

Authority

All purchases shall be made by issuing an official Ector County Independent School District Purchase Order. The Director of Purchasing, the Superintendent, and the Chief Financial Officer are designated as the only individuals authorized to issue purchase orders for the District.

The Director of Purchasing is the officer authorized by the Board of Trustees to make purchases for the District. It is the Director's responsibility to prepare specifications, issue bids and quotes, and determine the purchase that best meets the needs of the school District. No obligation will be recognized by the District until an official purchase order is issued. All purchasers must be cleared through this office. All purchases made without this authorization is considered a "confirming" (unauthorized) purchase order. Anyone creating or authorizing a purchasing commitment prior to approval may be liable to prosecution under the Texas Penal Code, Chapter 39, Abuse of Office, Section 39.01.

Purchase Orders, Change Orders or modifications to a PO are initiated by the Purchasing Department. If it becomes necessary to modify the terms of a Purchase Order, the campus/department must first notify the Purchasing Department in writing.

In accordance with the Texas Department of Agriculture (TDA), the Food and Nutrition Division administers U.S. Department of Agriculture (USDA) Food and Nutrition programs in Texas. It partners with organizations across the state to ensure eligible Texans in need have access to nutritious meals through 12 USDA nutrition programs. If there is a regulatory conflict, Ector County ISD will follow the USDA procurement regulations (7 § CFR 210.21) for Child Nutrition Program funds in regards to income, allowable costs, and procurement.

School Nutrition micro-purchase will follow Texas Department of Agriculture's (TDA) policy in which the aggregate is the total cost of all products and services in a single procurement transaction.

Procurement Levels

If the items or services needed are not currently covered by a competitive purchasing contract, the limits listed below will apply:

\$1 -\$49,999

Purchase from an ECISD awarded Bid/RFP, purchasing cooperative (co-op) that ECISD belongs to, or obtain 2 documented quotes.

\$50,000 and up

Purchase from a purchasing co-op or a competitive procurement method as defined by Texas Education Code § 44.031. These purchases must be referred to the Purchasing Department. Quotes will be obtained utilizing the e-bid system. Any Bids or

PURCHASING AND ACQUISITION

CH
REGULATION

RFPs that are awarded by the District can have up to a 5-year maximum in the contract or renewal options.

Procurement Levels when using Federal Funds

\$1 - \$49,999

The district has self-certified for amounts up to \$49,999. Micro and small purchases must be distributed to the maximum extent practicable, among qualified suppliers. The price must be reasonable which will be determined by providing at least 2 written quotes in accordance with Methods of Procurement, 2 CFR 320 (a). If the second quote is less expensive than the used quote, reasonability must be based on research, experience, purchase history, or other information & documented accordingly on the requisition for the purchase.

ECISD will consider pricing as reasonable in the following instances and forego the requirement for 2 quotes for micro purchases:

A. Educational Service Center contracts

Above \$50,000

State of Texas Competitive Procurement Methods must be followed. State law requires a competitive procurement bid or RFP or purchase from an approved co-op awarded contract with two documented quotes. When using co-op for purchases over \$250,000, a cost price analysis must be used.

All district contracts for the purchase of goods and services, except for 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 in the method that provides the best value for the district. (CH Legal)

In addition to the procedures for the formal bidding and proposal process outlined in the TEA *Financial Accountability System Resource Guide*, the District will follow Board-adopted procedures when bids and proposals are submitted electronically. [See CH(Exhibit)D]