

Mansfield Independent School District
Business Procedures Manual
Section 14
Contracts

14. Contracts within MISD fall into one of three categories. Please follow the appropriate processes and signature rules associated with each. Please contact the Director of Purchasing with any questions. Any contract totaling more than \$50,000 must be approved by the Mansfield ISD Board of Trustees and signed by the Superintendent. Any contract over \$50,000 must be reviewed via the Contract Review & Approval Form Greater Than \$50,000, found under Docs & Forms on the Business Services website prior to being presented to the Board. Any contract between \$5,000 and \$50,000 must be signed by the supervising member of Executive Council. Any contract less than \$5,000 may be signed by the appropriate principal, director, or departmental superintendent. All contracts must go through the appropriate review processes as laid out below. Please use this manual as a guide and do not hesitate to contact the Director of Purchasing with any questions.

14.1. Campus/Departmental Level

14.1.1. Generally these contracts will be for a relatively small amount, less than \$5,000, and specifically concern your campus or department only. Examples include author visits, one time professional development speakers, bounce houses, fund raising agreements, etc. All vendors must be registered and verified with our purchasing department prior to the commencement of any agreement. This allows us to ensure they have the proper insurance to protect the district as well as the necessary documentation to ensure the safety of our students. During the vendor registering process a copy of their basic service agreement will be submitted to purchasing. Approval of the vendor will authorize the principal to sign the contract/agreement as written. No alterations may be made to the contract without the approval of the Director of Purchasing via the Contract Review and Approval Form LESS Than \$50,000.

14.1.2. Speaker Contracts

14.1.2.1. We do not pay ‘honorariums’ as they constitute a gift of public funds. Speakers who are charging for their services should submit an invoice like any other vendor. We will pay in a total sum upon receipt of services. All fees, expenses, etc. should be included in this total sum and accounted for on the initial PO and the contract. We will cut one check, made out directly to the vendor/speaker. We will not write checks to hotels, rental car companies, or

provide reimbursement for individual meals. Many times speakers will itemize costs for tax purposes on the invoices they submit. This is fine, but a total price should be negotiated upfront, included in the contract, and match the amount on the check cut to the vendor.

14.2. **District-Wide**

14.2.1.1. District-Wide contracts will be facilitated via an RFP or RFQ. This process will be carried out by the Purchasing department. Negotiations will be the responsibility of the appropriate department head and the Associate Superintendent of Business & Finance. Contracts over \$50,000 require the approval of the MISD Board of Trustees and the Superintendent. Please reference Section 2 of the Mansfield ISD Business & Financial Services Manual found on the Business Services website for further information.

14.3. **Contracted Services**

14.3.1. When campus or departmental personnel determine that a consultant or particular service is needed the following procedures will take place:

14.3.1.1. The total value/cost of a Contract directly impacts the purchasing process. Please ensure you pay special attention to paragraphs 14.3.1.7 and 14.3.1.8, both of which apply to contract processing.

14.3.1.2. The senior most member of the interested department/campus (superintendent, director, or principal) or their designee will serve as the “Contract Manager” for the duration of the contracted period. Ultimate responsibility lies with the senior most member of the department or campus. The Contract Manager must be a part of the contract process from the beginning.

14.3.1.2.1. The Contract Manager will meet with his/her respective Campus Principal or Director to discuss the need for contracted services, from a conceptual perspective.

14.3.1.2.2. Discussion will include consideration of an alternate (internal methods of procurement) way to meet the demand, objectives and available funds for needed consultant or service.

14.3.1.3. The decision to contract a consultant for service will be done fairly and objectively by selecting the most responsive and responsible contractor who will provide the best value to the District.

14.3.1.4. The Contract Manager is the employee designated as the steward responsible for the proper expenditure of District funds. He or she will minimize risks at all levels, and reduce or eliminate the possibility of fraud, waste, and abuse. If one suspects fraud, waste, or abuse in any situation, he or she is required to report it in accordance with Policy CAA (Local). A link to the Fraud Hotline can be found on the front page of the MISD Website.

14.3.1.5. Should the Contract Manager, Principal or Director have any questions relating to the appropriate use of the Consultant Service Contract; contact the Purchasing Office. The procurement method for all other contracts may be found in Section 2 of the Mansfield ISD Business & Financial Services Manual.

14.3.1.6. The Contract Manager will refer to the Purchasing Department website for additional guidance and documents required for consultant/service contracts to:

14.3.1.6.1. Ensure the requested service is not already covered under purchasing bids or other sources already contracted by contacting Purchasing staff.

14.3.1.6.2. Verify that the consultant/service provider is an authorized vendor by checking the Approved Vendor List on the Purchasing web page or by contacting the Purchasing Department. If the consultant is not a current vendor, please refer them to the MISD Purchasing website where they can complete the Supplier Registration online. The Purchasing department can update their progress as necessary.

14.3.1.6.3. If the consultant has more than one employee (including him/herself), proof of insurance is required by submitting a "Certificate of Liability" to the MISD Risk Management Office. This must be accomplished before the contract can be approved. Please contact the Risk Management Manager for further information.

14.3.1.6.3.1. **Consultant Service Contract:** All contracts will include a start and end date (that includes the month, day, and year), payment schedule/amount, and a total price "not to exceed" amount. The "not to exceed" total should be a firm estimate of the total cost if final cost is not previously set. Occasionally, the agreement will exceed this amount. Exceeding the "not to exceed" amount should be a rare exception. Any contract with a total value of \$50,000 or more must be approved by the Board of Trustees prior to MISD entering into the agreement. Early approval from the Board is essential. Any contract with a total value of \$5,000 to \$49,999.99 must be signed by the supervising member of Executive Council.

- 14.3.1.6.3.2. **Contractor SB9 Certification:** Please review the “Definitions” paragraph on this form. This paragraph will outline who is defined as “covered employee/s”. If the consultant or consultant’s employees has continuing duties and will have the possibility of direct contact with our students (considered “covered employee/s”), then DPS background check/fingerprinting must be done. When background check/fingerprinting is required, it will be completed prior to the start of any work associated with that contract.
- 14.3.1.6.3.3. **Instructions to School District Contractors (SB9 requirements):** This form is to assist the consultant. It contains the mailing address and contact information for Texas DPS. This form should not be returned to the Contract Manager.
- 14.3.1.6.3.4. **Felony Conviction Notification:** Ask the consultant to respond to one of these three options on this form (A, B, or C). They sign the form next to the section they select. If there are questions concerning this form, please contact the Purchasing office. Forms will not be accepted by the Purchasing office if they are not filled out properly.
- 14.3.1.7. All Contracts less than \$50,000, must be processed via the Contract Review and Approval Form LESS Than \$50,000, found under Docs and Forms on the Business Services website for approval by the purchasing department prior to the contract being signed. The Principal/Director has signature authority to finalize the contract for any contract under \$5,000. The Supervising member of Executive Council has the authority to sign any contract between \$5,000 and \$49,999.99. Once the contract is signed by both parties, forward one copy to the Purchasing office where it will be kept on file for a period of three years. Once through the Contract Review Process the Contract Manager will not agree to any request for changes/additions/or deletions to the agreement. If any request is made, contact the Purchasing office. The Contract Manager will be notified via email when their contract has been added to the Purchasing database.
- 14.3.1.8. All contracts with a total value of \$50,000 or greater must be processed via the Contract Review and Approval Form GREATER Than \$50,000, found under Docs and Forms on the Business Services website and signed by Associate Superintendent of Finance. The proposed contract will then be put on the MISD Board Agenda for Approval. Once the contract has been added to the database, a signed final copy of the Agreement will be sent to you as an attachment to an email or hardcopy format through the MISD Inter District mail.

- 14.3.1.9. The Purchasing department will retain originals of all contract documents and return one copy to the Contract Manager. It is the Contract Manager's responsibility to produce additional copies for the consultant if requested. If the consultant desires a contract with original signatures, the Contract Manager must notify the Purchasing office in advance and submit two original copies for signature.
- 14.3.1.10. The responsible Principal, Director, or departmental superintendent will ensure that the Contract Manager follows all aspects of the contract. Review/oversight of accomplished work or time sheets is extremely important.
- 14.3.1.11. If you identify or the consultant requests changes (in any way), the Contract Manager must notify the respective Principal or Director and contact the Purchasing office prior to agreeing to any change. Do not agree to any change prior to notifying your principal/director/departmental superintendent and the purchasing department. Do not make any verbal agreements to any part of the contract until advice from the Purchasing department has been received.

Exhibit I

MISD Contracts – Signature Authority

The chart in no way supersedes any approval process laid out within the manual or held within your campus or department. This chart is meant as a guide and provides limited EXAMPLES of signature authority based on estimations of total cost of contracts. Please contact the Director of Purchasing with any contract or purchasing questions.

<u>Contract</u>	<u>Signature</u>
<u>Less Than \$5,000</u>	
Advertising in School Yearbooks/Newsletters	Principal
Bottled Water Service	Purchasing
Playoff Games	AD
Professional Development Trainers/Speakers	Principal/Director/Asst. Supt
Prom/Homecoming/Annual Banquet Site/DJ/Photographer/Caterer	Principal
School Paper/Newsletter Printing	Principal
School Fundraisers	Principal
Skate Nights (Skatium)	Principal
Special Program Presenters (Visiting Authors)	Principal
Spirit Nights (CiCi's, Spring Creek, Chick-fil-a)	Principal
Student Day Trips/Field Trips	Principal
Student Overnight Travel Contracts	Principal
Tee Shirts/School Shirts/Spirit Items	Purchasing
<u>\$5,000-\$49,999.99</u>	
Articulation Agreements	Superintendent
Band, Cheerleader, & Other Uniforms	Executive Council Member
Convocation Speaker	Superintendent
Copy Machines	Superintendent
Day Care (A+, YMCA, MDA, Boys & Girls Club, PEP)	Assist Supt of Facilities
Equipment Maintenance Agreements	Assist Supt of Facilities
Facility Use by Others	Asst Supt for Facilities
Form, Handbook Printing	Assoc Supt for Finance
Grad Rings/Invitations/Diplomas/Caps/Gowns	Superintendent
Interlink (CATE)	Superintendent
School Pictures	Superintendent
Senior Pictures	Superintendent
Software Support (Acc Reader)	Asst Supt for Tech
Student Insurance	Superintendent
Vending Contracts	Superintendent
Video, Software Licenses	Asst Supt for Tech
Yearbooks	Superintendent
<u>Contracted Services</u>	
Adaptive PE with YMCA	Superintendent
Concurrent Enrollment/ JJAEP	Board
ESC Region XI	Superintendent
Judges: Band, Cheerleading, Choir	Dir of Fine Arts
Referees	Athletic Director
Sp. Ed. Service Providers	Superintendent

Exhibit II



Mansfield Independent School District CONTRACT REVIEW AND APPROVAL FORM GREATER THAN \$50,000

EMPLOYEE INFORMATION:

Date: _____
Campus/Dept.: _____
Contract With: _____
Purpose of Contract: _____
Date Final Approval Needed By: _____

Please submit at least thirty days before need by date.

CHECK ALL THAT APPLY:

- New Contract
 Renewal
 Contract requires the expenditure of \$ _____ from account code _____
 Requisition Attached
 No funds are involved in execution of contract
 Technology Approval Email Attached (if contract involves any form of technology – ex. software, hardware)
 Other _____

APPROVAL:

I have read and reviewed the proposed contract and the proposed contract correctly states the desired objectives and obligations.

_____ Originator/Employee	_____ Principal or Director

Procurement Process Confirmed:	Date:
_____ Director of Purchasing	_____
Contract Approved:	Date:
_____ Associate Superintendent of Business and Finance	_____
If required:	Date:
_____ Superintendent	_____
Comments: _____ _____	

Route this completely signed form with the contract to the Business Office for review. If approved, the Business Office will forward the signed contract back to the campus or department secretary. Unless otherwise indicated, the campus or department is responsible for returning signed contract to the vendor.

Exhibit III



Mansfield Independent School District CONTRACT REVIEW AND APPROVAL FORM LESS THAN \$50,000

EMPLOYEE INFORMATION:

Date: _____
Campus/Dept.: _____
Contract With: _____
Purpose of Contract: _____
Date Final Approval Needed By: _____

Please submit at least thirty days before need by date.

CHECK ALL THAT APPLY:

New Contract
 Renewal
 Contract requires the expenditure of \$ _____ from account code _____
 Requisition Attached
 No funds are involved in execution of contract
 Technology Approval Email Attached (if contract involves any form of technology – ex. software, hardware)
 Other _____

APPROVAL:

I have read and reviewed the proposed contract and the proposed contract correctly states the desired objectives and obligations.

Originator/Employee

Principal or Director

Procurement Process Confirmed:

Date:

Director of Purchasing

Required **ONLY** for contracts greater than \$5000:

Date:

Supervising Member of Executive Council

Comments:

Route this completely signed form with the contract to the Business Office for review. If approved, the Business Office will forward the signed contract back to the campus or department secretary. Unless otherwise indicated, the campus or department is responsible for returning signed contract to the vendor.