.

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 rules. Such rules 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.

*Electronic Vendors List*

For the purpose of obtaining bids or proposals on supplies, materials, equipment, and services, an electronic vendors list shall be developed and 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.

Competitive Procurement Requirements

District contracts must be submitted to a competitive procurement process when the aggregate purchase totals \$50,000 or more, per procurement category of related items for each 12-month period, which is identified by the District's fiscal year.

The Superintendent or designee shall prepare the written 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 and the time of opening.

All bidders or proposers and their interested persons shall be invited to attend the bid or proposal opening but shall not be required to be present. Any bid or proposal may be withdrawn prior to the

scheduled time for opening. Bids or proposals received after the specified time shall not be considered.

For competitive sealed proposals, changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.

*Bid and Proposal  
Acceptance*

The District may reject any and all bids or proposals in accordance with state or federal law, as applicable. 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).

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

The Superintendent or designee shall establish guidelines that require written quotations to be obtained prior to approving a purchase for purchases between \$10,000 and \$50,000, per category, when it appears that best value and substantial savings can be realized by the District.

Lease-Purchase  
Contracts

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

**Interlocal  
Agreements**

The Board authorizes the Superintendent or designee on the Board's behalf to enter into interlocal agreements in accordance with law when:

1. The District determines that the interlocal agreement shall increase efficiency and effectiveness of the District;
2. In the case where 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 shall 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. The District is fairly compensated by providing this service to the local government;
  - 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.

**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, including, but not limited to, receiving products or services from a vendor without prior issuance of an authorized purchase order, shall assume full responsibility for all such debts.

**Purchase Commitments and Delivery Procedures**

Commitment to purchase on the basis of low bid or proposal alone shall not be inferred. 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, in accordance with administrative procedures.

**Employee Conflict of Interest**

The District shall not permit the purchase of services or equipment from a business owned in whole or in part by a District employee.

Exception

Purchase of services or equipment from a business owned in whole or in part by a person related to a District employee by blood (consanguinity) or 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 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.