

How to Do Business with Spring Branch ISD

Vendor Relations and Purchasing Procedures

2018 - 2019



Table of Contents

	Page
Foreword	3
Purchasing Department Organization	4
Texas School Laws: Purchasing	5
Education Department General Administrative Regulations (EDGAR)	5
Vendor Information	6
Code of Silence	7
Solicitation of Bids	8
Supplier Diversity Program	9
Advertising of Bids	10
Submission of Bids	10
Bidder's Checklist	11
Bid Opening Procedures	12
House Bill 1295 – Certificate of Interested Parties	13
Conflict of Interest Disclosure Statement	14
Vendor Registration	15
Tax Exemption	16
Processing Vendor Payments	16
Vendor Background Checks	17
Vendor Delivery Responsibilities	17
Vendor Insurance Requirements	17
Gifts and Gratuities	18

Foreword

This booklet has been compiled and published by Spring Branch Independent School District's Purchasing Department as a guide to acquaint vendors and suppliers with SBISD's purchasing policies and procedures.

The primary function of the Purchasing Department is to meet the product and service needs of SBISD by:

- Meeting all local, state, and federal ordinances, statutes, regulations, Board of Education policies, and sound business practices in obtaining the best product offering for the lowest cost or best value to the taxpayer and SBISD;
- Allowing fair competition among bidders;
- Providing all vendors an opportunity to bid for SBISD business on an equal basis;
- Providing to all bidders SBISD's method of purchasing and basis of award;
- Constantly seeking to identify and implement strategies and techniques that will enhance the level of service and integrity provided by the Purchasing Department.

Spring Branch Independent School District

Superintendent of Schools	Scott R. Muri, Ed.D.
Associate Superintendents	
Academic Design & Performance	Elliott Witney, Ed.D.
Talent & Operations	Jennifer Blaine, Ed.D.
Finance	Karen Wilson
Chief Academic Officer	Kristin Craft
Chief Information Officer	Christina Masick
Community Relations Officer	Linda Buchman

Purchasing Department Organization

Director of Purchasing Services	Richard L. Gay
Administrative Assistant to the Director	Elvanna Galbreth
Manager of Central Warehouse, Textbooks, Logistics, and Auctions	Wayne Schaper, Jr.
Manager of Purchasing Operations and Records	Edna E. Johnson
Central Warehouse Team Leader	Kenneth Shorts
Administrative Bid Specialist and Buyer	Joel Cardona
Construction and Technology Buyer	Gerald McCall
Senior Buyer	Cristina Varisco
Buyer	Monica Landaeta Calderon
Records Management Specialist and Central Warehouse Buyer	Emilyn Verdinez
Compliance Specialist and Buyer	Tameisha Davenport
MUNIS Support and Textbook Specialist	Vacant
Contract Specialist	Nina Shephard

Location: 1031 Witte Road, Building T-1A
Houston, Texas 77055-6016

Phone Number: 713-251-1100

Fax Number: 713-251-1115

Office Hours: 7:30 A.M. – 4:30 P.M. (Monday – Thursday)
7:30 A.M. – 4:00 P.M. (Friday)

Website: <https://springbranchisdcom.finalsite.com/about/departments/finance/purchasing>

Texas School Laws: Purchasing

SBISD contracts valued at \$50,000 or more in the aggregate for each 12-month period shall be made by one of the following methods that provides the best value for SBISD:

1. Competitive bidding
2. Competitive sealed proposals
3. Request for proposals
4. An Interlocal contract
5. A method provided by Chapter 2267, Government Code, for construction services
6. Reverse Auction
7. Political subdivision

Education Code 44.031(a)

Education Department General Administrative Regulations (EDGAR)

The new regulations from the Office of Management and Budget (OMB), codified as Title 2 of the Code of Federal Regulations (2 CFR) Part 200, were incorporated into general federal regulation on Dec. 26, 2014. The new regulations govern all federal grants awarded by the US Department of Education (USDE) to the state or to an LEA on or after that date.

When SBISD seeks to procure goods and services using funds under a federal grant or contract, specific federal laws, regulations, and requirements may apply in addition to those under state law.

This includes, but is not limited to, the procurement standards of the Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. 200 (sometimes referred to as the "Uniform Guidance" or new "EDGAR").

Vendor Information

Spring Branch Independent School District continuously solicits prospective vendors for bids on categories of personal property as required by *Section 44.031* of the *Texas Education Code*.

SBISD has selected vendor qualification criteria that includes, but is not limited to, the following:

- Past experience with SBISD
- Cost of goods and services, including future costs of maintenance
- Vendor's financial stability and position as it relates to the ability to provide the goods and/or services
- Small, minority, woman-owned, or labor surplus area firms

SBISD shall not restrict vendor competition by requiring any of the following as selection criteria:

- Unreasonable requirements, such as excessive experience or bonding, brand name products or geographic preferences that would unduly restrict competition among qualified vendors
- Arbitrary restrictions that are not essential to the bid/proposal specifications

Code of Silence

SBISD has adopted a “Code of Silence” policy to enforce its commitment to ethical contracting standards and improve accountability and public confidence.

The Code of Silence is the prohibition on any communication regarding a competitive procurement Solicitation between:

1. Any person who seeks an award from SBISD, including potential vendors or vendor’s representative, and
2. Board members, the Superintendent of Schools, senior staff members, principals, department heads, directors, managers, or other SBISD representatives who have influence in the evaluation or selection process.

SBISD’s Code of Silence for competitive procurements begins the day the solicitation is posted to the Bids & Proposals webpage (or the electronic bidding software) and ends after the Board of Trustees has approved the project, or upon the execution of the contract, whichever occurs first.

Questions concerning the solicitation should be addressed to the Director of Purchasing Services, or the Buyer identified in the solicitation, no later than the deadline identified in the solicitation.

Solicitation of Bids

Spring Branch Independent School District solicits prospective vendors for "the method" that provides the best value for the SBISD, as required by Section 44.031 of the Texas Education Code.

NOTICE: Often times, an addendum or change in the specifications is released before the solicitation is due. These documents, if released, will be posted to the Bids & Proposals webpage located at:

<https://springbranchisd.com/finalsite.com/about/departments/finance/purchasing/bids-proposals>

The SBISD Purchasing Department will NOT be responsible for the rejection of a Proposer's response for failure to follow instructions contained in an addendum and/or if incomplete or inaccurate information is supplied by the Proposer. Additionally, changed or modified specifications will be rejected.

Solicitations will be posted/issued in sufficient time as to permit full and free competition. Specifications, restrictions, and conditions that have the effect of limiting bidding will be avoided.

Bid or Proposal documents contain:

- The item or service to be purchased with specifications
- The quantity to be purchased
- Any installation, maintenance, or repair services to be provided with the item
- The name and location to which delivery is to be made
- The date or dates of delivery
- Date, time, and place of bid opening
- The right of the Board of Trustees to reject any and/or all bids and to accept the bid which appears to be in the best interest of SBISD
- Any other terms and conditions as stated in the bid/proposal

Each vendor has an opportunity to respond to the items or services requested.

Supplier Diversity Program

The SBISD Supplier Diversity Program (SDP) ensures that SBISD will use its best efforts to encourage small, minority and women-owned businesses to participate in current and future purchasing of all goods and services.

Certification: Any business wishing to be identified by SBISD as a small, women-owned or minority business shall be certified as such either:

- By the State of Texas or Texas Local Government which conducts a certification program; or
- By “self-certification” of a business entity under one of the definitions listed above.

All solicitations, including Construction projects, issued by SBISD include a Historically Underutilized Business Questionnaire that is to be completed and submitted with the solicitation response.

The Questionnaire asks for the supplier diversity classification of the business entity. The form also asks each business entity to state if it will be performing alone or will be using subcontractors.

Advertising of Bids

As required by Texas law, Spring Branch Independent School District publishes notification of when and where bids will be opened in a county newspaper (*Houston Chronicle*) once a week for at least two separate weeks prior to the time set for receiving bids, proposals, or responses.

The advertisement includes the following information:

- **Type of commodity, equipment, or service requested**
- **Contact phone number and address for information on bid invitation**
- **Bid number**
- **Date, time, and place of bid opening**

Education Code 44.031(g)

Submission of Bids

Bids **MUST** be submitted according to the instructions provided on the bid document furnished by the Purchasing Department.

This may include an instruction to submit the response in a sealed envelope/box to:

Director of Purchasing and Contracts
1031 Witte Road, Building T-1A
Houston, TX 77055-6016

Bids may **NOT** be submitted via any means other than those outlined by the Purchasing Department.

Bidder's Checklist

It is critical that bids are completed in every detail. Review the following checklist prior to bid submittal.

- Has the bid been completely filled out on the Spring Branch ISD bid form?
- Has the unit price been filled in?
- Has the extension been calculated?
- Have you included the description of the item bidding?
- Has the delivery time been noted?
- Have you provided warranty information?
- If product, commodity, or equipment deviates from the specifications or Design Guide, have you listed the deviations?
- If descriptive literature has been requested, has it been attached to the bid form?
- Has the bid been signed?
- Has the bid been submitted in a sealed envelope/box?
- Have you completed the requested identification data on the front of the bid envelope and the bid form page of the bid document?
- Has the Conflict of Interest document been completed?

Failure to complete any of the requested items may result in bid disqualification.

Bid Opening Procedures

All bid openings are open to the public at the date and time specified in each document. The bid opening will be conducted by the Director of Purchasing Services, or his designee.

Bidders or other interested persons are invited to be present at bid openings. Any bid may be withdrawn prior to the scheduled time for opening. A bid that has been opened may not be changed for the purpose of correcting an error in the bid price. Bids received after the specified date and time will not be considered and will be returned to the vendor unopened.

Local Government Code 271.026

The Board shall have the right to reject any and/or all bids.

Local Government Code 271.027(a)

Sealed bids will be tabulated for comparison purposes. The public may record any information read aloud at the public bid opening. After bids are read and tabulated, the bids will then go into an evaluation stage until an award is made by the Board of Trustees.

In awarding a contract, SBISD shall consider:

1. Purchase price
2. The reputation of the vendor and of the vendor's goods and services
3. The quality of the vendor's goods or services
4. The extent to which the goods or services meet SBISD's needs
5. The vendor's past relationship with SBISD
6. The impact on the ability of SBISD to comply with laws and rules relating to historically underutilized businesses
7. The total long-term cost to SBISD to acquire the vendor's goods or services
8. Whether the vendor or the vendor's ultimate parent company or majority owner has its principal place of business in this state; or employs at least 500 persons in this state
9. Any other relevant factor specifically listed in the request for bids or proposals

Education Code 44.031(b)

House Bill 1295 – Certificate of Interested Parties

Spring Branch ISD is required to comply with House Bill 1295, which amended the Texas Government Code by adding Section 2252.908, Disclosure of Interested Parties. Section 2252.908 prohibits SBISD from entering into a Board approved contract with a business entity unless the business entity submits a Disclosure of Interested Parties (Form 1295) to SBISD at the time business entity submits the signed contract.

"Interested Party" means a person:

- a) Who has a controlling interest in a business entity with whom SBISD contracts; or
- b) Who actively participates in facilitating the contract or negotiating the terms of the contract, including a broker, intermediary, adviser, or attorney for the business entity.

"Business Entity" means an entity recognized by law through which business is conducted, including a sole proprietorship, partnership, or corporation.

As a "business entity," all vendors must electronically complete, print, sign, and submit Form 1295 with their proposals even if no interested parties exist.

Proposers must file Form 1295 electronically with the Texas Ethics Commission using the online filing application, which can be found at:

https://www.ethics.state.tx.us/whatsnew/elf_info_form1295.htm

Proposers must use the filing application on the Texas Ethics Commission's website to enter the required information on Form 1295. Proposers must print a copy of the completed form, which will include a certification of filing containing a unique certification number. The Form 1295 must be signed by an authorized agent of the business entity.

The completed Form 1295 with the certification of filing must be filed with SBISD by attaching the completed form to the vendor's solicitation response.

SBISD must acknowledge the receipt of the filed Form 1295 by notifying the Texas Ethics Commission of the receipt of the filed Form 1295 no later than the 30th day after SBISD receives the Form 1295. After SBISD acknowledges the Form 1295, the Texas Ethics Commission will post the completed Form 1295 to its website within seven business days.

Conflict of Interest Disclosure Statement

Effective January 1, 2006, any person or entity who contracts or seeks to contract with SBISD for the sale or purchase of property, goods, or services (as well as agents of such persons) (hereafter referred to as Vendors) is required to file a Conflict of Interest Questionnaire with SBISD. Each covered person or entity who seeks to or who contracts with SBISD is responsible for complying with any applicable disclosure requirements. SBISD will post the completed questionnaires on its website.

Local Government Code 176

The Conflict of Interest Questionnaire may be downloaded from the SBISD website at:

<https://springbranchisd.com/about/departments/finance/purchasing/informationforvendors>

Completed forms should be sent to:

**SBISD Purchasing Department
1031 Witte Road, Building T-1A
Houston, TX 77055-6016**

Vendor Registration

The following documentation may be required prior to any business opportunity with SBISD:

- W-9 form
- Electronic Funds Transfer (EFT) Authorization Form
- Conflict of Interest Questionnaire
- Local Criminal Background Check
- Fingerprinting Affidavit

Please [contact](#) the Purchasing Department for assistance with registering as an SBISD vendor.

Tax Exemption

Spring Branch Independent School District is exempt from payment of taxes under *Chapter 20, Title 122A, Article 20.04, Revised Civil Statutes of Texas*, for the purchase of tangible personal property. The Texas Sales Tax Exemption Certificate may be requested from the Accounts Payable Department at 713-251-2224.

Processing Vendor Payments

Payment for purchased goods or services is initiated only after goods have been received or services rendered.

Invoices are submitted to the Accounts Payable Department where they are matched with a copy of the purchase order; therefore, it is essential for the purchase order number to appear on the invoice for verification of delivery and approval for payment. Upon receipt by the Accounts Payable Office, the invoice will be processed for payment within thirty (30) days of its receipt if services are complete. **Electronic invoices can be sent to accountspayable@springbranchisd.com.**

Vendors may select one of the following methods by which SBISD will process payments:

- CARD (Ghost Card)—SBISD's preferred method of payment
Card payments are made available to the vendor immediately after file payment submission.
- Automatic Clearing House (ACH)—Electronic Fund Transfer to vendor's bank account

For inquiries regarding the methods of payments, email accountspayable@springbranchisd.com

Vendor Background Checks

An approved criminal history background check conducted by SBISD's Police Department is required for all vendors whose services will be performed on SBISD property. NOTE: SBISD reserves the right to request a criminal history background check for vendors who provide services outside of SBISD (i.e., prom and after-prom activities).

Additionally, vendors who will have "direct contact" with SBISD students must also pass a Texas DPS Criminal History Background Search under Senate Bill 9.

Vendor Delivery Responsibilities

Failure to meet delivery dates specified in bid documents may be a factor in subsequent award determinations. It is the responsibility of the supplier to notify the appropriate campus/department when a delay in delivery is anticipated or occurs. Information of a new anticipated delivery date and the reason for the delay should also be given.

Vendor Insurance Requirements

Vendors are required to provide SBISD with copies of certificates of insurance, naming SBISD as additional insured's for Texas Workers Compensation and General Liability Insurance, within 14 business days of a contract award and/or prior to the commencement of any work on SBISD property.

Gifts and Gratuities

SBISD officials and employees cannot accept anything of value from a vendor, such as personal gifts or gratuities. Although such practices are legitimate and generally accepted in the private sector, there is substantial possibility that both giving and receiving of such “hospitality” constitutes a Class A misdemeanor offense of “Gift to a Public Servant” if the recipient is a government employee who exercises some influence in the purchasing process of the governmental body.

SBISD Purchasing Department



Every Child



Collective
Greatness



Collaborative
Spirit



Limitless
Curiosity



Moral
Compass

How To Do Business with Spring Branch ISD

1031 Witte Road, Building T-1A
Houston, TX 77055
Phone: 713-251-1100
Fax: 713-251-1115
Email: Purchasing@springbranchisd.com