



PURCHASING MANUAL

2024-25 SCHOOL YEAR

Purchasing Department

July 2024

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INTRODUCTION

The Pearland ISD Purchasing Department is responsible for facilitating the acquisition of goods and services for the district in compliance with state, federal, and local laws and policies. This manual is intended to provide guidance to district employees which will promote consistency in procurement practices throughout the District.

One of the goals established in the development of this manual is to provide practical guidelines and easy to understand instructions in a manner which will allow all district staff to implement best practices as well as offer practical and consistent solutions for staff. Naturally, when a situation not fully covered in this document arises, end users should contact the Purchasing Department for guidance. We anticipate that the explanation of processes in this manual will offer end users greater insight on how the District's procurement process works, where the responsibilities lie, and how the process is governed by laws, ethics and diligence of the Purchasing staff to be good stewards of taxpayer's dollars.

The Purchasing Department and campus/department staff involved in purchasing activities share the responsibility of expending district funds in accordance with applicable laws and regulations and safeguarding the public's trust. Successful purchasing is a collaborative venture between the Purchasing Department and the schools and departments within the district.

The Purchasing Department supports the needs of campuses and departments by:

- Educating District staff involved in purchasing activities during training sessions and one-and-one training opportunities as requested.
- Planning for future expenditures and budgetary purposes as well as procurement strategy.
- Procuring goods and services that provide the best value to the District while complying with federal, state, and local laws including district policies and guidelines.
- Achieving a reliable and timely delivery for the requesting campus or department.
- Promoting competition amongst bidders.
- Ensuring equal opportunity for vendors to secure district business.
- Educating and informing vendors about district rules, regulations and methodology that are the foundation for obtaining a contract award.

Situations may arise which are not fully covered by these procedures. Purchasing is available to discuss and aid in finding a solution in the best interest of the District.

Where applicable, this guide references Pearland ISD legal and local policies which can be found in their entirety at <http://pol.tasb.org/Home/Index/222>.

GENERAL ETHICS AND STANDARDS

The Code of Ethics should be followed by any district employee involved in purchasing goods or services for the district. There are certain common standards of ethics that govern the conduct of employees involved in the purchasing function, as follows:

1. Personal Gain

It is a breach of ethics to attempt to realize personal gain through public employment with the school district by any conduct inconsistent with the proper discharge of the employee's duties.

2. Influence

It is a breach of ethics to attempt to influence any public employee of the school district to breach the standards of ethical conduct set forth in this code.

3. Procurement

It is a breach of ethics for any employee of a school district to participate directly or indirectly in procurement when the employee knows that:

- The employee or any member of the employee's immediate family has a financial interest pertaining to the procurement;
- A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement; or
- Any other person, business or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.
- If a school district board member or other official has a substantial interest in procurement, that person shall abstain from discussion and decisions regarding the award of the procurement contract (Local Government Code, Chapter 171,) for definition of substantial interest. In addition, the board member should disclose this substantial interest by filing an affidavit with the district.

4. Gratuities

It is a breach of ethics to offer, give or agree to give any employee or former employee of the school district, or for any employee or former employee of the school district to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefore pending before this government. Acceptance of gratuities may be construed as a criminal offense.

5. Kickbacks

It is a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor for any

contract of a school district, or any person associated therewith, as an inducement for the award of a subcontract or order.

6. Contract Clause

The prohibition against gratuities and kickbacks prescribed above should be conspicuously set forth in every contract and solicitation, therefore.

It is a breach of ethics for any employee or former employee of the school district to knowingly use confidential information for actual or anticipated personal gain, or for the actual or anticipated gain of any person.

For a definition of the penalties, go to Texas Education Code – Subchapter B. -Sec. 44.032 and Local Government Code 271.029.

Ethics relating to conflicts of interest, financial interests in firms conducting business with the district, kickbacks and gratuities, and improper use of a position or confidential information are clearly communicated to the District in Pearland ISD’s Employee Handbook and Board Policies.

District personnel should also be aware that there are penalties for violation of purchasing laws which can include criminal prosecution, loss of employment opportunities, and loss of funds under the Texas Education Code, Chapter 44 and other state and federal statutes regarding the expenditure of public and federal grant funds.

PURCHASING AUTHORITY

The Texas Education Code (TEC), Chapter 44 encompasses the methods by which any school district in the State of Texas must procure items. The purchasing department will make the initial determination as to whether competitive bidding is required. While Purchasing is the “team lead” in this process it is important to note that this work requires input from campus and department end users to make the method successful.

As provided in Texas Education Code, Chapter 44:

- The Board may adopt rules and procedures for the acquisition of goods and services. *Education Code 44.031(d)*.
- The Board may delegate its authority regarding an action authorized or required by Education Code Chapter 44, Subchapter B to be taken by the District to a designated person, representative, or committee. *Education Code 44.0312(a)*.
- The Board may not delegate the authority to act regarding an action authorized or required to be taken by the Board by Education Code Chapter 44, Subchapter B. *Education Code 44.0312(b)*.

In furtherance of the authority granted in the Texas Education Code, the District has adopted the following in its CH(Local):

- The Board delegates to the Superintendent or his designee the authority to determine the method of purchasing, in accordance with CH(Legal) or CBB(Legal), as appropriate, and to make budgeted purchases for goods or services approved by the Board as part of the general fund budget, special revenue fund budget, and capital project fund budget for the fiscal year or funded from activity funds.
- Any single purchase that costs \$100,000 or more shall require Board approval before a transaction may take place.
- Authorized District employees in charge of a department or school budget may purchase items included in their approved budget, in accordance with administrative procedures.
- 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.
- All purchase commitments shall be made by the Superintendent or designee on a properly drawn and issued purchase order, in accordance with administrative procedures.
- District employees shall not be permitted to make purchases for personal use through the District's business office.

The Purchasing Department, under the direction of the Executive Director of Business Services, as the designee for the procurement function shall ensure such function is within compliance of local, state, and federal law, Board Policies, and Administrative Guidelines.

All District contracts shall be competitively procured for goods and/or services valued at \$50,000 or more in the aggregate during a 12-month period. Exceptions to this rule include:

- Purchases from a Correctional Institution (TDCJ);
- Purchases from awarded vendors in a Purchasing Cooperative with whom the District has an Interlocal Agreement in place; including HCDE/Choice Partners, Sourcewell, BuyBoard, Department of Information Resources (DIR), Southeast Texas Purchasing Cooperative (ESC 5), TIPS Cooperative, OMNIA Partners Purchasing Alliance, Allied States Cooperative, and Houston Galveston Area Council (HGAC), Region 6 Education Service Center (Epic 6)
- Purchases from contracts awarded by districts that are members of the Central Texas Purchasing Alliance with whom the District has an Interlocal Agreement in place;
- Purchases from a State Purchasing Cooperative including DIR and TXMAS;
- Professional services such as attorneys, fiscal advisor fees, architects, physicians, certified public accountants and engineers;
- Emergency Purchases: If school equipment, a school facility, or a portion of a school facility is destroyed, severely damaged, or experiences a major unforeseen catastrophe or emergency, undergoes major operational or structural failure, and the Pearland ISD Board of Trustees determines that the delay posed by the contract methods prescribed by legal policy and local policy would prevent or substantially impair the conduct of classes or other essential school activities then contracts for the replacement or repair of the equipment, school facility, or the part of the school facility may be made.

GENERAL PURCHASING GUIDELINES

District principals and directors are responsible for all expenditures made from budgets assigned to campuses or departments. Budget allocations are intended for expenditures for goods and services to be used during the current school year. Unused budget appropriations will lapse at the end of the fiscal year. The purchasing procedures contained in this document are intended to comply with all applicable laws, policies and procedures. In the event of conflict, the strictest law or policy shall prevail. The Purchasing Department operates under a delegated authority by the Board of Trustees and the Superintendent as outlined in Board Policy.

Administrative Guidelines state payment for goods and/or services ordered and received without a duly authorized purchase order may become the personal responsibility of the individual requesting the goods and/or services.

Planning for Purchases

Effective purchasing is a collaborative venture. To comply with state purchasing laws and federal regulations, PISD must determine in advance what products and services are needed in order to use the best method available to procure them.

Purchasing strives to meet these needs proactively by: 1) procuring a number of contracts based on the District's expenditure history (i.e., office supplies, general supplies, catering services, etc.); and 2) participating in several purchasing cooperative programs and thereby decreasing costs and time in the

areas of advertising, bidding, processing, and managing numerous goods and services offered by the cooperatives.

Needs will undoubtedly arise that are not fully covered by these practices and the need to plan cannot be overemphasized. The time required by the Purchasing Department for processing varies depending on the nature and value of the transaction and on various legal requirements. Nevertheless, Purchasing is always available to assist and serve in the best interest of the District and the using department.

PURCHASING CONTRACTS

Per Texas Education Code Section 44.031, all school district contracts for the purchase of goods and services, except contracts for the purchase of produce or vehicle fuel, valued at \$50,000 or more in the aggregate for each 12-month period shall be made by the method, of the following methods, that provides the best value for the district:

1. Competitive bidding for services other than construction services;
2. Competitive sealed proposals for services other than construction services;
3. A request for proposals, for services other than construction services;
4. An interlocal contract;
5. A method provided by Chapter 2269, Government Code, for construction services;
6. The reverse auction procedure as defined by Section 2155.062 (d), Government Code;
7. The formation of a political subdivision corporation under Section 304.001, Local Government Code.

This applies to all personal property, services, and construction contracts, except for contracts for the purchase of produce or vehicle fuel and professional services contracts (see specific sections).

COMPETITIVE BIDDING PROCEDURES

Purpose and Intent of Competitive Bidding

Competitive bidding helps public schools secure the best work and materials at the lowest practical prices by stimulating competition. If a district advertises purchasing needs relating to large expenditures, purchasing in large quantities will probably result in lower costs on a per unit basis or in the aggregate.

To eliminate unfair advantage, vendors that develop or draft specifications, requirements, statements of work, and invitations for bids are excluded from competing in such procurement.

Competitive bidding is a formal process consisting of procedures that may also be referred to as competitive sealed bidding, or more simply as sealed bidding or formal bidding. Competitive bidding is the preferred method of procurement.

The competitive bidding process requires that bid evaluation and awards be made solely upon 1) bid specifications; 2) terms and conditions contained in the request for bids document; 3) prices offered by vendors; and 4) pertinent factors that may affect contract performance.

The request for bids contains the purchase description or specifications covering the item(s), work and/or services needed, the terms and conditions for the proposed bid contract, the time and place for opening

bids and other provisions, as necessary. The advertisement for bids and description in the request for bids, work and/or services needed, and specific terms and conditions must be done in a manner that accomplishes the primary purposes of competitive bidding - stimulate competition and obtain the lowest practical price for the work, service and/or item(s) needed.

The Purchasing Department may require information from the budgetary authority making the purchase to complete the bid package.

Purchasing Department responsibilities for Competitive Procurements:

- 1) Supervise the acquisition of goods and services in a timely and efficient manner.
- 2) Writes, reviews, and modifies specifications for competitive procurements. Specifications must not be overly restrictive but should establish the appropriate quality and quantity that the District requires.
- 3) Provide appropriate newspaper advertising for the publication of competitive procurements.
- 4) Maintain a bid category list based on the National Institute of Governmental Purchasing (NIGP) commodity code list.
- 5) Maintain a file of prospective bidders.
- 6) Develop competitive procurement documents including the Notice to Bidders, Terms and Conditions, and other required documents.
- 7) Host formal pre-bid/proposal conference(s) and bid/proposal openings, when applicable.
- 8) Provide a tabulation of bids/proposals to Pearland ISD.
- 9) Certify all bid laws and Board policies have been adhered to prior to Board of Trustees' approval.
- 10) Maintain a schedule of contracts to be presented to the Board.
- 11) Maintain a list of approved contracts.

Campus/Department responsibilities for Competitive Procurements:

- 1) Supply technical specifications for the items being bid.
- 2) Evaluate specifications, terms and conditions, and recommending the "best value" bid.
- 3) Supply requisitions, including all approvals of appropriate budget managers.

Bid Processing Timeline

A three-month minimum should be allowed for the bid process once a purchase is determined to require a bid.

Bid Category

A group of related items that have a common purpose or function in district operations. Bid categories will vary from district to district depending on vendors, market availability, and the sophistication of the purchasing/inventory process. Proper planning includes a review of the past year's historical usage to maximize the use of competitive quotes and bids.

Bid Document Elements

The following items are necessary in the preparation of a bid document and in requesting bids.

- Newspaper Advertisement

- Notice to Bidders via Ion Wave
- Specifications
- Scope and Intent
- Standard Terms and Conditions
- Special Terms and Conditions, if applicable
- Evaluative Criteria and Relative Weights (mandatory for construction services)
- Definitions and Applicable Documents
- Requirements
- Price Form/Response Sheet
- Vendor Forms (Including but not limited to: Criminal Background Check and Felony Conviction Notice, Non-Resident Bidder's Certification, Non-Collusion Statement, Conflict of Interest Questionnaire, Compliance with HB 1295, and Compliance with HB 89 and SB 252)
- Additional forms to comply with 2 CFR 200 are required when using federal funds.

It is important to note that each element must be appropriately structured to suit the items or services bid.

Bid Advertising

As required by the Texas Education Code 44.031(g) notice of the time by when and place where the bids or proposals, or the responses to a request for qualifications, will be received and opened shall be published in the county in which the district's central administrative office is located, once a week for at least two weeks before the deadline for receiving bids, proposals, or responses to a request for qualifications. PISD also posts the notification on the District's online bidding system.

Bid Notification

Notification of bid openings are advertised pursuant to Texas Education Code 44.031 (g) and via email to vendors registered on the District's online bidding system. The campus/department making the purchase is encouraged to provide a bid list of vendors with current email addresses to whom notices of the bid are to be sent.

Bid Specifications

The District's campus/department shall collaborate with the Purchasing Department to develop specifications for the items or services needed. Specifications shall follow these guidelines:

- Generally, bid specifications will include a description of the required item, the characteristics or functions of the item, and the terms and conditions under which the procurement will be made.
- Specifications must be drafted to allow vendors supplying reasonably equivalent items to compete on an equal basis. Specifications should not be so vague that bidders do not have enough information on which to draw intelligent bids nor should they be unduly restrictive.
- Specifications that tend to favor a particular bidder, not for any reason in the public interest, but rather to ensure the award of the contract to a particular vendor, are improper.
- If a brand name represents an industry wide standard, the brand name product may be specified as long as the specifications provide an "equivalency clause," that is, a statement that products

reasonably equivalent to the standard are acceptable. Samples may be required to determine equivalency from a vendor.

Code of Silence

PISD 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 the District, 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 District representatives who have influence in the evaluation or selection process.

PISD’s Code of Silence for competitive procurements begins the day the solicitation is issued via the electronic bidding system 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 or the Buyer identified in the solicitation, no later than the deadline identified in the solicitation.

Conflict Disclosure Statement

Section 176.003 of the Local Government Code requires certain local government officers/PISD employees to file a Conflicts Disclosure Statement if:

1. The vendor enters into a contract with PISD or PISD is considering entering into a contract with the vendor; and
2. The vendor:
 - a) Has an employment or other business relationship with the PISD employee or a family member of the PISD employee that results in the PISD employee or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the PISD employee becomes aware that:
 - i. A contract between PISD and the vendor has been executed; or
 - ii. PISD is considering entering into a contract with the vendor;
 - b) Has given to the PISD employee or a family member of the PISD employee one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the PISD employee becomes aware that:
 - i. A contract between PISD and the vendor has been executed; or
 - ii. PISD is considering entering into a contract with the vendor; or
 - c) Has a family relationship with the PISD employee.

Independent Estimate (Federal Funds)

In accordance with 2 CFR §200.323, an Independent Estimate form must be used to document PISD's estimated range of fair and reasonable costs for all federal purchases anticipated to meet or exceed \$50,000. This form is used to document the analysis PRIOR to seeking bids, proposals, or quotes and is submitted to the Purchasing Department and kept as part of the procurement files and documents.

Cost or Price Analysis (Federal Funds)

In accordance with 2 CFR §200.323, for all federal purchases that exceed the Simplified Acquisition Threshold of \$250,000, the District shall perform a cost or price analysis with every procurement. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the District must make independent estimates before receiving bids or proposals and provide documentation of the independent estimate reached before receiving bids or proposals from RFPs or interlocal agencies or purchasing cooperatives.

Bid Opening

Bid documents shall be opened electronically on the District bidding system at the designated date and time. A participation list shall be kept on file with details regarding participation.

Review & Award

Awarding of bids shall be made to the vendor meeting the specifications outlined in the proposal. Hence, the specifications are crucial to ensure an accurate award as well as other relevant factors to be used in the determination of the awarded vendor(s).

Bids may be awarded as an "all or none" bid giving all items awarded to one vendor or by line-item award to multiple vendors. Bids may also be awarded as an "all award" bid approving all vendors which complied and responded with all required bid documents and information.

When a bid has been opened and tabulated by the purchasing department, a copy of the recap of bids along with a copy of each bid received will be furnished to the originating director. Evaluation of the bids or proposals received will be performed by member(s) of the originating campus/department and a member of the Purchasing Department.

Vendor Award Criteria

TEC 44.031 further explains the criterion that is used in evaluating vendors who submit proposals to the district. In determining to whom to award a contract, the district shall consider:

1. The purchase price
2. The reputation of the vendor and the vendor's goods and services
3. The quality of the vendor's goods and services
4. The extent to which the goods or services meet the needs of the district
5. The vendor's past relationship with the district
6. The impact on the ability of the District to comply with laws and rules relating to historically underutilized businesses

7. Long term cost to the district to acquire vendors goods or services
8. For a contract for goods and services, other than goods and services related to telecommunications and information services, building construction and maintenance, or instructional materials, whether the vendor or the vendor's ultimate parent company or majority owner:
 - A. Has its principal place of business in this state; or
 - B. Employs at least 500 persons in this state
9. Any other relevant factor specifically listed in the request for bids or proposals

These, as well as a host of other documents are the base structure for the competitive procurement of the District.

Note: Price is always the highest percentage in evaluations. Experience is based on a survey of references submitted by proposers. Quality, Needs, Relationship, and Long-Term Cost are evaluated by using department/campus. Purchasing will evaluate price, HUB, and geographic location.

Board of Trustees Approval

Any single, budgeted purchase of goods or services that costs \$100,000 or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place.

The Purchasing Department will prepare the agenda item to be presented for approval by the Board of Trustees at the next scheduled board meeting or an internal agenda item for approval by the Superintendent or designee.

The principal/director is required to attend the board meeting to be available to answer detailed/specific questions from board members.

Exceptions to Competitive Bidding

Professional and Consulting Services

Under Texas Education Code 44.031 (f), this section does not apply to a contract for professional services rendered, including services of an architect, attorney, certified public accountant, engineer, or fiscal agent. A school district may, at its option, contract for professional services rendered by a financial consultant or a technology consultant in the manner provided by Section 2254.003, Government Code, in lieu of the methods provided by this section. NOTE: federally funded professional service contracts must be awarded on a competitive basis.

Competitive bids shall not be solicited for professional services of any licensed or registered:

- certified public accountant,
- architect,
- landscape architect,
- land surveyor,
- physician, including a surgeon,

- optometrist,
- professional engineer,
- state-certified or state-licensed real estate appraiser, or
- registered nurse.

Contracts for these professional services shall be made based on demonstrated competence and qualifications to perform the services and for a fair and reasonable price. Government Code 2254.002, 2254.003(a).

In connection with certain professional service contracts, specifically architectural or engineering, Chapter 2254, Government Code, requires a two-step negotiation process. The two-step process only allows negotiation of price after an initial selection based upon demonstrated competence and qualifications of the person/firm.

Emergency Purchases

Under Texas Education Code 44.031 text of Subsec. (h) as amended by Acts 1999, 76th Leg., Ch. 1225, “If school equipment or a part of a school facility or personal property is destroyed or severely damaged or, as a result of an unforeseen catastrophe or emergency, undergoes major operational or structural failure, and the board of trustees determines that the delay posed by the methods provided for in this section would prevent or substantially impair the conduct of classes or other essential school activities, then contracts for the replacement or repair of the equipment or the part of the school facility may be made by methods other than those required by this section.”

The Board of Trustees has delegated to the Board President and/or Superintendent the authority to take necessary action in the event of a catastrophe, emergency, or natural disaster affecting the District and the authority to contract for the replacement or repair of school facilities and/or equipment under Education Code Chapter 44, Subchapter B. [see CH (LOCAL)].

Produce and Fuel

Education Code Section 44.031 provides an exception for produce and fuel contracts which allows the District to use any procurement method, including those listed in 44.031, for these purchases. However, Texas Department of Agriculture’s Administrator’s Reference Manual (ARM) provides that when procuring fresh fruit and vegetables, the District may use any type of procurement method or contract allowed **for child nutrition programs**. The District must follow the most restrictive rule.

PURCHASING COOPERATIVES (CO-OPS) AND STATE CONTRACTS

The Texas Education Code allows districts to use vendors that have already satisfied all procurement requirements through cooperative or State of Texas contracts via an Interlocal contract. While these contracts allow for a more expedited procurement process, it is the responsibility of the campus/department to solicit quotes amongst the cooperative and state approved vendors. Exercising due diligence when using cooperatives and state contracts as a method of procurement will ensure fiscal responsibility.

The District has board approved Interlocal contracts with the following purchasing cooperatives:

- Central Texas Purchasing Alliance*
- Harris County Department of Education - Choice Partners Cooperative - Harris County Department of Education – (HCDE/CP)
- Omnia Partners Purchasing Alliance
- Region V - Southeast Texas Cooperative
- State of Texas Department of Information Resources (DIR)
- TASB - Buy Board
- TIPS Cooperative
- Allied States Cooperative – (ESC 19)
- EPIC 6 (Region 6)
- Houston Galveston Area Council (HGAC)
- Sourcewell
- State Comptroller’s Office – Tx Smartbuy (TXMAS)

** Allows member organizations to utilize other participating districts’ approved contracts*

Interlocal contracts may not be used to purchase engineering or architectural services.

Before federal funds can be used for a purchase through a cooperative or alliance member’s contract, Purchasing must verify that the contract was procured in accordance with state and/or federal law (i.e., EDGAR, ARM, best value criteria, etc.). Additionally, the vendor must submit any documentation or certifications required by the District including criminal history, debarment, insurance, etc.

STATE & LOCAL FUNDS PURCHASING LIMITS AND REQUIREMENTS

Dollar Thresholds

Dollar Thresholds are to be used as a guide when purchasing goods and/or services using District and/or Federal funds. Department staff should make every effort to utilize district contracted vendors for products and services to ensure compliance with Texas Education Code (TEC). Purchases of similar commodities/services valued at \$50,000 or more in the aggregate during a twelve-month period triggers a competitive bid process and requires approval by the Pearland ISD Board of Trustees.

For example, Campus A purchases \$30,000 worth of furniture at the beginning of the fiscal year from ABC Furniture and Campus B purchases \$40,000 worth of furniture from XYZ

Furniture in the middle of the fiscal year; both campuses have bought \$70,000 combined in the fiscal year from two separate vendors – if both vendors are Pearland ISD approved, the purchases are considered to be legal; if none or only one of the vendors is not approved, purchases from the non-awarded vendor(s) are considered to be in conflict with the laws of the Texas Education Code.

Campuses and departments shall follow the below purchasing guidelines using best value criteria for individual transactions.

State & Local Quote Requirements

	PURCHASE AMOUNT	WRITTEN QUOTES RECOMMENDED	ADDITIONAL REQUIREMENT	RFP/BID	BOARD APPROVAL
Using District-Awarded or Cooperative Vendors	\$0 - \$9,999	1 Quote		Already Completed by Purchasing/ Cooperative	Not Required
	\$10,000 - \$99,999	1 Quote Required/ 3 Quotes Recommended *	Justification (if not using lowest quote)		Not Required *
	\$100,000 & Over	1 Quote Required/ 3 Quotes Recommended *			Required if single purchase is \$100,000 & Over
Using Non-Awarded Vendors	\$0 - \$9,999	1 Quote		Not Required if Annual Category Spend is Under \$50,000	Not Required
	\$10,000 - \$49,999	3 Quotes	Justification (if not using lowest quote)		Not Required
	\$50,000 & Over	Formal Procurement Required	Bid Evaluation Documents	Required	Required if single purchase is \$100,000 & Over
	SOLE SOURCE	1 Quote	Sole Source Affidavit	Not Required	

* The Purchasing Director/Executive Director of Business Services has authority to request more than one quote where pricing does not appear reasonable and require board approval depending on the type of purchase.

Purchases up to \$10,000

All purchases should be processed through a Munis requisition, except for travel reimbursements (travel reimbursement should be processed on the approved travel forms). Staff should utilize a PISD awarded vendor or a cooperative contracted vendor to ensure quick processing. Schools and departments must provide a written quotation for all requisitions (*reference the procurement levels and requirements*). If using a cooperative contract, the vendor should reference their cooperative contract number and cooperative name on the quote.

Purchases from a non-contracted vendor must be approved by the Purchasing Director prior to procuring the items/services and may require three written quotes. *See Appendix for required forms.*

Purchases \$10,001 to \$99,999

All purchases require one quote; three quotes may be requested at the discretion of the Purchasing Director.

For any purchases over \$50,000 not utilizing a PISD awarded vendor or a cooperative contracted vendor, the Purchasing Department should be contacted prior to securing the products/services; a formal competitive procedure will be required. The Purchasing Department will assist the campus/department in following the statute requirements for competitive procurements and in preparing the contract recommendations for Board consideration. The Purchasing Department will issue bids through the District's online bidding system, Ion Wave.

Child Nutrition purchases have more restrictive requirements; three quotes must accompany any purchase over \$10,000.

Purchases \$100,000 and over (using PISD Awarded or Cooperative Vendors)

For any purchase over \$100,000 that involves PISD awarded or cooperative contracted vendors, the Purchasing Department may request three written quotes from vendors depending on the fund that will be used to procure the items/services.

Board approval is required for any purchases over \$100,000. The Purchasing Department will coordinate the board agenda submission with the campus/department; including purchases through a PISD awarded vendor or a cooperative contracted vendor.

Use of Non-Contracted Vendor Requirements

Requests to approve the use of a non-contracted vendor must be done via email to the Purchasing Department. If approved to utilize a non-contracted vendor, a scanned copy of the approval email should be upload to the requisition for approval purposes.

FEDERAL FUNDS

Federal Quote Requirements

	PURCHASE AMOUNT	WRITTEN QUOTES RECOMMENDED	ADDITIONAL REQUIREMENT	RFP/BID	BOARD APPROVAL
Using District-Awarded or Cooperative Vendors	\$0 - \$9,999	1 Quote	Effort to Distribute Equitably Among Qualified Suppliers	Already Completed by Purchasing/ Cooperative	Not Required
	\$10,000 - \$49,999	1 Quote Required/ 3 Quotes Recommended *			Not Required
	\$50,000 - \$249,999	3 Quotes	Justification (if not using lowest quote)		Required if single purchase is over \$100,000
	\$250,000 & Over (Simplified Acquisition Threshold)	Formal Procurement or Cooperative	Price & Cost Analysis	District Bid or Cooperative	Required
Using Non-Awarded Vendors	\$0 - \$9,999	1 Quote	Effort to Distribute Equitably Among Qualified Suppliers	Not Required if Annual Category Spend is Under \$50,000	Not Required
	\$10,000 - \$49,999	3 Quotes			Not Required
	\$50,000 & Over	Formal Procurement Required	Price & Cost Analysis if \$250,000 and Over	Required	Required if single purchase is \$100,000 & Over
	SOLE SOURCE (Requires TEA Approval)	1 Quote	TEA-Approved Sole Source	Not Required	

Federal Regulations - Education Department General Administrative Regulations (EDGAR)

The district shall adhere to the Education Department General Administrative Regulations (EDGAR) and any additional grant-specific cost principles. The 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards include numerous requirements of the grantee effective July 1, 2018, and amended in November 2020. The district shall utilize a purchase order and encumbrance system to manage the expenditure of all federal grant funds unless other methods such as credit cards, petty cash, direct payments, etc. are authorized in the district's operating procedures. All purchases shall be in accordance with the district's School Board Policies (CH Legal and Local), Purchasing Manual and Federal and State Grants Manual. The district purchasing shall comply with all federal, state, and local procurement requirements.

If a conflict arises between the federal, state and local requirements, the stricter requirement shall prevail and follow the guidelines within the State and Federal Grants Manual in Appendix A.

Simplified Acquisition Threshold

The simplified acquisition threshold is set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions) and in accordance with 41 U.S.C. 1908. The simplified acquisition threshold is \$250,000, this threshold is periodically adjusted for inflation. The simplified acquisition threshold is the amount which the District may purchase property or services using small purchase methods. Small purchase procedures

have been adopted to expedite the purchase of items costing less than the simplified acquisition threshold.

Micro-purchase

Micro-purchase is a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold. Micro-purchase procedures are a subset of small purchase procedures to expedite the completion of lowest-dollar small purchases. The micro-purchase threshold is set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1.

Self-Certification of Micro-Purchase Threshold

Per 2 CFR§ 200.320(a)(1)(v) a Non-Federal entity may increase its micro-purchase threshold up to \$49,999 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with §200.334. Pearland ISD elected to increase its micro purchasing threshold to \$49,999.99.

Cost or Price Analysis

In accordance with 2 CFR §200.324, for all federal purchases that exceed the Simplified Acquisition Threshold of \$250,000, the District shall perform a cost or price analysis with every procurement. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the District must make independent estimates before receiving bids or proposals and provide documentation of the independent estimate reached before receiving bids or proposals from RFPs or inter local agencies or purchasing cooperatives.

Independent Estimate

In accordance with 2 CFR §200.324, an Independent Estimate form must be used to document PISD's estimated range of fair and reasonable costs for all federal purchases anticipated to meet or exceed \$50,000. This form is used to document the analysis PRIOR to seeking bids, proposals, or quotes and is submitted to the Purchasing Department and kept as part of the procurement files and documents.

Purchases over \$250,000 (Involving Federal Funds)

Follow Federal Fund guidelines located in Appendix A and the State and Federal Grants Manual.



Larry Berger
Superintendent

Thu Pham
Executive Director of Business Services

**Pearland Independent School District
Self-Certification of Increased Micro-Purchase Threshold**

WHEREAS, Pursuant to Board Policy CH (Local), the Board has authorized the Superintendent to develop purchasing procedures to implement the requirements of state and federal law. Further, the District's Board of Trustee has delegated authority to the Superintendent to make budgeted purchases of goods and services costing less than \$100,000.

WHEREAS, Pursuant to 2 CFR§ 200.320(a)(1)(iv), a non-Federal entity may self-certify a Micro Purchase Threshold up to \$50,000 on an annual basis and must maintain documentation to be made available to the Federal awarding agency and auditors in accordance with 2 CFR §200.334.

THEREFORE, Pearland ISD self-certifies that for fiscal year 2024-2025, its Micro Purchase Threshold, as defined by 2 CFR 200.320(a)(1)(ii), is hereby increased to \$49,999.99. Unless otherwise required by the District's internal purchasing regulations or controls, purchases up to the Micro Purchase Threshold may be purchased without soliciting competitive price or rate quotations if the District considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly.

This self-certification is based on the following justification, as recognized and authorized by 2 CFR §200.320(a)(1)(iv)(C):

Texas law generally permits public school districts to make non-competitive purchases for goods or services valued less than \$50,000 in the aggregate, as set forth in Texas Education Code §44.031(a).

In any instance where Texas or other federal law imposes a requirement to competitively procure any good or service costing less than \$50,000, or where Texas or other federal law imposes more stringent purchasing standards or procedures than set forth in 2 CFR Part 200, the District will continue to follow the more restrictive legal requirement.

APPROVED BY:

Larry Berger

Dr. Larry Berger
Superintendent

Thu Pham

Thu Pham
Executive Director of Business Services

Sales Tax

Federal excise taxes, State taxes, or District sales taxes shall not be included in the requisition/purchase order; the District is not liable for these taxes.

Staff members shall use the District's Tax-Exempt Form when authorized to make a purchase with personal funds from an approved vendor and then seek reimbursement for such purchase. Staff members may not use the District's tax exempt status for purchases of personal property. Anyone avoiding the payment of sales tax by using this exemption for personal purchases may be liable and subject to prosecutions under Texas Tax Code - TAX § 151.707. Resale or Exemption Certificate;

Criminal Penalties for Misuse of Sales Tax Certificate:

- a) A person commits an offense if the person:
 - 1) intentionally or knowingly makes a false entry in, or a fraudulent alteration of, an exemption or resale certificate;
 - 2) makes, presents, or uses an exemption certificate or resale certificate with knowledge that it is false and with the intent that it be accepted as a valid resale or exemption certificate; or
 - 3) intentionally conceals, removes, or impairs the verity or legibility of an exemption or resale certificate or unreasonably impedes the availability of an exemption or resale certificate.
- b) An offense under Subsection (a) is:
 - 1) a Class C misdemeanor if the tax avoided by the use of the exemption or resale certificate is less than \$20;
 - 2) a Class B misdemeanor if the tax avoided by the use of the exemption or resale certificate is \$20 or more, but less than \$200;
 - 3) a Class A misdemeanor if the tax avoided by the use of the exemption or resale certificate is \$200 or more, but less than \$750;
 - 4) a felony of the third degree if the tax avoided by the use of the exemption or resale certificate is \$750 or more, but less than \$20,000; or
 - 5) a felony of the second degree if the tax avoided by the use of the exemption or resale certificate is \$20,000 or more.

CONTRACTED SERVICES

Contract Basics

A contract is an agreement between two parties for goods or services for considerations. Simply stated, a contract is a legal arrangement for one person/contractor to provide a good or services in exchange for money. A contract can be as simple as a purchase order or may be a multi-page document that requires detailed review.

Directors and other administrators should send all agreements of a financially binding nature, including contracts with consultants and professional services contracts, to the Purchasing Department for approval before commitments are made.

Professions previously listed as Professional Services should be considered Contracted Services and are subject to state and federal bidding laws. To secure consulting services in unlicensed areas such as professional development, musical instrument instruction, choreography instruction or other services which are not considered professional services as defined by state law, you must complete the following steps prior to receiving any services (contact Purchasing with any questions):

- 1) Identify prospective vendors from the Pearland ISD Awarded Vendor List. If prospective vendor is on the approved vendor, the department/campus must request an itemized quote for the services provided.
- 2) If you cannot identify prospective vendors due to the type of service which is required, contact the Purchasing Department for assistance.
- 3) Complete a PISD Contract Transmittal Form, Employee versus Contractor Form (if applicable) and Consultant or Non-Professional Services Contract. (See Contract Flow Chart)
- 4) If the vendor doesn't exist in Munis, they may need to complete a New Vendor Packet. If the vendor is awarded through PISD, a vendor packet will not be necessary as all required information is within the bid.
- 5) Submit Contract Transmittal Form, Employee versus Contractor form, Unsigned Contract and Quote if applicable to Purchasing Coordinator who will send out for signatures.
- 6) Once you receive notification that the contract has been successfully executed, you will enter a requisition in Munis with the Contract Transmittal Form, Employee versus Contractor form, Contract, and quote attached. Please note, the quote must contain the dates of service and a description of the services that will be provided.

Under federal guidelines from the U.S. Department of Education, contracts made by a non-Federal entity (school district) must contain applicable provisions in accordance with the Education Department General Administrative Regulations (EDGAR), 2 CFR Part 200 – Uniform Administrative Requirements. For further information or guidance, these provisions are described in the bid document for an awarded vendor or in Appendix II – Contract Provisions for Non-Federal Entity Contracts Under Federal Awards for non-awarded vendors.

Contract Approval

The Purchasing Department must review all contracts, lease, and maintenance agreements before signing according to the flow chart below.

Principals and Administrators are not authorized to sign on behalf of the District. The Superintendent or Executive Director of Business Services by delegation from the Superintendent must sign all contracts after documents have been reviewed and approved by the Purchasing Department.

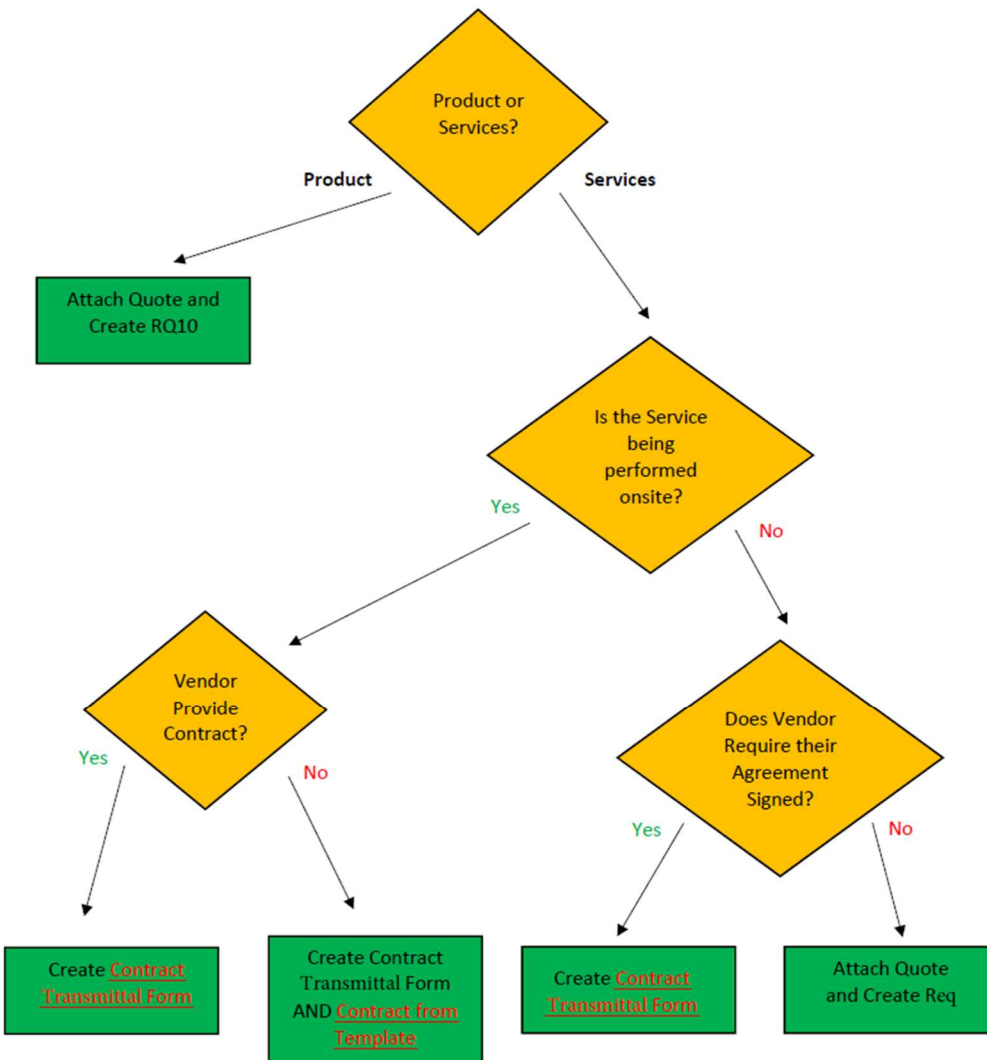
Contract Approval Process

1. Complete the Contract Transmittal Form
2. Complete the PISD Consultant or Non-Professional Services Contract
3. Complete the Independent Contractor vs. Employee Determination Form and submit the completed copy with contract for review.
4. If the vendor is not setup in Munis, a New Vendor Packet may be required. Check with Purchasing
5. Follow the Contract Flowchart for the proper steps necessary
6. Send the completed Contract Transmittal Form, unsigned Contract or Agreement, Independent Contractor vs. Employee Determination Form to the Purchasing Department.

Only the Executive of Business Services or designee are authorized to sign contracts on behalf of the District.

*Please note - when using a PISD contract template the other party always signs first.

Contract Processing Flow Chart



Principal/Director Signature Authority

Principals/Directors are authorized to sign the following contract agreements:

- Field Trips
- Class pictures, senior rings, caps and gowns, yearbooks (must use an approved vendor)
- School Program Agreements (e.g. Backpack Buddy and fundraisers)
- Campus vending machines
- Any contract using 865 funds

Principals/Directors should avoid signing exclusivity agreements without the consent of the General Counsel and Executive Director of Business Services.

COMMON CONTRACT CLAUSES THAT ARE DETRIMENTAL TO PISD

Term/Clause	Why is it an issue?	Remedy
Indemnity/Hold Harmless	The giving of indemnity by a school district amounts to a gift of public funds or lending of public credit for private purposes against the restrictions in the Texas Constitution. Tex. Atty. Gen. Op. No. MW-475 (1982)	DO NOT AGREE to language that obligates PISD to indemnify or hold the other party harmless. This provision should be removed from the contract.
Payment Terms	PISD is a governmental entity and in accordance with the Government Code §2251.021, a contract executed on or after 09/01/87 is overdue on the 31 st day.	All payments are Net 30.
Late Fee or Interest	Texas Government Code §2251.025 stipulates the interest rate for late payments to vendors is the rate in effect on September 1st of the fiscal year in which the payment becomes overdue.	Add the phrase " or the highest rate allowable by law, whichever is less" to the provision.
Attorneys' Fees & Costs	Attorneys' fees and cost can be burdensome if a substantial amount of money has been spent on them by either party.	Remove this provision or add a provision that each party will pay its own attorneys' fees.
Venue	Home-court advantage is important in litigation. We want a local judge and jury to be hearing our cases.	Venue should be Brazoria County, Texas, where PISD is located.
Governing Law	PISD should never enter into a contract that defines the governing law as any state other than Texas. The contract is being executed in Texas and Texas law has many protections for school districts.	State of Texas law should govern all PISD contracts.

Term/Clause	Why is it an issue?	Remedy
Notice	The contract should always specify the manner (i.e., email, fax, mail, etc.) in which any required notices under the contract must be given.	ALL NOTICES should be in writing and should include email.
Dispute Resolution	<p>Litigation = Lawsuits can be extremely costly for PISD. This should be the absolute last resort.</p> <p>Arbitration = By submitting to binding arbitration, neither party can sue the other in court. Decisions by arbitrators usually cannot be appealed.</p> <p>Mediation = Mediation is totally voluntary; neither party has an obligation to agree to settle. Mediation is inexpensive, compared to arbitration and litigation, and can often resolve disputes.</p>	MEDIATION is the preferred method of dispute resolution for PISD.
Force Majeure	Force majeure clauses do not excuse a party's non-performance entirely, but only suspends it for the duration of the force majeure.	Review the provision to ensure that the scope of what types of acts excuse performance is sufficient.
Non-Appropriation	PISD should always seek to include language to allow it to exercise a non-appropriation termination in the event of a reduction in revenue from its tax base or a legislated mandatory reduction in funds.	Add a non-appropriation clause to multi-year contracts.
No-Cause Termination (Termination for Convenience)	Allows PISD to terminate a contract at any time with or without giving any reason. This provision is suggested if PISD is unsure about a vendor, wants to minimize the risk inherent in a term commitment, or is using federal grant dollars.	Carefully consider whether this type of provision should be added.

PURCHASING PROCEDURES

Pearland ISD requires that schools and departments reference an awarded contract when creating a requisition. A Master Awarded Vendor List containing all currently awarded vendors is available online.

Pearland ISD has several awarded categories in effect that cover most needs of the District, including: instructional materials, promotional items, and district-wide contracted services. In addition, end users have the option of using an awarded vendor from purchasing cooperatives the District is a member of.

Each purchase order processed by the Purchasing Department is coded to a Commodity Code.

All procurement requests are reviewed by the Purchasing Department for compliance with existing pricing and contract terms and conditions, procurement statutes, state and federal laws, and District policies. Because of this review process, trends are identified, and appropriate action may be taken.

The Purchasing staff acts as a resource to guide users through these processes and should be consulted frequently when issues or questions arise.

When working with the Purchasing Department, here are some important elements to remember about the process:

Purchase Order (PO)

A purchase order is a written contract between PISD and the vendor for the purchase of goods or services. To be a legal contract, a purchase order must include an agreed price, agreed terms, and a good description of the goods/services to be provided. PISD's acquisition of goods and services should be made by the issuance of an official, numbered PISD purchase order, unless other means have been approved by the Business Office.

Quote Requirement

All requisitions must have at least one quote attached. Please refer to the Procurement Levels and Requirement table to verify the number of quotes required based on the dollar amount. All quotes should reflect the items/services, vendor information and contract number under which the pricing is being quoted.

Travel for Administrators

All requisitions for travel, including but not limited to, hotel stay, car rental, and conference registration must follow the District's out-of-district and out-of-state travel guidelines. These requirements apply to deputy/assistant superintendents, assistant superintendent for instructional programs, principals, directors and specialists under a director.

- Out-of-district travel requires the approval of the supervisor.
- Out-of-state travel requires the approval of the supervisor and the superintendent or designee.

- All approvals must be attached to each requisition and/or request for reimbursement associated with the out-of-state travel, including but not limited to conference registrations, hotel reservations, car rental, and air travel.

Travel for Students

All requisitions for student travel, including but not limited to, hotel stay, charter bus rental, and event registration must follow the out-of-district or out-of-state guidelines for overnight travel. These requirements apply any student travel.

Overnight Travel – School-sponsored student overnight travel requires approval of the deputy superintendent or designee, as designated by the superintendent, in accordance with policy BJA (LOCAL).

Requests for student overnight trips should be submitted to the deputy superintendent. The only form that is to be used is located in Eduphoria, a district computer software system. Criteria for the trip is on the form and must be followed.

International trips by a district student group shall require approval of the Superintendent.

All student travel require Eduphoria approval attached to the requisition or request for check.

Membership Fees for Administrators

The District may reimburse (with general funds) administrators for professional association membership fees if the basic membership is solely for the professional development of the administrator. For this guideline, “administrator” includes superintendent, deputy superintendent, assistant superintendent, director, supervisor, coordinator, principal, assistant principal, specialist and manager.

Those memberships which offer benefits of a personal nature such as life insurance, medical insurance, legal representation, etc., which are NOT separate fees from the membership fees are not subject to reimbursement by the district. If these items are billed separately, the district will reimburse for basic membership but will NOT reimburse personal benefits (i.e. life insurance, medical insurance, legal representation, etc.).

Membership fees eligible for reimbursement by the district are subject to the following guidelines:

- The organization must be dedicated to the professional development of school district employees.
- Funds must be budgeted.
- Expenditure of the membership fee must be approved by an immediate supervisor or an administrator at a higher level.

Organizations eligible under these guidelines include:

AAEE	American Association for Employment in Education Inc.
AASPA	American Association of School Personnel Administrators
ASBO	Association of School Business Officials
ASCD	Association for Curriculum and Development

CEFPI	Council/Educational Facility Planners International
CTAT	Career and Technology Administrators of Texas
GCAPT	Gulf Coast Association of Pupil Transportation
GCASE	Gulf Coast Administrators of Special Education
GFOA	Government Finance Officers Association
NIAAA	National Interscholastic Athletic Administrators Association
NDPN	National Dropout Prevention Network
NSPRA	National School Public Relations Association
RRCNA	Reading Recovery Council of NA
TASCD	Texas Association for Supervision and Curriculum Development
TATDP	Texas Association for Truancy and Dropout Prevention
TAGT	Texas Association Gifted/Talented
TACS	Texas Association of Community Schools
TAPT	Texas Association of Pupil Transportation
TASA	Texas Association of School Administrators
TASB	Texas Association of School Boards
TASBO	Texas Association of School Business Officials
TAS/MUS	Texas Association of Suburban/Mid-Urban Schools
TASN	Texas Association of School Nutrition
TASPA	Texas Association of School Personnel Administrators
TASSP	Texas Association for Secondary School Principals
TADA	Texas Athletic Director's Association
TCEA	Texas Computer Education Association
TCPA	Texas Comptroller of Public Accounts
TCWSE	Texas Council for Women School Executives
TEPSA	Texas Elementary Principals & Supervisor Association
THN	Texas Homeless Network
THSCA	Texas High School Coaches Association
TMSA	Texas Middle School Association
TSLA	Texas Science Leadership Association
TSDC	Texas Staff Development Council
T-SNAP	Texas Statewide Network of Assessment Professionals
TSPRA	Texas School Public Relations Association
NABE	National Association for Bilingual Education)
HAABE	Houston Area Association for Bilingual Education
NSTA	National Science Teachers Association

Membership Fees for Teachers

The District may reimburse campus head coaches of athletic sports or head directors of fine arts in grades 7–12 for band, dance and choir; and grade 9-12 for art for professional association membership fees if the organization requires these teachers to hold membership in order for their prospective students to participate in competition, display work, or to be eligible to apply for the organization’s scholarships.

Membership fees eligible for reimbursement by the district are subject to the following guidelines:

- The organization must be dedicated to student achievement in areas recognized and supported by the district.
- The organization must be dedicated to the professional development of school district employees
- Funds for memberships must be budgeted.
- Other costs for benefits of a personal nature such as life insurance, medical insurance, legal representation, etc., are separated out and **not** part of the membership fee.
- Expenditures of the membership fee must be approved by an immediate supervisor or an administrator of a higher level.

Organizations eligible under these guidelines are limited to:

NATA	(National Athletic Trainers Association)
TABC	(Texas Association of Basketball Coaches)
TAGC	(Texas Association of Golf Coaches)
TASCO	(Texas Association of Soccer Coaches Organization)
TDEA	(Texas Dance Educators Association)
TGCA	(Texas Girls Coaches Association)
THSBCA	(Texas High School Baseball Coaches Association)
THSCA	(Texas High School Coaches Association)
TISCA	(Texas Interscholastic Swimming Coaches Association)
TMEA	(Texas Music Educators Association)
TAEA	(Texas Art Education Association)

For this guideline, “administrator” includes superintendent, deputy assistant superintendent, senior assistant superintendent, senior assistant superintendent for instructional programs, and director.

Food Purchase Guidelines

Only approved vendors may be used for the purchase of food without prior approval. Please refer to the Approved Vendor List to ensure the vendor you are interested in using is a Pearland ISD approved vendor. If food is purchased for a valid campus or department meeting during the school day, then it may be funded through the campus budget. The meeting shall have an agenda with mandatory attendance by the staff.

If food is purchased for a campus or department retreat or a holiday staff party, whether it is on or off campus and during a weekend, holiday or the summer it shall be funded with campus activity funds. When using budgeted funds to cater a meal from local restaurants, the campus or department shall request a purchase order utilizing an awarded vendor.

Your requisition should contain the following information:

- Who the food is for? (District employees, non-employees, mixed group, etc.)
- The location for the food to be set-up.
- Number of people expected in attendance.
- Date of Service

Budgeted funds may not be used to reimburse meals while dining at a local restaurant without prior permission.

Gift Card Purchases

Employees – The purchase of gift cards for employee is prohibited. In accordance with IRS guidelines, gift cards given to employees are considered taxable income. Regardless of how little the value of a gift card, the district is required to add the value to the reported wages of an employee on IRS Form W-2.

Within one week, the administrator and employee should complete a Gift Card Issuance/Receipt Form (see Appendix) whenever an employee is awarded a gift card which was acquired with district funds, including activity funds.

For Students – The purchase of gift cards for students cannot exceed \$10 per gift card. When entering a requisition for gift cards for student, you must enter the quantity of cards purchased at \$10 each. Gift card purchases for students should comply with the Activity Fund Manual guidelines and can only be purchased with campus activity funds.

Gifts for Employees

Gifts for employees such as pens, markers, notepads, etc., that are a common supply for everyday use, may be purchased from the campus budget.

If an employee is presented with a certificate or plaque for his/her outstanding accomplishments or small gifts for Teacher Appreciation Day, it shall be purchased with campus activity funds.

The purchase of gifts of a personal nature, including birthday, baby showers, etc. are prohibited with district and activity funds. These may be purchased with 865 Social Committee funds.

Background Checks

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

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

Conflicts Disclosure Statement

Conflict Disclosure statements must be filed by an PISD employee who took part in planning, recommending, selecting, or contracting with a vendor who has a conflict as described by Section 176.03 of the Local Government Code. The Conflict Disclosure Statement must be completed by the PISD employee and submitted to the PISD Purchasing Department not later than 5 p.m. on the seventh business day after the date on which the PISD employee becomes aware of the facts that require the filing of this statement.

Finding a Supplier

The Purchasing Department encourages the use of contract vendors for all purchases. If you have an idea of what you need and can give a good description of it, you may check the Purchasing webpage for the vendor's contract information. You may also contact the Purchasing Department for more information or guidance.

Insurance

A vendor whose services will be performed on PISD property must provide PISD a copy of its certificates of insurance in accordance with the PISD Insurance Requirements for Vendors/Contractors. If a campus/department is entering a requisition for services that require insurance, the vendor's certificate of insurance must be on file with the Purchasing Department before the requisition can be converted into a Purchase Order.

PISD staff may email a copy of a vendor's certificate of insurance to Purchasing to have it added to the Vendor's file.

UNDERSTANDING VENDORS

What is an Awarded Vendor?

An awarded vendor is a vendor who has been:

- 1) awarded on PISD bid, or through another district who is a member of the Central Texas Purchasing Alliance (CTPA) and who PISD can request bid documents for. All vendors utilizing CTPA will require purchasing approval.
- 2) a vendor who has been awarded a contract by a cooperative purchasing program of which the District is a member

NOTE: A contract vendor may not be available for use if certain state and federal requirements are not met (i.e., EDGAR requirements and/or House Bill 1295 Certificate of Interested Parties).

What is an Active Vendor?

An active vendor is a vendor who is registered in Munis and has supplied PISD with an IRS Form W-9 and required state/federal forms.

- Active vendors are not always contract vendors, for example:

John Doe is an ACTIVE vendor because he is registered in Munis as a vendor, but he is NOT a contract/awarded vendor if his contract has expired.

- Contract/Awarded vendors are not always active vendors; for example:

Vendor ABC Company, Inc., has an active BuyBoard cooperative contract for Stage and Theatre Curtains, Lighting, Sound Systems and Supplies and the District is a member of the BuyBoard cooperative.

Therefore, ABC Company, Inc. is a PISD contract vendor for Stage and Theatre Curtains, Lighting, Sound Systems and Supplies; however, ABC Company, Inc. is not an active vendor since the company is not registered in Munis because PISD has never used them before.

To make a contract vendor active, they must be registered in Munis and provide Purchasing with a W-9 and required forms.

Being in Munis does not mean that a vendor is *a contract vendor*. You should always check the Purchasing webpage to verify that a vendor is under contract.

How to Find a Vendor

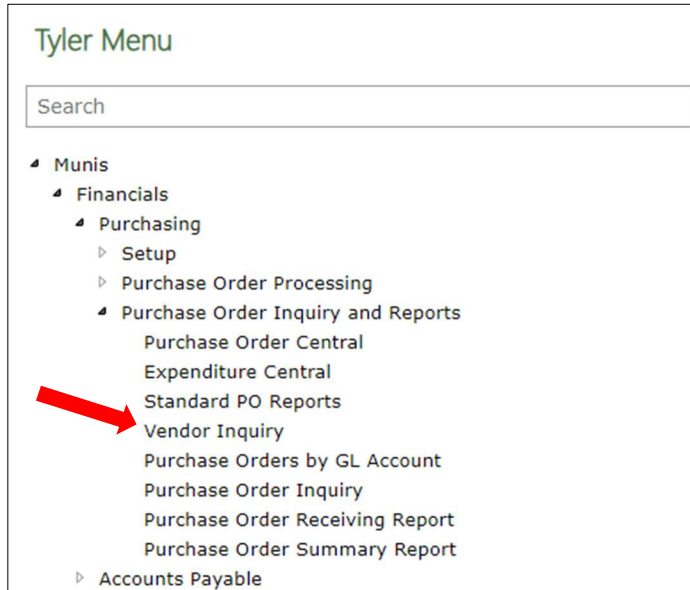
PISD Vendors may be found in three ways:

- 1) [Purchasing webpage](#),
- 2) Searching participating cooperative websites
- 3) Vendor Search in Munis (*see instructions below*)

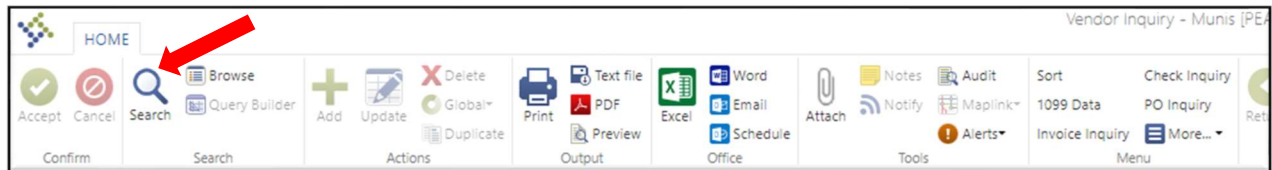
Searching for a vendor in Munis

Step 1 – Vendor Inquiry in Munis

Tyler Menu ⇒ Financials ⇒ Purchasing ⇒ Purchasing Order Inquiry and Report ⇒ Vendor Inquiry



Step 2 – Click “Search”



Step 3 – Search vendor’s name under the “General Vendor Information” section or “Contact Information” section. Please note – all information must be entered in all CAPS, example ABC COMPANY.

Tip #1 - placing an asterisk (*) either before and/or after a word will bring up all combinations containing the searched word, example *COMPANY* will bring all combinations of the searched word, i.e. ABC COMPANY, COMPANY RESOURCES. etc.

The screenshot shows the 'General Vendor Information' and 'Contact Information' sections of the application. The 'General Vendor Information' section includes fields for Vendor, Alpha, Status, Entity, Type, and Reason. The 'Contact Information' section includes a 'Company Name' field with the text '*COMPANY*' entered, and a 'DBA' field. A red arrow points to the 'Company Name' field. The 'Audits' section is also visible, showing fields for Entered, Modified, and By. The ribbon at the top includes 'Main', 'General', 'Miscellaneous', 'Contacts', 'Certifications', 'Insurances', and 'Withholding'.

Tip #2 clicking the “Browse” button will display the list of all vendors meeting the search criteria.

Vendor	Alpha Sort Name	Company Name	Status	Doing Business As
1005	3E COMPANY	3E COMPANY	Active	
1006	3M LIBRARY SYSTEMS	3M COMPANY	Stop	
6172	ABDO PUBLISHING COMP	ABDO PUBLISHING COMPANY	Active	ABDO PUBLISHING - SPOTLIGHT
11678	ABRAMS LEARNING TREN	ABRAMS & COMPANY PUBLISHERS INC	Active	ABRAMS LEARNING TRENDS
14400	ALLIED 100	ALLIED 100 LLC	Active	AED SUPERSTORE
1145	ALVIN EQUIPMENT COMP	ALVIN EQUIPMENT COMPANY LLC	Active	
10038	MARCOS PIZZA	AM-RO INVESTMENT COMPANY	Active	MARCOS PIZZA
12741	ARNOLD OIL COMPANY O	ARNOLD OIL COMPANY OF AUSTIN	Active	ARNOLD OIL CO OF HOUSTON
1272	ATTAINMENT COMPANY I	ATTAINMENT COMPANY INC	Active	
10000	AUTOMOBLOX COMPANY L	AUTOMOBLOX COMPANY LLC	Active	
1310	BAKER DISTRIBUTING C	BAKER DISTRIBUTING CO LLC	Active	
12580	BAKER STEEL COMPANY	BAKER STEEL COMPANY INC	Active	
5588	WINN MEAT COMPANY	BEN E KEITH CO	Active	WINN MEAT COMPANY
1408	BENCHMARK EDUCATION	BENCHMARK EDUCATION COMPANY	Active	
7820	BIO COMPANY INC	BIO COMPANY INC	Active	BIO CORPORATION

Vendor Registration - Electronic Bidding System (Ion Wave)

Pearland ISD uses an electronic process for registering potential vendors and submitting bids. To download solicitation documents, interested vendors must register on Pearland ISD’s online bidding system. Vendors may access the portal at <https://pearlandisd.ionwave.net>.

Purchases from vendors not accepting purchase orders

PISD policy requires the use of a purchase order for district purchases. If a vendor does not accept our purchase order (i.e. hotels), a requisition should be entered in Munis following these requirements:

- Include a vendor note stating:
 - “Vendor does not accept purchase order, please mail check” or
 - “Vendor does not accept purchase order, please return check to campus/department.”
- Attach required backup in Munis for all requisitions requesting checks (i.e., hotel confirmation, workshop registration, seminar, or event requiring overnight travel).
- Enter a receiving record in Munis for the purchase order as soon as the requisition is converted to a purchase order for a check to be issued.

Obtaining new or current vendor numbers

All vendors shall complete the appropriate vendor forms as required by federal or state regulations and the district. The district requires that every vendor have the following documents on file:

- Vendor application (completed on the district’s online bidding system)
- IRS Form W-9 - Internal Revenue Service
- Conflict of Interest Questionnaire (CIQ) - Texas Ethics Commission
- Local Government Officer Conflict of Interest Questionnaire – if applicable
- Felony Conviction Notice
- Criminal Background and Fingerprinting (if working directly or indirectly with students). Contractors are directed to Human Resource Services to comply with requirement.

- Certificate of Insurance (with the District as additional insured) if services will be rendered on district property

Purchasing will review all vendors to ensure they meet the following criteria:

- Has not been debarred or suspended by the State of Texas or federal government
- Is licensed or registered with the State of Texas to perform the contracted services, as appropriate
- Has obtained the minimum insurance limits and/or bonding established by the district, as appropriate
- Has disclosed any felony convictions and/or criminal history, as appropriate

Awarded Vendor - Use the vendor search feature in Munis to search for a vendor number. If the vendor cannot be located by vendor name or doing business as name, email Purchasing the name of the vendor and the contract the vendor is awarded for Purchasing to establish the vendor number.

Non-Contracted Vendor (requires prior approval) - If you are requesting a vendor number for a non-contract vendor you will need to provide Purchasing the name of vendor, amount of purchase, brief description of purchase, and whether the purchase will be made with activity funds or budgeted funds. In addition, non-awarded vendors require a “New Vendor Packet” to be setup in Munis.

New Vendor Packet - Non-awarded vendors will need to complete and return a vendor packet (located on the Purchasing webpage) which includes the following forms:

- Vendor Information Form
- IRS Form W-9
- Conflict of Interest Disclosure Form
- Felony Conviction Form
- SB9 Contractor and Subcontractor Certification Statement (If applicable)

We encourage you to use the vendor contracts located on our purchasing webpage or purchasing cooperative contracted vendors.

Vendor Performance Report - A Vendor Performance Report shall be completed to report complaints against vendors or to indicate appreciation for positive vendor performance. These shall be submitted to the Purchasing Department for review and possible action. Complaint and appreciation reports become a permanent record of the vendor and must be accurate to guarantee an equitable resolution and to serve as a reliable guide for future action, positive or negative, regarding a vendor’s performance.

The existence of a vendor in Munis does not mean that the vendor is a District Approved Contract Vendor.

A full listing of District Approved Contract Vendors is available on the Purchasing page. The District’s Approved Vendor list is updated as vendors are approved, and users are encouraged to review it regularly.

REQUISITION AND PURCHASE ORDER PROCEDURES

The Purchasing Department will process requisitions within 24-48 hours from the time it is received in the purchasing approval path, with the exception of peak periods. Purchasing monitors cumulative purchases for the entire district (in the aggregate) during the year by commodity code to determine when formal bids should be initiated.

A Purchase Order is a binding commitment for the district to remit payment to a vendor for goods or services after they have been provided and invoiced. The vendor can only provide goods and services with a district purchase order.

Requisition Process

Once all procurement policies and procedures have been followed, the end user will enter a Requisition into Munis, which will follow a preset approval path. After all approvers have reviewed and approved the requisition, it will then be reviewed by the Purchasing Department for accuracy and to ensure all applicable laws were followed prior to converting it into a Purchase Order. Please follow these requirements when entering requisitions:

- Requisitions shall be entered in Munis by the individual requesting the goods or services, approved by the authorized department(s) or campus administrator and then approved and converted to a purchase order by the purchasing department.
- Ensure sufficient funds are available for the budget account(s) the goods or services will be charged to release the requisition for approval. Refer to your copy of the Annual Budget Manual for procedures on preparing budget amendment/change requests.
- Enter applicable freight charges on the requisition as a separate line item. If there will be no freight charges, enter a vendor sourcing note on your requisition.
- Attach required backup documentation for the purchase to the requisition.
 - If the attachment needs to be sent to the vendor with the purchase order, a general note should be entered on your requisition in Munis requesting that it be attached to the purchase order when transmitted to the vendor.
 - If the purchase requisition is for a registration, workshop, or seminar, the registration form is required to be attached to the requisition in Munis.
- Always use detailed descriptions for each item ordered in addition to the product number. Do not only use the product number.
- Include a vendor sourcing note stating the contract number for the bid being used for the purchase (this should be a Pearland ISD contract number or the contract number as it appears on a purchasing cooperative's web page). Contract must be valid at the time the purchase order is completed.

Blanket Purchase Order

A blanket purchase order is a purchase order which has been issued to a vendor against which multiple purchases may be made for a specified period. Funds are obligated (i.e., encumbered) upon the establishment and issuance of a blanket purchase order.

When repeated purchases of the same commodity type or service are anticipated, multiple requisitions may be eliminated by submitting one requisition to establish a blanket purchase order. All blanket purchase orders must expire either at the end of the current school year (June 30th) or at the end of the contract term.

Hotels

When entering a requisition for a hotel stay, the quantity should be the number of nights per room and the unit price should be the nightly rate. Also, in the State of Texas we do not pay state taxes, ask the hotel for the tax rate excluding state taxes. Remember to send a hotel tax exemption form with the traveler (see Appendix). The requisition must include the date(s) of travel, employee traveling and the reason for travel.

The use of booking sites, i.e., Travelocity, Booking.com, Expedia, are prohibited from using for hotel stays.

Discounts

If the vendor states that a discount is given, this information should be included on the requisition. If the vendor provides a discount percent for an entire order, that information should be included in the discount percent field of the requisition on the requisition line items. If the vendor provides a discount percent for an item, that information should be included in the discount percent field on the Line Items page(s) for that item.

Freight Charges

Two standard freight terms used by PISD include:

- "Included" - Freight is included in the price of the goods.
- "Prepay and Add to Invoice" - Freight charges are prepaid by the vendor and the actual charges are added to the invoice for payment to the vendor by PISD.

Be sure to check the bid recap to verify if freight charges will be added to your order. If the vendor requires freight to be paid by PISD, please put these terms on your requisition. Most requests from vendors to revise a purchase order are due to freight charges; delivery of your order will be delayed if the vendor returns the purchase order for a revision.

After-the-Fact Purchases

After-the-fact purchases happen when a campus or department has violated purchasing rules by ordering and/or receiving products or services prior to entering a purchase requisition and receiving a PO.

After-the-Fact purchases include, but are not limited, to the following:

- A purchase order that is issued after an item has been received or picked up
- A purchase order that is issued after a service has begun or has been completed
- A preview item that is delivered without a purchase order and is then purchased
- Calling in the order to the vendor prior to receiving a copy of the purchase order
- Sending the purchase requisition to the vendor in advance of the purchase order
- Making reservations or scheduling services without a purchase order

To proceed with payment of an after-the-fact purchase, the user must enter the item in the Request for Check module and attach all supporting documentation. See Request for Checks section.

PLEASE NOTE: Purchases using Federal Grant Funds (Fund 2XX) should NEVER be made prior to entering a requisition and receiving a PO.

Problem Orders

Contact the Purchasing Department if you experience problems with an order, such as missing items, late delivery, wrong items, delivery status, etc. The Purchasing Department is the liaison between the campus/department and the vendor.

Campus/department input supports the purchasing process in eliminating under-performing vendors and buying inferior products.

RUSH OR URGENT PURCHASE ORDER REQUESTS

Requisitions for which approvals need to be expedited are known as “Rush POs”.

Rush POs are an exception to the purchasing process and should be requested on limited and/or emergency circumstances. Complete your requisition as usual and email the Purchasing Department including the following information:

- Requisition number
- Reason why the PO needs to be rushed
- Copy your Budget Manager (i.e., Principal or Director) on the email

Once approved, the Purchasing Department will convert your requisition to a PO and send it to the vendor. For detailed instructions on entering requisitions into Munis, please refer to the [Munis Handbook](#).

REQUEST FOR CHECKS

Reimbursements and/or payments not required to be done via a District PO should be processed through the Request for Check (RFC) module in Munis.

An RFC should only be processed for the following items; all other shall be processed via a purchasing requisition:

- Employee reimbursements (travel, mileage, fingerprinting, etc.)
- Membership and registration fees (when payment is needed before a conference and the vendor does not accept a purchase order or P-card payment)
- SRO Officer payments (for those not receiving payment via Arbiter Pay)
- Reimbursements for unforeseen emergency purchases while the Business Office is closed.
- Student refunds, including meals, lost textbooks, sports fees, etc.
- Gate collections due to other districts

As a reminder, RFCs shall not be used in lieu of a purchase order. All purchases for goods and/or services should be requested via a purchasing requisition prior to the transaction taking place; payment for goods

and/or services ordered and received without a duly authorized purchase order may become the personal responsibility of the individual requesting the goods and/or services. If an invoice is required to be paid for services/products received without a District PO, a note must be included explaining the reason for the procedure deviation.

PO CHANGE ORDER REQUIREMENTS AND PROCEDURES

Changes and/or updates to issued purchase orders must be initiated by the campus/department via the xxxxxx Munis module. Change orders are allowed for the following reasons:

- Increase or decrease item(s) quantity(ies)
- Increase or decrease an item(s) price
- Add or delete an item(s)
- Modify budget account number(s)
- Close and liquidate purchase orders

The following change orders are unallowed:

- Changes to closed purchase orders
- Changes to purchase order whereby the underlining contract has expired
- Changes with the intent of circumventing other Purchasing or Business policies (e.g., the after-the-fact process and budget deadlines).

PROCUREMENT CARDS

The purpose of the Pearland ISD Procurement Card (P-Card) Program is to establish an efficient and cost-effective method of purchasing and paying for small dollar transactions. The P-Card can be used with any merchant that accepts MasterCard as a form of payment.

The use of a P-Card as a purchasing method is a privilege and not a right, thus compliance is required with all purchasing policies and regulations.

The P-Card Program is designed to supplement our purchasing program by giving users some flexibility. Use of the P-Card must not circumvent the purchasing process. If used to its potential, the P-Card Program will result in a significant reduction in the volume of purchase orders and related documentation including invoices and checks. In addition, corresponding work processes associated with ordering, receiving, payments, and check-writing will be reduced.

Please refer to the [P-Card Manual](#) for detailed information and requirements for P-card use.

FREQUENTLY ASKED QUESTIONS

1. When is a New Vendor Packet required to be completed by a vendor?

A New Vendor Packet is required if the vendor does not currently have a vendor number in Munis and is not an awarded PISD vendor.

2. Is a New Vendor Packet required for a PISD awarded vendor?

No, if a vendor has been awarded a PISD bid the vendor has already completed the necessary paperwork; contact Purchasing to create a vendor number for a PISD awarded vendor.

3. Request for Check vs Requesting a Check through a Requisition.

The Request for Check (RFC) module should be used if you have received an invoice, services have been provided or the products have been received. RFC should also be used for travel and employee reimbursements.

A Requisition should be entered for all purchases, except for the items listed above. If the vendor does not accept purchase orders, notes should be entered into the requisition General Notes section to request a check to be printed. The General Notes should also include if the check should be mailed, mailed with attachments or held for pick-up.

Please note – checks will not be sent through interoffice mail; checks not mailed directly to the vendor must be picked up in the Business Office.

4. Where can the Terms and Conditions for PISD purchases be found?

The Terms and Conditions for PISD purchases are located on the back of all purchase orders, they can also be found on the Purchasing webpage - [Pearland ISD Terms and Conditions](#)

5. I entered a requisition and need to make changes to the requisitions. Can I make changes?

If the requisition has not been released, you are able to make any changes necessary and delete the requisition if needed.

If the requisition has been released and is currently in your administrator's approval path, the administrator can reject the requisition back to you to make the necessary changes.

If the requisition has gone through the approval process and is in Purchasing, please contact our office to reject the requisition back to you to make the necessary changes.

If the requisition has been converted into a purchase order, a PO Change Order is needed to make any required changes.

6. Once I've entered a requisition in Munis, how can I check the status?

The Requisition Entry screen will provide the status of your requisition. Below is a chart of requisition statuses and their meaning.

1 – Rejected	The requisition has been rejected back to the end user. To update a rejected requisition, click the “Activate” button.
2 – Created	The requisition details have been entered by the requisitioner but has not been released to move through the Workflow approval process.
4 – Allocated	The requisition has been released into the approval process. The funds are now encumbered from your available budget.
6 – Released	The requisition has been released into the Workflow approval process and is awaiting approval.
8 – Approved	The requisition has completed the approval Workflow and is ready to be converted into a purchase order.
0 – Converted	The requisition has been converted into a purchase order and now has a purchase order number associated with the order.

The screenshot shows the Munis Requisition Entry interface. At the top, there is a toolbar with various icons for actions like 'Accept', 'Cancel', 'Search', 'Browse', 'Add', 'Update', 'Delete', 'Print', 'Text file', 'Word', 'Excel', 'Email', 'Attach', 'Notes', 'Audit', 'Switch Form', 'Activate', 'Return', etc. Below the toolbar, the 'Main' section displays requisition details: Dept/Loc (741 BUSINESS OFFICE), Fiscal year (2017), Requisition number (11707668), General commodity (815 OFFICE SUPPLIES, GENERAL), and General description (OFFICE SUPPLIES, GENERAL). The 'Status' dropdown menu is set to 'Rejected' and is circled in red. Other fields include 'Entered' (By MASONM), 'PO expiration', 'Receive by', and 'Quantity' (selected). The 'Vendor' section shows Vendor (4405 SCHOOL SPECIALTY INC), Name (SCHOOL SPECIALTY INC), PO mailing (18 SCHOOL SPECIALTY INC), and Delivery method (E-Procurement checked). The 'Shipping and Billing' section shows Ship to (741 BUSINESS OFFICE), Address (PEARLAND ISD, 1928 N MAIN, PEARLAND TX 77581), Reference (TEST-DO NOT PROCESS), and Freight Meth/Terms. The 'Terms' section shows Discount % (.000) and Freight % (.000). The 'Line Items' table has one row: Line 1, Commodity, Inv item, Inv item loc, Inv tran type, Description (TEST), and Vendor (4405) SCHOOL SPECIALTY INC. At the bottom, the 'Accounts' section shows a Total amount of 6.00.

7. How do I check the workflow approval path for a requisition?

The approval workflow for requisitions can be found in the Requisition Entry module of Munis by selecting “Approvers” in the lower right-hand corner of the screen. Once there select “Expand All” to see the current location of the requisition. *Please note: The status will reflect “Group Current” for the current location of the approval, “Group Complete” after it has been approved by the noted approver and “Not started” for the approvers needing to review/approve the requisition.*

The screenshot shows the 'Main' section of the Requisition Entry module. Key fields include:

- Dept/Loc: 741 BUSINESS OFFICE
- Fiscal year: 2022
- Requisition number: 12204262
- General commodity: 963 NON-BIDDABLE MISCELLANEOUS ITEMS
- Vendor: 4746 TEXAS ASSOCIATION OF SCHOOL BOARDS INC
- Shipping and Billing: 741 BUSINESS OFFICE, PEARLAND ISD, 1928 N MAIN, PEARLAND

 The 'Workflow' section at the bottom contains buttons for 'My Approvals', 'Approve', 'Reject', 'Forward', 'Hold', and 'Approvers'. The 'Approvers' button is circled in red.

The 'Steps' table displays the approval history for the requisition. The data is as follows:

Step	Status	Date	Time
▼ 27	Complete (Rejected)		
▼ Any approver from this group c:	Group Complete		
■ Yvette Rogers	"Rejected"	09/07/2021	15:40
▼ 27	Complete (Approved)		
▼ Any approver from this group c:	Group Complete		
■ Yvette Rogers	Complete	09/08/2021	13:56
▼ 30	In Progress		
▼ Any approver from this group c:	Group Current		
■ Amy Spain		09/08/2021	13:56
▼ 50	Not started		
▼ Any approver from this group c:			
■ Moniki Mason			
▼ 99	Not started		
▼ Any approver from this group c:			
■ Jorgannie Carter			

At the bottom of the table, there are buttons for 'Generate Chart', 'Expand All', 'Collapse All', and 'Expand In Progress'. The 'Expand All' button is circled in red.

DEFINITIONS

Activity Funds Activity Funds are defined as funds consisting of resources received and held by the school, as fiduciary, to expend or invest in accordance with the purpose or goals of the club. Specifically, they are funds accumulated from the collection of student fees, donations, and from various school approved fundraising activities. Activity Funds are used to promote the general welfare of the school and the educational development and morale of all students.

NOTE: Activity Fund 461 purchases must follow ALL District purchasing guidelines (i.e., contracted vendors, purchasing thresholds, etc.).

Addendum An addition or supplement to a solicitation document issued prior to the opening date.

Advertise To make a public announcement of the intention to purchase goods or services.

Bid An offer to contract with the District, submitted in response to a bid invitation. Bids are usually non-negotiable.

Bidder An individual or entity that submits a bid. The term includes anyone acting on behalf of the individual or other entity that submits a bid, such as agents, employees and representatives.

Bidders List A list of potential contractors who have expressed an interest in doing business with the PISD.

Bid Opening The public opening of bids, in which the names of the bidders responding to a bid solicitation and prices of the bidders are publicly read and recorded. See Proposal Opening.

Bid Specifications A listing of reasonable standards and limitations which bidders are obliged to observe.

Bid Tabulation The recording of bids and bid data submitted in response to a solicitation. The bid tabulation is used for comparison, analysis and record keeping.

Competitive Sealed Bidding Process of conducting a public bid opening and awarding of a purchase order/contract to the lowest responsive, responsible bidder in accordance with Federal, State and local laws and policies.

Consultant A person that provides or proposes to provide a consulting service.

Contract A written agreement where a contractor provides services in accordance with the established price, terms and conditions. PISD's purchase order is a contract between the buyer (PISD) and the seller (vendor) for the purchase of goods or services as such all good and services must be procured through a PISD purchase order.

Awarded Vendor A contract vendor is a vendor who has either 1) been awarded an PISD bid, quote, proposal, or professional service contract, or 2) been awarded a contract by a cooperative purchasing program of which the District is a member.

Contractor A business entity or individual that has a contract to provide goods or services. Used interchangeably with the term "vendor".

Deliverable A unit or increment of work required by the contract, including such items as goods, services, reports, or documents.

EDGAR The Education Department General Administrative Regulations (EDGAR) 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 a local educational agency (LEA) on or after that date.

Goods A transportable article of trade or commerce that can be bartered or sold. Goods do not include services or real property.

Historically Underutilized Business A minority or women-owned business as defined by Texas Government Code, Title 10, Subtitle D, Chapter 2161 - <http://comptroller.texas.gov/procurement/prog/hub/>

Micro-Purchases Micro-purchase means a federal grant purchase of goods or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold defined by 2 CFR § 200.67. Per TEA, the cost of items purchased using the micro-purchase method is cumulative across the grant year and cannot exceed a total of \$49,999. All federal grant fund purchases totaling less than \$49,999 requires a single quote or the use of a contract vendor. The micro-purchase procedures are used to expedite the completion of PISD's lowest-dollar small purchase transactions and minimize the administrative burden and cost.

Negotiations A consensual bargaining process in which the parties attempt to reach agreement on a disputed or potentially disputed matter. In a contractual sense, negotiation means the "dealings conducted between two or more parties for the purpose of reaching an understanding".

Payment Bond A bond executed in connection with a contract which secures the payment requirements of the contractor.

Performance Bond A surety bond which provides assurance of a bidder's performance of a certain contract. Construction, installation, and service contracts (including repair and alteration) exceeding \$100,000 requires that a 100% Performance Bond be furnished by the successful bidder (contractor). Contracts exceeding \$25,000 require that a 100% Payment Bond be furnished by the successful bidder (contractor). All such bids must include a 5% Bid Bond.

Professional Services Professional services as defined by the Professional Services Procurement Act (Government Code, Section 2254.002) or services authorized by rule by the Department of State Health Services pursuant to Health and Safety Code, Section 12.0121. These include services within the scope of the practice of accounting; architecture; optometry; medicine; land surveying; and professional engineering. Services provided by professionals outside the scope of their profession, e.g., management consulting services provided by accounting firms, are not considered professional services.

Proposal An executed offer submitted by a respondent in response to a Request for Proposals (RFP) and intended to be used as a basis to negotiate a contract award.

Proposal Opening The public opening of proposals, in which the names of the respondents to a solicitation are publicly read and recorded. No prices are divulged at a proposal opening as these types of solicitations are subject to negotiation. Exceptions are Construction Proposals. All information is read aloud per TEA Code 44.039, (e).

Purchase Order Formal order for goods, materials and/or services from a Vendor; a binding commitment for the District to remit payment to the Vendor after the specified goods and/or services, and an invoice for the same are received by the District.

Purchasing Cooperative (*also known as co-op or cooperative*) A type of cooperative arrangement, often among businesses, to agree to aggregate demand to get lower prices from selected suppliers. Cooperatives reduce costs of procurement by competitively bidding and awarding suppliers' contracts that can be utilized by the cooperative members.

Request for Information (RFI) A general invitation to contractors requesting information for a potential future solicitation. The RFI is typically used as a research and information gathering tool for preparation of a solicitation.

Request for Proposal (RFP) Solicitation method used to acquire highly technical, negotiated goods or services. Standard RFPs will allow for evaluations based on specific criteria established within the RFP. Used primarily for higher dollar valued purchases but may be used for smaller purchases where requirements warrant this Solicitation method such as catalog bids. Negotiations are allowed prior to the award.

Request for Qualifications (RFQ) A solicitation document requesting submittal of qualifications or specialized expertise in response to the scope of services required. No pricing is solicited with an RFQ.

Request for Quote (RFQ) An informal solicitation document requesting pricing on purchases.

Request for Competitive Sealed Proposal (CSP) Solicitation method that allows for the use of the formal evaluation process and uses the Best Value Determinations for an award. Negotiations are allowed prior to the award.

Service The furnishing of labor by a contractor which may not include the delivery of a tangible end product. In some cases, services and goods may be combined such as film processing. In these instances, agencies determine whether labor or goods is the primary factor. In the case of film processing, the labor to process the film is the primary factor, therefore film processing is considered a service.

Simplified Acquisition Threshold The dollar amount below which a non-Federal entity may purchase property or services using small purchase methods. Non-Federal entities adopt small purchase procedures in order to expedite the purchase of items costing less than the simplified acquisition threshold. The simplified acquisition threshold is set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions) and in accordance with 41 U.S.C. 1908. The simplified acquisition threshold is \$150,000, but this threshold is periodically adjusted for inflation.

Solicitation General Term used to refer to a RFP, CSP, RF CSP, and CMAR.

Solicitation Conference A meeting chaired by a member of the PISD Purchasing Department which is designed to help potential bidders/respondents understand the requirements of a solicitation. Also known as a pre-bid or proposal conference.

Vendor A business entity or individual that has a contract to provide goods or services to the District. Used interchangeably with the term(s) Bidder, Vendor, Offeror, Proposer, or Contractor.

APPENDIX

Board Policy

[BBFB \(LEGAL\) Ethics – Prohibited Practices](#)

[CH \(LEGAL\) Purchasing and Acquisition](#)

[CH \(LOCAL\) Purchasing and Acquisition](#)

[CHH \(LEGAL\) Purchasing and Acquisition – Financing Personal Property Purchases](#)

[CHG \(LEGAL\) Purchasing and Acquisition – Real Property and Improvements](#)

[CK \(LOCAL\) Safety Program/Risk Management](#)

[CR \(LEGAL\) Insurance and Annuities Management](#)

[CV \(LEGAL\) Facilities Construction](#)

[CV \(LOCAL\) Facilities Construction](#)

[DBD \(LEGAL\) Employment Requirements and Restrictions – Conflict of Interest](#)

[DBD \(LOCAL\) Employment Requirements and Restrictions – Conflict of Interest](#)

Federal Regulations

[Office of Management and Budget \(OMB\) Circular A-21](#) Educational Institutions

[Office of Management and Budget \(OMB\) Circular A-87](#) State and Local Governments

State Statutes

[Texas Education Code Chapter 44](#) – Fiscal Management – Subchapter B

[Texas Education Code Chapter 45](#) – School District Funds – Subchapter G

[Texas Business and Commerce Code](#)

[Texas Local Government Code Chapter 171](#) – Regulation of Conflicts of Interest of Officers of Municipalities, Counties and Certain Other Local Governments

[Texas Local Government Code Chapter 176](#) – Disclosure of Certain Relationships with Local Government Officials: Providing Access to Certain Information

[Texas Local Government Code Chapter 271](#) – Subchapter B – Purchasing and Contracting Authority of Municipalities, Counties and Certain Other Local Governments

[Texas Local Government Code Chapter 271](#) – Subchapter D – State Cooperation in Local Purchasing Programs

[Texas Local Government Code Chapter 271](#) – Subchapter Z – Miscellaneous Provisions

[Texas Government Code Chapter 552](#) – Public Information

[Texas Government Code Chapter 791](#) – Interlocal Cooperation Contracts

[Texas Government Code Chapter 2054](#) – Information Resources

[Texas Government Code Chapter 2157](#) – Purchase of Automated Information Systems

[Texas Government Code Chapter 2251](#) – Payment for Goods and Services

[Texas Government Code Chapter 2252](#) – Contracts with Governmental Entities

[Texas Government Code Chapter 2254](#) – Professional and Consulting Services

[Texas Government Code Chapter 2269](#) – Contracting and Delivery Procedures for Construction Projects