Superintendent
Greg Bonewald, Ed.D.

Asst. Superintendent
Jason Valentine

Chief Financial Officer
Mike Doyle

Wimberley ISD

Excellence. Innovation. Service.

Wimberley ISD Purchasing Manual

Revised November 2025

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SECTION 1

WISD PURCHASING MISSION STATEMENT, GOALS, VISION & CODE OF ETHICS

Mission Statement

To support Wimberley ISD's staff and students by providing exceptional customer service and by procuring materials and services of high quality and best value to support academic success. All in accordance with state and federal guidelines, District policies and sound ethical business practices.

Goals

- To provide customer satisfaction through effective and cooperative relationships with our internal and external customers.
- To maximize savings and revenue generation potential.
- Provide education and training related to the policies, procedures, processes and regulations related to the acquisition of goods and services.
- Promote a positive, efficient and effective work environment.
- Implement, promote and maintain sound business practices and auditable procedures.

Vision

- To provide full and open competition with the highest ethical standards while meeting the needs of the District and Community.

Code of Ethics

Our office directly contributes to the delivery of a cost-efficient education by endeavoring to ensure that Wimberley ISD and the taxpayers receive full value through our procurement expertise to assure the timely acquisition, and distribution of goods and services at the best possible value on the basis of a competitive solicitation process from the most responsive and responsible bidders considering cost, quality, suitability, service and delivery.

We are responsible for the coordinating and issuing of all solicitations for commodities, construction and renovations, equipment, furnishings, instructional materials, and services in compliance with all applicable federal and state statutory regulations, Board of Education policies, procedures and rules. We ensure that all bid specifications and contract documents are designed to optimize the quality of goods and services while at the same time minimizing the financial risk to the school system and increasing public trust in the procurement process.

The Business Department acts in accordance with the highest standards of ethics, and is accountable for the quality of their technical assistance, exceptional service, and continuous improvement in their process.

Purchasing will operate every day with the highest level of ethical standards as defined in National Institute of Governmental Purchasing (NIGP) and The Texas Association of School Business Officials (TASBO) Code of Ethics Statements. Purchasing will stay focused on WISD's most precious customer – the Student – by lowering costs to make education affordable and contributing to growth and success by gaining increased value for dollars spent and returning as many resources to the classroom as possible.

Public purchasing and the expenditure of public funds require that ethical standards be incorporated into every aspect of the District's purchasing function. Purchasing personnel and school District employees face the difficult task of developing good vendor relations and encouraging vendor competition while avoiding even the appearance of favoritism or other ethical misconduct. In an effort to get the job done successfully and on time, one may be tempted to circumvent policies, procedures, and laws, or make their own liberal "legal" interpretations of existing policies. Such activity, although well intentioned, will cause ethical problems.

In addition to the information provided in this section, please read the following Board Policy and Administrative Regulation:

- Board policy DH (Legal/Local), Employee Standards of Conduct. This policy resides on the District's web site.

- Board policy DH (Exhibit), Employee Standards of Conduct. This policy resides on the District's web site.

The Texas Education Agency (TEA), *Financial Accountability System Resource Guide – General Ethical Standards and other documents*, prescribes common standards of ethics governing the conduct of employees involved in the purchasing function, which are incorporated in the procedures prescribed below.

- **Sequential Purchases** – District employees shall not make purchases, over a period, of items that in normal purchasing practices would be made in one purchase.

- **Component Purchases** – District employees shall not make purchases of the component parts of an item that in normal purchasing practices would be made in one purchase.

- **Separate Purchases** – District employees shall not make purchases separately in order to circumvent board approval of items that in normal purchasing practices would be made in one purchase.

- **Conflict of Interest** – Local Government Code Chapter 176 provides information regarding conflict of interest statements to be filed by vendors and certain school district employees. HB 1491 passed by the 80th Legislature made modifications to the requirements for conflict of interest statements. Refer to the Texas Ethics Commission website for additional information and sample forms.

- **Gifts** - A district employee who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions shall not solicit, accept, or agree to accept any benefit from a person the public servant knows is interested in or likely to become interested in any such transactions of the District. *Penal Code 1.07(41)(A), (E), 36.08(d).* This includes trips, meals, tickets to professional sporting events, tickets to concerts, clothing, and transportation or any other goods or services valued at $50 or greater.

- **Financial Interest** - District employees shall not participate directly or indirectly in procurement when the employee or the employee's family member has a financial interest pertaining to the procurement.

- **Personal Use** - District employees shall not make any commitment to acquire goods or services in the name of the District for personal use or ownership.

- **Equal Consideration** - District employees shall grant all competitive suppliers' equal consideration insofar as state or federal laws and District policy permit. This is especially important when evaluating bids and proposals.

- **Relatives** – No District employee with purchasing authority may authorize the purchase of anything from any person or from any firm that is controlled, owned, or operated by that employee or from a relative within the second degree by blood or marriage of the employee.

Texas Education Code 44.032

(b) An officer, employee, or agent of a school district commits an offense if the person with criminal negligence makes or authorizes separate, sequential, or component purchases to avoid the requirements of Section 44.031(a) or (b). An offense under this subsection is a Class B misdemeanor and is an offense involving moral turpitude.

(c) An officer, employee, or agent of a school district commits an offense if the person with criminal negligence violates Section 44.031(a) or (b) other than by conduct described by Subsection (b). An offense under this subsection is a Class B misdemeanor and is an offense involving moral turpitude.

(d) An officer or employee of a school district commits an offense if the officer or employee knowingly violates Section 44.031, other than by conduct described by Subsection (b) or (c). An offense under this subsection is a Class C misdemeanor.

(e) The final conviction of a person other than a trustee of a school district for an offense under Subsection (b) or (c) results in the immediate removal from office or employment of that person. A trustee who is convicted of an offense under this section is considered to have committed official misconduct for purposes of Chapter 87, Local Government Code, and is subject to removal as provided by that chapter and Section 24, Article V, Texas Constitution. For four years after the date of the final conviction, the removed person is ineligible to be a candidate for or to be appointed or elected to a public office in this state, is ineligible to be employed by or act as an agent for the state or a political subdivision of the state, and is ineligible to receive any compensation through a contract with the state or a political subdivision of the state. This subsection does not prohibit the payment of retirement benefits to the removed person or the payment of workers' compensation benefits to the removed person for an injury that occurred before the commission of the offense for which the person was removed. This subsection does not make a person ineligible for an office for which the federal or state constitution prescribes exclusive eligibility requirements.

(f) A court may enjoin performance of a contract made in violation of this subchapter. A county attorney, a district attorney, a criminal district attorney, a citizen of the county in which the school district is located, or any interested party may bring an action for an injunction. A party who prevails in an action brought under this subsection is entitled to reasonable attorney's fees as approved by the court.

Employees involved in the purchasing process are exposed to more than ordinary temptations because they are in involved with the expenditure of large amounts of public money. Strict adherence to the above standards are critical to the protection of the employee's and the District's reputation. Any violations to these standards shall be reported immediately to the District's Business Department.

Procedure:

1. Credibility and public confidence are vital throughout the purchasing and contracting process. If any involved party displays a lack of honesty, integrity or openness, the entire program is injured. Even the shadow of doubt can be as harmful as the conduct itself.
2. For the purpose of protecting both the integrity and objectivity of its employees in the performance of their obligations to WISD it is the policy of the Business Department that conflicts of interest should be avoided where possible or otherwise disclosed and managed.
3. Public service is a public trust. For the individual public servant, at all levels of government from the senior executive leadership to the most junior staff person, that means placing professional and job-related responsibilities before personal gain and individual interest. WISD employees may neither engage in, nor give the appearance of engaging in, dishonest or unethical actions. Both are injurious to the public's perception of honest government. Our suppliers should expect from our employees in the context of county contracting, that they will not:

    3.1 Show favoritism, and instead must take actions and make decisions based upon merit in accordance with requirements of established laws, rules, policies, and procedures;

    3.2 Accept a gift that exceed a nominal (individual) value of $50.00 and an aggregate value of $100.00 in a fiscal year from any person or firm doing or intending to do business with WISD (a gift includes cash, goods, meals, travel, sporting event tickets,

    3.3 entertainment, loans, services, or anything else of value; separate gifts within a 12-month period from the same person or firm or from related persons or firms (for example, from two employees of a single supplier are grouped together);

    3.4 Work for any supplier that has a contract or other business dealings with WISD or have an ownership interest in any supplier that has a contract or other business dealing with WISD;

    3.5 Accept a gift of any kind, regardless of the value thereof, under circumstances in which it could be reasonably inferred that the gift was intended (or could be reasonably expected) to influence the performance of official duties or serve as a reward for any official action;

    3.6 Disclose for private use, including personal or family gain, any confidential information learned as a result of employment with WISD, nor;

    3.7 Discuss prospects of employment with any supplier seeking or doing business with WISD as long as the employee remains involved in business dealings with that supplier.

4. WISD personnel have an affirmative obligation to report known or suspected wrongdoing, including supplier offers to engage in the above-described conduct, to the Chief Financial Officer (CFO). On the other hand, if a supplier knows or suspects that another supplier or a WISD employee is involved in questionable activity, the supplier should inform the Chief Financial Officer (CFO). WISD senior executive leadership strictly enforces these obligations against both WISD employees and those who would induce them to violate their public trust.

5. WISD employees responsible for procurement actions are obligated, under requirements of law and policy, to obtain the best value for the expenditure of public funds. Generally, this is accomplished through full and open competition, which requires that:

6. District contracts can be made accessible to a wide number of prospective suppliers by visiting the Business Department web site at https://www.wimberleyisd.net/departments1/business-support-services/bids-and-proposals;

6.1 Requirements, designs, work plans, and specifications are not tailored to favor a particular supplier; and

6.2 No competitor is permitted an advantage by the premature disclosure of contract details or the disclosure of competitors' confidential information.

7. Therefore, any WISD employee involved in any form of procurement or the procurement process may not:

7.1 participate or work on a contract by acting as an employee through decision, approval, disapproval, recommendation, giving advice, investigation or similar action knowing that the employee, or any person or entity with whom the employee has a Family Relationship, Financial Relationship or Personal Relation, has an actual or potential financial interest in the contract, including prospective employment;

7.2 solicit or accept gifts or gratuities which might tend to influence purchasing decisions;

7.3 be employed by, or agree to work for, a vendor or potential vendor;

7.4 knowingly disclose confidential information for actual or anticipated personal gain, or for the actual or anticipated gain of another person.

8. The Chief Financial Officer (CFO) and Purchasing Agents will be required to annually file a Disclosure Statement identifying any possible conflict of interest situations that may arise in regard to any type of procurement process, including but not limited to p-card, purchase requisition, purchase order or purchase solicitation. The Disclosure Statement must be completed no later January 31 of each year for the calendar year and shall be completed during the year as needed to identify applicable changes. The information provided in the annual disclosure will be retained in the Business Department, will be considered confidential information and will be released only to those individuals involved in purchasing decisions and only as needed.

9. Specific rules apply to purchases from a WISD employee or any person or entity with which the employee has a Family, Financial or Personal Relationship.

10. If not related to a particular transaction, WISD employees may accept from vendors and others: (1) unsolicited advertising or promotional material such as pens, pencils, scratch pads, and calendars; (2) occasional business lunches or food and refreshments of insignificant value; and (3) other items of nominal or minor value (i.e., a box of candy or fruitcake, etc.) that are merely tokens of appreciation.

11. A wide range of criminal, civil, administrative, and contractual sanctions are available to address procurement fraud or misconduct. These include, but are not limited to, filing of State and Federal criminal charges; civil contract remedies, including treble damages; assessment of liquidated damages; voiding or rescinding a contract; finding a contractor non-responsible; and debarment.

12. When an actual violation of any of these standards is discovered, the person involved shall promptly file a written statement concerning the matter with the Chief Financial Officer (CFO). If an actual violation occurs or is not disclosed and remedied, the employee involved may be reprimanded, suspended, or dismissed. The vendor or potential vendor may be barred from receiving future contracts and/or have an existing contract canceled.

Procurement Philosophy

All WISD employees share the responsibility to expend the District's financial resources legally and ethically. As a support organization, the Business Department must implement, enforce and monitor procurement guidelines and processes to ensure compliance with local policies, state purchasing laws, federal regulations and sound business practices. These guidelines and processes are included as part of this manual.

SECTION 2

STATUTES, REGULATIONS, AND BOARD POLICY
APPLICABLE TO PURCHASING

1. The Texas Education Code, Purchasing Contracts (Primarily sections 44.031 through 44.047). An electronic version of the Texas State Education Code can be obtained at the following website address: http://www.statutes.legis.state.tx.us/Docs/ED/htm/ED.44.htm#44.031

2. The Texas Education Agency (TEA) Financial Accountability System Resource Guide Module 5 Purchasing. The TEA Resource Guide can be accessed at the following website address: https://tea.texas.gov/finance-and-grants/financial-compliance/financial-accountability-system-resource-guide

3. Wimberley Independent School District's Board Policy (Sections CH…). The WISD Board Policy can be accessed at the following website address: https://pol.tasb.org/PolicyOnline?key=620

4. For all purchases with Federal Grant Funds, the District shall comply with the Education Department General Administrative Regulations (EDGAR) related to the purchasing of goods and services [2 CFR Part 200.318 – 200.32]

5. HB1295 - https://www.ethics.state.tx.us/filinginfo/1295/

6. SB252 - http://www.capitol.state.tx.us/tlodocs/85R/billtext/pdf/SB00252I.pdf

7. HB89 - http://www.legis.state.tx.us/tlodocs/85R/billtext/html/HB00089I.htm

8. SB13 - https://capitol.texas.gov/tlodocs/87R/billtext/pdf/SB00013I.pdf

9. SB19 - https://capitol.texas.gov/tlodocs/87R/billtext/html/SB00019F.HTM

10. SB22 - https://capitol.texas.gov/tlodocs/86R/billtext/pdf/SB00022I.pdf

All relevant statutes, regulations, Board policies and procedures shall be made available to all purchasing stakeholders, as appropriate in a paper or electronic format.

SECTION 3

COMMODITY CODES

1. The Texas Education Code, Purchasing Contracts sections 44.031 - Except as provided by this subchapter, all school district contracts, except contracts for the purchase of produce or vehicle fuel, valued at $100,000 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.

2. For all purchases with Federal Grant Funds, the district shall comply with the Federal Regulations, EDGAR, related to the purchasing of goods and services. [2 CFR 200.318-200.327] - The non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases, of like-type commodities, totaling less than $15,000, across all federal grant funds, in the aggregate across the fiscal year may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

SECTION 4

PURCHASING AUTHORITY

Under the Texas Education Code § 44.0312 (a), the board of trustees of the District may, as appropriate, delegate its authority under this subchapter regarding an action authorized or required by this subchapter to be taken by a school District to a designated person, representative, or committee.

1. The following persons have been delegated authority to act as agents for WISD in carrying out the purchasing activities of the District:
   - Superintendent or designee
   - Chief Financial Officer

2. Budget owners have the authority to initiate and approve purchase requisitions within their authorized budget.

3. Every employee involved in procuring goods or services for the District is responsible for working to attain the District's procurement goals and objectives (See Section 1).

4. Principals share purchasing authority with the Business Department concerning purchases made from District Funds.

Under Board policy CH (Local) the procurement function is assigned to the Superintendent.

The Business Department shall supervise the purchase of all materials, supplies, equipment, and services for the District.

The Business Department shall develop appropriate procedures to assure:

1. Purchases are made in accordance with appropriate statues, regulations, and Board policy.

2. The existence of a list of approved vendors who have a record of good products, services, and prices.

3. Effective advertising for the procurement of products and services.

4. The existence of current specification files and expertise in developing meaningful product and service specifications.

Under WISD Board policy CH (Local) Responsibility for Debts, the Board shall assume responsibility for debts incurred in the name of the District so long as those debts are for purchases made in accordance with adopted Board policy and current administrative procedures. 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.**

SECTION 5

CONTROL ENVIRONMENT

Texas Education Agency guidance states that "*a district needs a strong control environment in which to perform the purchasing function*". Three activities govern a strong and successful control environment:

1. A comprehensive purchasing manual.

2. Monitoring purchasing activities by all employees involved with the procurement of goods and services.

3. Training personnel on purchasing procedures.

The purchasing manual is a primary tool for establishing a strong control environment and must be adhered to by employees of the WISD. The purchasing manual provides written procedures designed to detect and prevent the circumvention of statutes, regulations, and board policy applicable to purchasing.

If a situation occurs which is not addressed in the purchasing manual, it should be brought to the attention of the Business Department to determine the proper course of action. If it is likely that this situation will reoccur, the proper procedures will be included in a revision to the purchasing manual.

In addition to the purchasing manual, the following activities enhance the control environment and require monitoring by those involved in procuring goods and services:

- ***Approval of purchase requisitions at the campus and departmental levels.*** The campus principal or department head should review for need and approve purchase requisitions before they are submitted to the Business Department for processing. If a purchase is grant funded, approval by the appropriate compliance officer is required. Refer to the WISD State and Federal Grant Administrative Procedures Manual.

- ***Approval of purchase orders.*** The Chief Financial Officer (CFO) and/or other designated personnel will review requisitions for compliance before approving purchase orders for issuance to vendors.

- ***Supervision of purchasing process.*** Vigilance in the supervision of the entire purchasing function on a daily basis is essential.

- ***Segregation of duties among Purchasing, Accounts Payable and Business Office***. The Chief Financial Officer, and ultimately the Superintendent are responsible to ensure that duties among purchasing, accounts payable and finance personnel are properly segregated (to the degree possible) to provide a checks-and-balances environment.

- ***Maintenance of purchasing files and records.*** The purchasing staff should be trained and supervised so that purchasing files and records are complete and maintained in an orderly fashion for the period required by law.

- ***Control over incoming merchandise.*** Receiving personnel (either centralized or decentralized) should be trained and monitored to ensure that the proper procedures are followed with incoming merchandise (i.e., the counting and inspection of merchandise received, and the completion of receiving reports).

- ***Verification of invoices with purchase orders and on-line receiving information.*** Although receiving personnel are responsible for the initial verification, accounts payable personnel verify that the invoice, the purchase order, and the on-line receiving information match before presenting the invoice for approval for payment.

- ***Verification of delivery.*** All campuses and/or departments are responsible for ensuring that the deliveries are in agreement with its original purchase order.

- ***Internal review of the purchasing processes.*** An internal review of the purchasing activities should be performed periodically. This review is usually conducted by the District to ensure that purchasing policies and procedures are being followed by district personnel.

- ***Training of district personnel.*** Formal training is conducted at least annually normally at the beginning of the school year. However, training and communication should be ongoing throughout the school year through revisions to the purchasing manual and emails/newsletters to a purchasing news group.

Risk Management

There are numerous risk factors associated with the procurement of goods and services. A few examples would include:

- Violating statutes and regulations governing appropriate procurement methods.
- Failing to comply with Board policies.
- Initiating purchases without Board approval or an approved purchase order.
- Abusing purchasing authority and committing fraud.
- All purchases with federal grant funds shall also adhere to the EDGAR Procurement Standards.

Responsibilities

In order to maintain a strong control environment for the procurement function, the following responsibilities and actions shall be taken in order to minimize risk.

Chief Financial Officer

- Shall establish and maintain a reliable and financially accountable control environment for procuring goods and services.

- Shall assign responsibilities and establish procedures within the Business Department for monitoring procurements in order to comply with the statutory requirements and Board policies.

- Shall continually monitor the District's procurement activities, assess risks, and improve the procurement control activities.

- Shall be the only authorized personnel to make purchase commitments and issue purchase orders. Because schools and departments must contact vendors to obtain information to prepare purchase requisitions, it must be communicated and explained to the vendor that the request for information does not represent a commitment to purchase.

Assigned Budget Owners

- Shall plan purchases for each budget year in order to maximize opportunities to use competitive procurement options.

- Shall coordinate purchases with the Business Department for competitive procurement if no approved vendor exists for the particular purchase.

- Shall only initiate and approve purchase requisitions that are within their approved budget and ensure proper account coding.

Purchasing Card Holders

- Shall only make purchases within authorized expenditure limits and in accordance with the District's purchasing procurement card policies and procedures.

- Credit card transactions are authorized with all district fund groups.

- To purchase with a credit card the requisition entry principles are followed. Purchase Orders for credit cards should be issued to the actual vendor unless for meals or various travel expenses. Other exceptions may be made. The first catalog code box on the requisition should read "Credit Card" and the name on the card that is being used, followed by the detailed description of purchases. When a credit card is issued through the Business Office or the payment is to be made by the Accounts Payable Department this should read "District Credit card".

- Upon approval from all purchasing flowchart, the requestor will be notified of the approval through the Skyward database.

- The credit card holders shall submit all supporting documentation to the Credit card Program Administrator upon use of the credit card.

    - The Credit Card Program Administrator ensures that the purchase is supported by an original, detailed receipt and shall verify the charges.
    - Sales tax charges and all other unauthorized charges, if any, shall be collected from the credit card user, received and deposited to the expenditure account code(s).

- The review shall include the following:

    - Original, detailed receipt – the reimbursed amount must not include sales tax
    - Purchases are in compliance with credit card program policies and procedures.
    - Account code(s) for each transaction – the account code(s) must be appropriate for the purchase.

- If any deficiencies are noted with the purchase, the Credit Card Program Administrator shall work with credit card user to resolve the discrepancies.

- The Credit Card Program Administrator shall approve all Purchase Transactions that meet the required review and prepare for payment in accordance with the Accounts Payable Procedures.

All employees

- Shall strictly adhere to the Board policy and this manual to control procurement activities.

SECTION 6

COMPETITIVE PROCUREMENT

Centralized Purchasing Function

From a supply and demand perspective, the Business department seeks to complete the competitive procurement process prior to the District's need.

WISD utilizes centralized purchasing. Centralized purchasing is the act of combining related items or commodities of various schools and departments to coordinate purchases and obtain better prices. Centralized purchasing enables a district to coordinate purchases when two or more campuses or departments have common requirements for supplies, equipment, and or services. The centralized purchasing function is used to coordinate purchases of two or more campuses or departments as follows:

- Combining on purchase order forms the individual purchase requirements of two or more teachers, departments, or campuses; and

- Arranging for favorable purchase terms, for example discount from retail or catalog prices, for items to be purchased "as needed" by individual employees.

Providing the proper purchasing mechanism to ensure district compliance with state laws and local policies.

Decentralized Decision Making

WISD also utilizes decentralized decision making to schools and departments. From a purchasing perspective this means the schools and departments (the end-users) determine ***what*** they need and ***when*** they need it. These subject matter experts determine how to best meet the needs of our students. However, the final commitment of District funds can only occur by the Business Department.

Purchases Over $100,000

Except as provided by this subchapter, all school district contracts, except contracts for the purchase of produce or vehicle fuel, valued at $100,000 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;

(2) Competitive sealed proposals;

(3) A request for proposals, for services other than construction services;

(4) An inter local contract;

(5) A design/build contract;

(6) A contract to construct, rehabilitate, alter, or repair facilities that involves using a construction manager;

(7) A job order contract for the minor construction, repair, rehabilitation, or alteration of a facility;

(8) The reverse auction procedure as defined by Section 2155.062(d), Government Code; or

(9) The formation of a political subdivision corporation under Section 304.001, Local Government Code.

Exceptions to Competitive Bidding - Texas Education Code 44.031 (a) and (b)

1. Professional and Consulting Services

Under Texas Education Code 44.031 (f), this section **(Competitive Bidding) does not apply to a contract for professional services rendered, including services of an architect, attorney, 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 let 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,
- Optometrist,
- Professional engineer,
- State-certified or state-licensed real estate appraiser,
- Registered nurse,
- Attorney,
- Fiscal agent,
- Financial consultant,
- Technology consultant,
- Interior Designer

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

2. Emergency Purchases

Under Texas Education Code 44.031 text of subsect. (h) as amended by Acts 1999, 76th Leg., Ch. 922, if school equipment, a school facility, or a portion of a school facility is destroyed, severely damaged, or experiences a major unforeseen operational or structural failure, and the board of trustees determines that the delay posed by the contract methods required by 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, school facility, or portion of the school facility may be made by a method other than the methods required by this section.

Under Texas Education Code 44.031 text of subset. (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.

According to Wimberley ISD Local Policy CH (Local), the Board delegates the authority to make emergency purchases where school equipment or facilities are destroyed, severely damaged, or experience a major unforeseen operational or structural failure, to the Superintendent, any such emergency purchase shall be subsequently reported to the Board.

3. Sole Source Purchases

Under Texas Education Code 44.031 (j), without complying with Subsection (a), a school district may purchase an item that is available from **only one source** (commonly called sole source or single source). Included in the definition of sole source items are the following:

1. An item for which competition is precluded because of the existence of a patent, copyright, secret process, or monopoly;

2. A film, manuscript, or book;

3. A utility service, including electricity, gas, or water, and

4. A captive replacement part or component for equipment.

Note: Sole source does not apply to mainframe data-processing equipment and peripheral attachments with a single item purchase price in excess of $15,000.

The district has a sole source affidavit to document purchases made under the sole source purchase exception. The sole source affidavit can be requested by contacting the Business Department. All sole source affidavits will be reviewed and researched by the Business Department for a final determination in the claim of Sole Source.

Advertisement

Under Texas Education Code 44.033 (b), 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. The two-week advertisement requirement is a minimum requirement, additional time may be necessary based on the complexity of the bid/proposal. In addition to the newspaper, WISD utilizes the online platform, Euna Procurement (formerly known as Bonfire) to advertise all bid/proposal opportunities and to increase our competitive environment. Our website address is:
https://wimberleyisd.bonfirehub.com/portal/?tab=openOpportunities

Competitive Procurement

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

The request for bids contains the purchase description or specifications covering the item(s),

the terms and conditions for the 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 of item(s), and specific terms and conditions must be done in a manner that accomplishes the primary purposes of competitive bidding - stimulate competition and obtain the best value for the goods/item(s) needed.

Purpose and Intent for Competitive Bidding

The purpose and intent of competitive bidding is to help public schools secure the best materials at the best value by stimulating competition. If a district advertises purchasing needs relating to large expenditures, purchasing in large quantities will normally result in greater cost savings (in the aggregate) or lower costs per unit/item.

The following procurement methods, procedures, and thresholds shall be utilized for all purchases with federal grant funds:

Micro-purchase procurement (less than $15,000) – EDGAR Regulations

The procurement by micro-purchase may be most frequently used method due to the frequent purchase of goods or services that are less than $15,000, as defined in CFR 200.67. The district shall purchase goods and services under this method from among qualified vendors, but will not competitively procure the micro-purchases, unless in the aggregate in a 12-month period (fiscal year), the district exceeds the state law thresholds, or the district's threshold in Board Policy CH Legal or Local. The District shall distribute micro-purchases equitably among qualified vendors.

Micro-purchase means a purchase of supplies or services, the aggregate amount of which does not exceed the micro-purchase threshold. Micro-purchases comprise a subset of a non-Federal entity's small purchases as defined in §200.320.

Micro-purchase threshold means the dollar amount at or below which a non-Federal entity may purchase property or services using micro-purchase procedures (see §200.320). Generally, the micro-purchase threshold for procurement activities administered under Federal awards is not to exceed the amount set by the FAR at 48 CFR part 2, subpart 2.1, unless a higher threshold is requested by the non-Federal entity and approved by the cognizant agency for indirect costs.

Micro-purchase thresholds. The non-Federal entity is responsible for determining and documenting an appropriate micro-purchase threshold based on internal controls, an evaluation of risk, and its documented procurement procedures. The micro-purchase threshold used by the non-Federal entity must be authorized or not prohibited under State, local, or tribal laws or regulations. Non-Federal entities may establish a threshold higher than the Federal threshold established in the Federal Acquisition Regulations (FAR) in accordance with paragraphs (a)(1)(iv) and (v) of this section.

Non-Federal entity increase to the micro-purchase threshold up to $49,999. Non-Federal entities may establish a threshold higher than the micro-purchase threshold identified in the FAR in accordance with the requirements of this section. The non-Federal entity may self-certify a 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. The self-certification must include a justification, clear identification of the threshold, and supporting documentation of any of the following:

(A) A qualification as a low-risk auditee, in accordance with the criteria in §200.520 for the most recent audit;

(B) An annual internal institutional risk assessment to identify, mitigate, and manage

financial risks; or,

(C) For public institutions, a higher threshold consistent with State law.

~~Non-Federal entity increases to the micro-purchase threshold over $99,999.~~ Micro-purchase thresholds higher than $100,000 must be approved by the cognizant agency for indirect costs. The non-federal entity must submit a request with the requirements included in paragraph (a)(1)(iv) of this section. The increased threshold is valid until there is a change in status in which the justification was approved.

Small Purchase Procurement (up to $350,000) – EDGAR Regulations

Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources. At least two quotes are required for all small purchases with Federal funds. Quotes are valid for thirty days from date of issue unless otherwise notated with an expiration date by the vendor. Cost/price analysis must be completed before quoting/bidding process is started for purchases over $350,000 with Federal funds.

Non-competitive Procurement (sole source, etc.) – EDGAR Regulations

There are specific circumstances in which noncompetitive procurement can be used. Noncompetitive procurement can only be awarded if one or more of the following circumstances apply:

1. The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (see paragraph (a)(1) of this section; The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
2. The item is available only from a single source;
3. The public exigency or emergency for the requirement will not permit a delay resulting from publicizing a competitive solicitation;
4. After solicitation of a number of sources, competition is determined inadequate.

WISD requires the prior review and approval from the TEA Division of Grants Administration for all federally funded (EDGAR) sole source purchases. Further information can be located on the TEA Grants Administration website. The TEA Division of Grants Administration Request for Noncompetitive Procurement (Sole-Source) Approval form can be obtained by reaching out to WISD's Business Office.

Tie Bids

If the District receives two or more bids from responsible bidders that are identical, in nature and amount, as the lowest and best bids, it shall select only one bidder from the identical item(s).

If only one of the bidders submitting identical bids is a resident of the District, that bidder shall be selected. If two or more such bidders are residents of the District, one shall be selected by the casting of lots. In all other cases, one of the identical bids shall be selected by the casting of lots.

The Board shall prescribe the manner of casting of lots and shall be present when the lots are cast. All qualified bidders or their representatives may be present at the casting of lots.

Competitive Sealed Proposals (CSP)

The use of Request for Competitive Sealed Proposals is normally used when competitive bidding is either not practicable or not advantageous to the district. Basically, competitive sealed proposals allow for negotiations in addition to the basic bidding process. Terms and conditions are identical as those for competitive bidding except any reference to bids should be changed or interpreted as proposals or proposers. Additionally, anything addressing the finality of the offer needs to be disregarded because proposals are negotiable.

Request for Proposals (RFP)

Proposal procedures provide for full competition among proposals. The procedures allow for negotiation with the proposer or proposers to obtain the best services at the best value. During the evaluation process prior to award of a contract, the negotiation process allows modification and alteration of both the content of the proposals and price. The following note further explains the primary difference between bids and proposals. *(Note: The competitive bidding process requires that bids be evaluated and awards be made solely upon bid specifications, terms and conditions contained in the request for bids document, and according to the bid prices offered by vendors and pertinent factors that may affect contract performance; no substantive changes are permitted to the bid terms, conditions and specifications).*

All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.
Professional and nonprofessional service contracts involving Federal funds are required to be let on a competitive basis, under *34 CFR §80.36*. Competitive procurement procedures, *TEC §44.031(a) (2)-(8)* are for certain procurement situations as an alternative to competitive bidding procedures. *Chapter 2254*, Government Code, prohibits competitive bidding for certain types of professional services, including engineering, architectural, accounting and certain other services; and requires a two-step procedure, as defined in *Chapter 2254*, Government Code, for the procurement of architectural and engineering services. Competitive proposal procedures are recommended, where other procurement procedures are not required according to state or federal rules, laws or regulations, to stimulate competitive prices for services.

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.

Below is an example of a RFCSP process. It may also be used for an RFP, with appropriate modifications made to accommodate the less structured requirements of that method.

Components of the Request for Proposals

Notice	Identical to Competitive Bidding.
Statement of Work	This includes a description of the service (and associated goods if any) to be performed.
Proposal Clauses	Can be identical to the competitive bids, but may be subject to negotiations.

Negotiation

Negotiation is the most difficult part of the Request for Proposal process, and the most difficult to control. From the beginning of the process through contract award, it must be made clear to vendors and using departments/campuses that designated person(s) may do the negotiation for the district.

Negotiation is subject to the same guidelines as any purchasing action: impartiality and equal opportunity to compete.

Evaluation/Contract Award Criteria

Under Texas Education Code 44.031 (b), except as provided by this subchapter, in determining to whom to award a contract, the district shall consider:

(1) The purchase price;
(2) The reputation of the vendor and of the vendor's goods or services;
(3) The quality of the vendor's goods or services;
(4) The extent to which the goods or services meet the district's needs;
(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) The total long-term cost to the district to acquire the vendor's goods or services;
(8) For a contract for goods or 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; and
(9) Any other relevant factor specifically listed in the request for bids or proposals.

The criteria above, with the exception of #8, shall also be used to select vendors for the procurement of goods and services paid with Federal grant funds.

Out-of-State Bidders

The Board shall not award a contract for general construction, improvements, services, or public works projects or for purchase of supplies, materials, or equipment to a bidder whose principle place of business is not in the state, unless the nonresident underbids the lowest bid submitted by a responsible resident bidder by an amount that is not less than the amount by which a resident bidder would be required to underbid a nonresident bidder to obtain a comparable contract in the state in which the nonresident's principal place of business is located. *Gov't Code 2252.001, 2252.002*

This requirement shall not apply to a contract involving Federal funds. The District shall rely on information published by the State of Texas Comptroller of Public Accounts in evaluating the bids of a non-resident bidder. *Gov't Code 2252.003, 2252.004.*

Cooperative/Interlocal Agreement Purchases

A centralized purchasing function can also be performed on a regional level through a cooperative/interlocal agreement among districts or the regional education service center. Cost savings through a regional centralized purchasing function are achieved through both discounted prices and administrative cost savings to individual districts. If the district participates in a cooperative purchasing program, it satisfies any law requiring it to seek competitive bids. *Local Government code 791.001, 791.011, 791.025 (b)-(f); Atty Gen. Op. JC-37 (1999)*

The district shall strive to obtain purchases from qualified vendors under a Cooperative Purchasing Program. Even though these cooperative purchasing programs have competitively procured the vendor contracts, the district shall compare the pricing among the vendors to select the best quality and price.

The purchasing cooperative/interlocal agreements utilized by our district are as follows. Additionally, each of these cooperatives maintains websites to awarded contract and vendors that we can purchase from.

- **1GPA (1Government Purchasing Alliance)**
- **E&I Cooperative Services**
- **Omnia Partners**
- **TIPS/TAPS (Cooperative Purchasing Systems)**
- **BuyBoard (BuyBoard Cooperative Purchasing)**
- **Choice Partners**
- **CTPA (Central Texas Purchasing Alliance)**
- **DIR (Department of Information Resources)**
- **Equlais Group (Region 10)**
- **GoodBuy (Region 2)**
- **PACE (The Purchasing Association of Cooperative Entities)**
- **Region 13**
- **ESC 20 Purchasing Cooperative**
- **Texas 2Purchasing Cooperative of America (PCA)**
- **Sourcewell**
- **TX Smart Buy**

It is recommended that all purchases be made through a cooperative purchasing program. To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, it is allowable to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. **(**2 CRF 200.318(e). Competition requirements will be met with documented procurement actions using strategic sourcing, shared services, and other similar procurement arrangements.

Purchasing Methods Regarding Facilities Construction

Regarding construction of school facilities, see Board Policy CV, CVB for competitive sealed proposals; CVE for design/build contracts; CVC for construction manager-agent, CVD for contracts using a construction manager-at-risk; and CVF for job order contracts for minor repairs/alterations.

Model for the Competitive Procurement Process

The competitive procurement process is lengthy and adequate time must be allowed to complete the tasks identified below. For this reason, the Business Department seeks to complete the competitive procurement process prior to a District need arising.

MODEL COMPETITIVE BIDDING/PROPOSAL PROCESS FOR PERSONAL PROPERTY AND SERVICES		
Task	**Description**	**Whose Responsible**
Evaluate Purchasing Needs & Confirm Availability of Approved Budgeted Funds.	Establish the minimum acceptable requirements that the product/service must meet and ensure that funds are available to procure such products/services needed.	User department/campus
Prepare Bid/Proposal Specifications	Prepare detailed written specifications to define the product/service the district is seeking/soliciting. Specifications must contain adequate technical descriptions to clearly identify the type of material, equipment, or services required. Descriptions must include quantitative data such as size, weight, or volume and qualitative data such as commercial grade, texture, finish, strength, chemical analysis, or composition where required. The specifications must also include; • Detailed description of the item/service that specifies the minimum acceptable requirements the user department/campus will accept. Industry standards should be utilized whenever possible. • Evaluation/award criteria in addition to the required criteria mentioned above. • Quantity required. • Required delivery date and/or period of performance for the	User department/campus

MODEL COMPETITIVE BIDDING/PROPOSAL PROCESS FOR PERSONAL PROPERTY AND SERVICES		
Task	**Description**	**Whose Responsible**
	contract. • Any relevant prints, diagrams, and/or samples of the item requested. • Suggested source(s) of supply. Vendor name, address, phone number, email, etc. Specifications must be provided to the Business Department Buyer electronically **(via email preferred)** in Microsoft Word format.	
Review Bid/Proposal Specifications	Review the item/service specifications to determine if competitive bids/proposals can be obtained and to ensure that Board policies and state laws are followed.	Business Department
Advertise	Ensure bid/proposals are published once per week for at least two weeks before the deadline for receiving bids, proposals, or responses to a request for qualifications. Additionally, bids/proposals are published on the WISD Purchasing Website at https://wimberleyisd.bonfirehub.com/portal/?tab=openOpportunities	Business Department
Pre-Bid/Proposal Conference	Optional procedure as needed. This conference is used to allow vendors to meet with District personnel to clarify specification requirements or to conduct site visits. • Document all attendees • Collection of all questions and answers and posting as an addendum is recommended.	User department/campus and Business Department
Open Bid/Proposal	Bids/proposals will be opened at the date, time, and place specified in the request for bids or proposal.	Business Department

MODEL COMPETITIVE BIDDING/PROPOSAL PROCESS FOR PERSONAL PROPERTY AND SERVICES		
Task	**Description**	**Whose Responsible**
Evaluate Bid/Proposal	Review bids/proposal responses and evaluate responses using established Vendor Award Criteria.	User department/campus and Business Department
Prepare Written Recommendation	Prepare a written recommendation containing the following information and forward to the Business Department. 1. Description of supply, product, or service 2. Evaluation results (list criteria used to evaluate) 3. Name of recommended vendor 4. Justification for recommendation: a. If the best value bid is not recommended, list the reason(s) for rejection b. Explain how best value was determined (price, quality, delivery, etc.?) 5. Signature of appropriate approval authority for award recommendation. If the purchase exceeds $100,000 the appropriate signature is required.	User department/campus

MODEL COMPETITIVE BIDDING/PROPOSAL PROCESS FOR PERSONAL PROPERTY AND SERVICES		
Task	**Description**	**Whose Responsible**
	If all bids/proposals are rejected and a re-bid process will take place, the letter must contain: 1. Description of supply, product or service. 2. Justification for recommendation to reject all bids, listing reasons for rejection of every bid. 3. Request to re-bid. 4. Estimated cost/ expenditures. 5. Fund code, fund name, and budget owner. 6. Signature of appropriate approval authority for award recommendation and board letter.	
Obtain Board of Trustees Approval	Board approval is required before the successful bidder/proposer is notified of the award. (Note: Board meetings are normally held on the fourth Tuesday of each month).	Business Department
Award Bid/Proposal	Notify successful bidder(s)/proposer(s) via award letters or properly executed purchase order.	Business Department
Monitor Performance	Monitor the vendor's performance and ensure they comply with all specifications regarding the product to be delivered or service to be performed, including the condition of product upon delivery, and whether the service was performed or product was delivered within the stated delivery/performance period. Document performance when creating receiving records in Skyward.	User department/campus

SECTION 7

VENDOR RELATIONS

In centralized purchasing, the Business Department is primarily responsible for vendor relations, contact, and communication. However, school campuses, departments, and staff must also communicate with vendors in order to obtain information necessary to properly prepare requisitions. Therefore, every employee involved in procuring goods or services for the District is responsible for fostering good vendor relations. It must be understood that contact and communication with vendors by school campuses, departments, and staff are not to represent a commitment to purchase; only authorized personnel as stated previously are authorized to make purchase commitments.

Approved Vendor List

An approved vendor is a vendor that has been awarded a Bid/Proposal through the WISD competitive procurement process or through an Interlocal Agreement. These vendors may be viewed within the Skyward "Vendors" tab.

Approved Vendor List (Email Notification System)

Vendors can register to receive bid/proposal information through the Business Department's e-Bid System. The purpose of the email notification system is to notify vendors of advertised bids and proposals. When business opportunities (bids and proposals) are posted to the District's website at: https://wimberleyisd.bonfirehub.com/portal/?tab=openOpportunities, vendors are notified via email based on the commodities that their particular business serves. It must be understood that simply because a vendor has registered in the email notification system, does not mean that the vendor is an approved vendor. It simply means that the vendor is on the district's mailing list to be notified of future business opportunities.

New Vendors

Vendors often contact schools and departments and offer goods and services. If a school or department is contacted by a vendor, it is prudent to ask the vendor for their WISD Bid Number. If they have a WISD Bid number, the vendor should be on the approved vendor list. If the vendor does not have a WISD Bid Number and the school or department needs the vendor's goods or services, an approved vendor should be sought first.

If a new vendor is necessary, the school or department must complete a new vendor request. The new "Vendor Application Packet" is located on the District's Purchasing Website.

The competitive procurement process is the long-term method of doing business with the District because the vendor can obtain "approved vendor" status verses the new vendor request method which is a short-term method of doing business with the District because the vendor will only become an "approved vendor".

To maintain the integrity of procurement practices and avoid conflicts of interest, it is the stance of WISD that current employees, including all staff and faculty members, are not eligible to serve as vendors to the District through their personal or outside business interests. This restriction applies to any business in which a current employee has ownership, financial interest, or significant operational control. The intent of this policy is to ensure transparency, uphold public trust, and prevent any actual or perceived impropriety in the District's business relationships.

Vendor Performance/Evaluation

Evaluation of vendor performance is an important aspect of centralized purchasing. Problems encountered by a particular school or department can be avoided by other District entities when these occurrences are communicated to the Business Department. Factors to consider when dealing with vendors:

• Timeliness of deliveries	• Quality of products or services received
• Service performance	• Damaged goods
• Completeness and accuracy of the order	• Unserviceable merchandise

Whenever problems are encountered with a vendor, (i.e., a vendor fails to deliver certain items or delivery does not meet specifications) it is important to document the problem, noting the date and an accurate description of the problem and forward to the Business Department. In addition to contacting the Business Department, the vendor should be contacted. Keep a record of all phone calls, including the dates and what was discussed and send a copy to the Business Department preferably by email.

If the problem is not resolved, coordinate with the Business Department to prepare written correspondence stating the problem, the corrective action required and the vendor's failure to correct the problem to be sent from the Business Department.

If a significant problem continues, WISD will remove the vendor from the vendor list and discontinue business with the vendor.

Visits from Vendors

Under no circumstances shall vendors be permitted to interrupt classes or conduct personal business with employees.

Local managers of school facilities shall be responsible for compliance with this procedure within the confines of their facilities.

Vendors desiring to visit schools for educational purposes must:

1. File identification information with the Business Department.
2. Provide the Business Department with a completed IRS W-9 Form. These forms can obtained from the IRS website at www.irs.gov
3. Obtain authorization from District and Department/Campus Leadership.

SECTION 8

REQUISITION AND PURCHASE ORDER PROCESSING

Overview

The requisition and purchase order process can be viewed as having four distinct steps:

- The requisition processes
- The purchase order process
- Delivery and Receipt of goods or services
- Invoice and Payment

The requisition and purchase order process begins when a need is determined by an end user and is not completed until payment is made for the goods and/or services. In this section the first two steps of the process will be discussed at length; delivery and receipt will be discussed within this Section. Invoice and payment procedures are contained in the Accounts Payable Processing Manual.

Requisition Process

A requisition is an internal document by which a campus or department of the district requests the Business Department to initiate a purchase order. It is a request generated electronically (through the use of the automated system – Skyward) for the purchase of supplies, services, equipment, etc. **A requisition is an un-approved purchase order. No purchasing commitment shall be made without an approved purchase order.**

NOTE: All end users must keep in mind the following purchasing directives:

- Purchase commitments shall be made by an approved purchase order.
- Persons making unauthorized purchases shall resume full responsibility for all such debts.
- All requisitions encumbering grant funds (state/Federal) shall comply with the TEA Guidelines for Related Costs and the State and Federal Grant Administrative Procedures Manual.

Requisitions are initiated by those having proper authority, as defined in Section 4. After a requisition is input in Skyward it must then be approved by the appropriate budget owner, which is normally a principal or a department head. Requisitions which require expenditures from a Special Revenue Fund must be approved by the program administrator/compliance officer (i.e. Federal Programs, etc.).

Requisition Format

In order to avoid requisitions from being rejected by either someone in the approval chain or the Business Department, requisitions should include all information necessary to clearly define the needs of the user department or campus. The minimum information required on a requisition is as follows:

- Dept/Loc Code
- Vendor Name and address (must be from the District's Vendor List)
- Ship To destination
- Name and Phone Number of the end user on the reference line
- Required delivery date (if any)
- Quantity needed

- Unit Price per line item
- Complete and accurate description per line item
- Correct Account Code per line item
- Discounts (if any)
- Transportation costs (shipping/freight costs, if any)
- Coop/Bid/Proposal Contract number
    - Commodity Code(s) if not purchasing from a Coop/Bid/Proposal Contract
- Any special instructions, i.e. deposit needed

Please understand that requisitions may have several approvers prior to them being available to the Business Department. The CFO reviews requisitions for the following prior to approval of a purchase order.

- Compliance with competitive procurement requirements
- Proper Account Coding
- Adequate descriptions per line item

Requisition Status

The following requisition statuses are utilized by Skyward:

- Status B = Batch (PO has not been printed)
- Status O = Open (PO has been approved but has not received or paid)
- Status H = History (PO has been paid and/or closed)
- Status DEN = Denied (PO has been denied by one or more approvers)
- Status REQ = Requisition (Requisition has been entered by requestor)

Specific Types of Requisitions

Requisitions for the following categories of items shall include specific information to clearly describe the required materials or services.

1. Blanket Purchase Orders

b. General Supplies

Blanket requisition order for general supplies must specify the following in the text or body of the requisition:

i. A detailed description of the types of items that will be purchased, such as office supplies, soft drinks, printing, snacks, etc. Using generic terms such as "supplies," "materials," or "services" is NOT considered an adequate description.
ii. A date/timeframe and name of event the purchase order to support.
iii. The total amount not to be exceeded.

c. Maintenance

i. List a minimum of three examples **(NO HAND TOOLS)**
ii. A timeframe for the purchase order to cover
iii. The total amount not to be exceeded

2. Check Requests

A Check Request requisition is a requisition that will be immediately processed into a check. Check Requests as they are called require that the end-user immediately create a receiving record before the purchase order has been processed. This enables the Accounts Payables department to process the check before the purchase order has been processed. Without the receiving record, a Check Request check cannot be processed.

3. **Charter Buses**

- Purchase orders are to be input by line item
- Use bid item description and unit cost for each line item
- Specify:
    a) Bus size (i.e. 33 passenger, 55 passenger)
    b) Rate: per mile, hour, or day
    c) Applicable quantity: miles, hours, or days
    d) Any other item from bid (if applicable)
- State reason for bus charter, name of event, destination, and date(s) of rental.

Vendor Selection (also see Section 7)

An approved vendor is a vendor that has been awarded a Bid/Proposal and normally provides greater savings to the District because of the competitive procurement process. Representative contact information and discount/pricing arrangements are available within the approved vendor list. Users are encouraged to seek additional discounts from approved vendors during the requisition process; this is especially important when making purchases in large quantities.

An approved vendor is a vendor that is established in the Skyward Financial Management System. Just because a vendor is in Skyward, does not mean that they are approved. You must verify that they are on the Approved Vendor List and if not call Purchasing. End users are encouraged to select vendors that offer discounts and savings for the District during the requisition process. If the goods or services are unavailable from an approved vendor, then the end user must find the good or service elsewhere and/or complete a new vendor request.

Budget (Object) Codes

It is the end user's responsibility to ensure that each line item of a requisition is properly coded with the correct budget (object) codes for the description of the item being purchased. A requisition that contains the incorrect budget object code will be rejected and not processed until the end user corrects the budget code.

For a complete list of budget codes, please refer to the *WISD Chart of Accounts* document.

Shipping Destination

When a requisition is created, the "ship to" and "attention" fields are required to identify the delivery address and receiver's name. The district uses both centralized and decentralized receiving.

Requisitions by Departments for School Campuses

Departments that process requisitions to be delivered to school campuses must communicate the requisition and purchase order information to the school prior to delivery of goods. It is recommended that the requisition be sent to the campus for approval. This will ensure that the Principal will be aware that a requisition is being ordered for their campus. To do this, the department will have to use the campus' Dept/Location when creating the requisition. Additionally, using the campus Dept/Location code will grant the campuses the ability to create the receiving record after the item(s) are delivered. If this recommendation is not used, email the following information to the appropriate school:

- The department that processed the requisition
- The campus that processed the requisition

- The vendor name
- The Purchase Order number
- Estimated delivery date
- Instruction for receiving the goods in Skyward for payment purposes

Purchase Orders

After the requisition is reviewed and approved by the Business Department, the requisition is then converted to a purchase order. Purchase orders are among the most commonly utilized methods for procuring goods and services. As its name indicates, this document serves as a formal order for goods, materials and/or services from a vendor. A purchase order, once approved, is a binding commitment for the District to remit payment to the vendor after the item(s) and/or service(s) are received. Once items are shipped and/or services performed, the vendor must submit a properly executed invoice to the Accounts Payable Department to receive payment. A purchase order is an important accounting document as it contains information on the expenditure to be made and the account code to be charged. Once issued, the purchase order encumbers funds and serves as an expenditure control mechanism. The purchase order is also used in the accounts payable process as it documents that an order has been issued, received, and accepted by the user and payment may be made to the vendor.

Purchase Order Status

The following purchase order statuses are utilized by our Skyward Financial System:

- Status B = Batch (PO has not been printed)
- Status O = Open (PO has been approved but has not received or paid)
- Status H = History (PO has been paid and/or closed)
- Status DEN = Denied (PO has been denied by one or more approvers)
- Status REQ = Requisition (Requisition has been entered by requestor)

Purchase Order Process

The purchase order is the written evidence of orders placed as a result of properly initiated and approved purchase requisitions. A purchase order is of a standard format to facilitate processing and contains the items indicated on the requisition.

As mentioned earlier, purchase orders start with a requisition which is prepared electronically. Requisitions originate with the end user and describe the item(s) to be purchased, the quantity, pricing, the account to be charged, a vendor, etc.

Purchase Order Procedures

Purchases shall be made by means of purchase orders that are properly drawn, duly authorized, and adequately funded. If vendors are contacted by the end user in the initial phase of a requisition, they should be advised by the end user that delivery of goods or services shall not initiated until the vendor has received an approved purchase order with the Chief Financial Officer's signature authorizing the purchase.

Purchase orders are issued on a daily basis by the Business Department based on information submitted on requisitions. If a purchase order is needed immediately, contact the Chief Financial Officer.

A purchase orders cannot be modified by the vendor or by schools or departments after it has been processed by the Business Department. If it becomes necessary to change the purchase order, the school or department must first contact the Business Department. Once an agreement to any price increases or modification of terms is reached, purchasing has the responsibility to adjust

the encumbrance on the purchase order and notify all involved parties of the changes.

Once a purchase order is issued, the same purchase order number cannot be used for reorders. When merchandise has been returned or is damaged and a reorder of replacement merchandise is desired, a new purchase requisition must be submitted.

Purchase Order Closure

In the event it is necessary to cancel a Purchase Order, the school or department must advise the Business Department. The school or department placing the order must also notify the vendor of the cancellation of the purchase order and receive written confirmation of the cancellation from the vendor. The school or department placing the order shall forward the written vendor confirmation of cancellation along with the PO number to the Business Department who will close the purchase order and liquidate the funds encumbered.

End User's Responsibilities

- Shall ensure that the purchasing process (through the use of an approved purchase order) always precedes the payment process (invoice).
- Shall only initiate and approve requisitions within approved budget authority and ensure proper account coding per line item.
- Shall ensure that all required and necessary documentation that supports the request is submitted properly.
- Shall use approved vendors to procure goods and services. Note: The requirement to use approved vendors applies to all purchases with purchase orders.
- If necessary, confirm with the CFO that an approved vendor is available for the goods or services needed.
- If a vendor must be contacted to obtain information to prepare a requisition, the campus or department shall explain to the vendor that the request for information does not represent a commitment to purchase.
- Shall provide for initiating, authorizing, and adequately funding the procurement through a properly approved purchase order.
- Shall monitor the requisition status.
- Shall not release the requisition number or use a draft copy of the requisition to make purchases from a vendor.
- Shall monitor the vendor's performance to ensure proper delivery of the goods or services ordered. If the goods or services are not delivered as ordered, the end user shall take action necessary to protect the District's interest, up to and including sending a written Stop Payment Order to Accounts Payable. Problems with vendor's unsatisfactory performance shall be directed to the Business Department for appropriate action, which may include closing the purchase order.
- Shall not make any commitments to acquire goods or services in the name of the District for personal use or ownership.
- Shall not make or authorize separate, sequential, or component purchases in order to avoid requirements under the Texas Education Code, §44.031, or Board approval.
- Shall coordinate purchases valued at $10,000 or more with the Business Department in order to select the method of procurement that will provide the best value to the District.
- Shall follow the policies and procedures contained in Board Policy CH (Legal) for emergency purchases.
- Shall be responsible for complying with statutory requirements, Board policies, and the Purchasing Manual procedures when purchasing goods or services for the District.
- Shall not make changes to purchase orders after it has been sent to the vendor without prior approval from the Business Department.
- Shall ensure that items ordered match the purchase order.

- Shall record the receipt of goods or services in Skyward on the date the goods or services were received.

Business Department Responsibilities

- Shall not initiate requisitions except for items or services for use by the Business Department.
- Shall not purchase anything from any person or from any firm that is controlled, owned, or operated by a Wimberley ISD employee or from a relative within the second degree by blood or marriage of the employee.
- Shall supervise the purchase of all materials, supplies, equipment, and services for the District [See Board Policy CH (Local)] according to the guidelines established in Texas Education Code §44.031.
- Shall not approve a requisition after the goods have been received or the event has taken place (i.e., After-the-Fact) except in special circumstances/instances.
- Shall review/process requisitions in a timely manner for completeness and ensure that purchases are compliant.
- Shall verify compliance with statues, regulations, and Board policy applicable to purchasing.
- Shall verify correctness of budget object coding according to the WISD Chart of Accounts.
- Shall have discretion to direct purchases through interlocal agreements or cooperatives in order to save time and money.
- Shall work with the end users to resolve delays in requisition processing in a timely manner.
- Shall send E-Commerce purchase orders to vendors.
- Shall be the only personnel authorized to contact vendors to make purchase commitments and issue purchase orders.

Federally Funded Requisition/Purchase Order Approval Process.

1. Budget Owner Creates Requisition and attaches the following items in Skyward:
    a. Campus/Department Improvement Plan
    b. Justification Form(s)
    c. Vendor Quote(s)
2. Chief Financial Officer will review requisition for accuracy.
    a. Correct Budget
    b. Compliance with grant NOGA
3. Accounts Payable will review requisition for accuracy.
    a. Bid/contract information
    b. Correct Budget
4. Chief Financial Officer will review requisition for accuracy.
    a. Approved Vendor
    b. Bid/contract information
    c. Justification Form
    d. Quote(s)
    e. Commodity Code(s)
    f. Correct Budget
    g. SAM.GOV Debarment review

SECTION 9

DELIVERY AND RECEIPT

Delivery and receipt of goods/services is the goal of the requisition and purchase order process discussed in Section 7. Carefully checking deliveries and ensuring that the end user(s) who ordered the goods/services actually obtained them is a critical part of the purchasing process. WISD utilized both centralized and decentralized receiving to ensure end users receive goods/services.

Centralized Receiving and Decentralized Receiving

Purchasing will utilize decentralized receiving, the school/department should assign the receiving responsibility to an individual trained in receiving procedures. Procedures regarding the receipt of goods should be in place at each school/department; this includes specific procedures for receiving goods during summer and winter breaks.

Monitoring the delivery and receipt of purchase orders is the end user's responsibility. This ensures that the district actually receives what it purchases.

Online Receiving Records

It is imperative that after physical delivery of goods and services, that an online receiving record be created in the Skyward System for the particular purchase order the delivery pertains to. This online receiving record communicates to Accounts Payables how much to pay and that those goods and services have been received in a satisfactory manner. Without timely online receiving, the payment process is curtailed and jeopardizes future business relations with our vendors.

Physical Receiving Procedures

1. Locate the "packing slip." The packing slip contains the information of the items shipped from the vendor. The packing slip should list the following information:

    - Date of shipment from the vendor
    - WISD Purchase Order number
    - Quantities and descriptions of items shipped

If the individual performing the receiving cannot locate the packing slip, he/she must immediately contact the vendor and request a copy.

2. Compare the packing slip with the requisition/purchase order and verify that the shipment is intended for your school/department. If it is, continue the receiving procedures. If you are certain that the shipment is not intended for your school/department, refuse the shipment or aid in determining the proper destination.

3. Ensure that the items on the packing slip match the items on the requisition/purchase order; accept the items that were ordered and contact the vendor for instructions for handling the incorrect items.

4. Compare the number of containers delivered to the number on the carrier's packing slip. Record any discrepancy on the carrier's shipping documents.

5. Examine the outside of the containers for damage:

- Minor Visible Damage – Record any damage to the shipping containers on the carrier's shipping document and ensure that it is signed by the delivery person before the shipment is accepted. Recording minor damages to containers provides added documentation in the event that there is concealed damage.
- Severe Visible Damage – The process for severely damaged containers differs depending on whether the order was shipped F.O.B. Origin or F.O.B. Destination. F.O.B. stands for "*Free On Board*" and is a transportation term that indicates that the process of goods includes delivery at the vendor's expense to a specified point (normally your destination, i.e. school, department). The F.O.B. term is used with an identified physical location to determine
    - The responsibility and basis for payment of freight charges, and
    - The point at which title (or ownership) for the goods transfers from vendor to the District.

F.O.B. Destination

- The vendor retains title and control of the goods until they are delivered and the contract of carriage has been completed.
- The vendor selects the carrier and is responsible for the risk during transportation.
- The vendor is responsible for filing claims for loss or damage.
- For F.O.B. Destination, if the shipping containers are damaged enough that it is probable that the contents are also damaged, you may:
    - Reject the entire shipment.
    - Accept the entire shipment.
    - Accept part of the shipment and reject the damaged part of the shipment.
        - If all or part of the shipment is accepted, contact the vendor to obtain replacement instructions for the damaged items. If the vendor abandons the merchandise (fails or refuses to pick it up), contact the Business Department to aid in resolving the problem. If the entire shipment is refused, record the reason for refusal on the carrier's shipping documents and notify the vendor that the shipment was refused and needs to be reshipped due to severe damage.

F.O.B Origin

- The end user/receiver assumes title and control of the goods the moment the carrier signs and picks up the goods from the vendor's location.
- The end user/receiver assumes risk during transportation.
- The end user/receiver is responsible for filing claims for loss or damage.
- For F.O.B. Origin, if the shipping containers are damaged enough that it is probable that the contents are also damaged, accept the shipment and then record the damage on the carrier's freight bill. Contact the Business Department to aid in resolving the problem.

The district discourages the use of F.O.B. Origin as a shipping method.

6. If possible, open the container(s) and compare the contents with the packing slip. If the contents do not match the packing slip, contact the vendor to attempt to resolve the discrepancy. If absolutely necessary, refuse the shipment.

7. Finally, an authorized person should accept delivery by signing and dating the packing slip.

8. If an invoice is included in the container, forward it to the Accounts Payable department immediately.

Inspection Procedures

Inspect the shipment for concealed damage. Concealed damage is damage that was not evident at the time of delivery. If damages are discovered after unpacking the shipment, notify both the carrier and the vendor in writing by email.

After the shipment is unpacked, check the following against the Purchase Order:

- Compare the quantity received with the quantity ordered.
- Check for:
  - Over-shipments: An over-shipment is a shipment that contains more of an item than you ordered. Contact the vendor to resolve the issue, i.e. pre-paid return shipping label.
  - Under-shipments: Only complete an electronic receiving record for the actual items received.
- Compare the brand name and model number received with the brand name and model number of the Purchase Order.
- Compare the shipment with the physical descriptions on the Purchase Order.
- Compare the packaging, labeling, marking, etc. with those on the Purchase Order.
- Make certain that "used" items are reflected as such on the Purchase Order.
- Retain copies of all shipping documentation until all discrepancies are resolved.

Resolving Discrepancies

If the school or department determines there is damaged merchandise or a discrepancy exists, they should notify the vendor immediately and attempt to resolve the discrepancy. All correspondence between the school/department and vendor must be noted on the packing slip, if possible. If the discrepancy is discovered during or after inspection or unpacking, the vendor should be contacted in a timely manner. It is the end user's responsibility to contact the vendor and attempt to resolve deficiencies.

Notify the vendor of all discrepancies in writing and follow-up all telephone notifications in writing. Written notification must include instructions on what action the vendor should take and the deadline for that action. Give the vendor the opportunity to make the shipment good.

Be sure to keep detailed records (dates, times, names, and phone numbers) and contact the Business Department for assistance if satisfactory results are not obtained in a timely manner. Send copies of all documentation by email to the Business Department for record keeping, follow-up, and vendor performance evaluation.

After the physical receiving function has been performed (shipment and packing slip are correct), electronic receiving must be performed in the Skyward system as approval of payment after the invoice is received by Accounts Payable.

Disposal of Obsolete and Surplus Property

The disposal of obsolete and surplus shall be in accordance with the [Fixed Assets/Inventory Procedures]. Please contact the CFO for guidance.

Additional Information/Reminders

- All goods and services must be purchased in accordance with Board Policy.

- No single purchase of goods or services costing more than $100,000 that are not originally budgeted may be purchased without approval of the Board of Trustees. See Board Policy CH (Local).

- WISD uses an established encumbrance system that produces an approved purchase order for all purchases. Any order for goods or services placed without an approved purchased order will not be considered a financial liability of the district. The employee or other party placing the order will be solely responsible for the debt incurred. In addition, the employee may be subject to disciplinary action for placing such an order.

- To initiate an approved purchase order, a requisition is entered via the Skyward Finance system. The electronic system allows users to enter purchase requests electronically, verify account balances, select pre-approved vendors, etc. at the point of data entry.

- Only approved vendors will be available for selection when entering a requisition.

- Each item to be ordered should be listed separately with a per-unit cost and the number of units to be ordered. Please be sure that the detailed description describes the item in such a way it is easily identifiable. For example, when ordering books, you might enter "Book" followed by the title. Technology equipment and parts for vehicles should not be entered just using the manufacturer's reference or part numbers but instead with an item description and then the part number.

- Requisitions should not be entered using only "supplies" or "not to exceed X dollar amount" as the detail line item. Items to be purchased must be listed. A dollar limit may be added after the detailed items have been entered.

- If items to be purchased are generic such as general classroom supplies, then a description of all planned purchases may be listed on the detail line item and a total amount for the purchase may be entered. Each item does not have to be listed with an individual item estimated.

- If multiple items are being purchased please list them separately with a per unit cost. For example, computers and printers are being purchased. Do not enter a one-line description with a unit value of "1" and a total cost. A description of the type of computer and the number to be purchased with an individual per unit cost must be entered.

- A budgeted account code must be entered. Please ensure the code follows the required coding structure as defined by TEA. Requisitions entered with account codes that do not have sufficient budgets may be suspended. A budget transfer may be entered for approval. Once approved, the requisition may be reactivated by selecting the requisition and clicking the "Activate" button in the Requisition Entry screen

- After a requisition is entered, it must be approved at a minimum by the Business Office. Other approvals for specific grants, programs or purchases such as technology equipment may require additional approvals. Once the approval process is finalized, the requisition is updated to a purchase order. The approved purchase order is printed and returned to the

- Only upon receipt of an approved purchase order should an order be placed. Orders placed without an approved purchase order will not be considered authorized by WISD and the individual placing the unapproved order will be responsible for any expenses incurred. See Board Policy CH (Local).

- Requests for transportation or purchases from the Food Service Department should be submitted using the requisition process. No goods or services should be provided by these departments without an approved purchase order on file.

- Goods or services purchased with state or federal grant funds must comply with the grant guidelines. Under no circumstances may any goods or services be purchased using grant funds that are not allowed per the grant guidelines.

- Campus/department administrators are responsible for knowing the guidelines of any

awarded grant funds and ensuring all purchases are in accordance with said guidelines. All purchases with state and federal grant funds shall be based on an identified need and shall include the respective District Improvement or Campus Improvement Plan (DIP or CIP) strategy related to the need for the goods or services.

- Purchase orders should be signed authorizing payment and dated once goods or services are received. Any adjustments or cancellation of ordered items should be noted. The purchase order should then be returned to the Business Office to complete the payment process. This should be done in a timely manner to ensure prompt payment. Any late fees shall be charged to the Principal/Department Supervisor budget.

- Purchase orders that are cancelled by the campus/department should be noted as such, signed and dated and returned to the Business Office to allow for the liquidation of funds.

SECTION 10

BOARD OF EDUCATION APPROVAL

In accordance with Board Policy CH (Local), any bid or proposal recommendation for award shall require Board approval before a transaction may take place.

Categories for Board Approval

- Competitive Procurements (i.e. Bid or Proposal)
- Emergency Procurements

SECTION 11

GLOSSARY OF TERMS

Acknowledgement: A form used by a vendor to advise a purchaser that an order has been received, and usually implying acceptance.

Act of God: A contingency or occurrence that cannot be avoided by human power; a cause of damage which is irresistible (e.g., hurricane, flood, lightening) and not attributable to negligence.

Advertising: A form of public notice of an intended purchase. See "Legal Notice."

Agency: (1) An administrative division of a government. (2) A relationship between two parties by which one, the agent, is authorized to perform or transact certain business for the other, the principal; also, the office of the agent.

All-or-None Bid: A bid submitted for a number of different items, services, etc., in which the bidder states he will not accept a partial award, but will accept only an award for all the items, services, etc., included in the Invitation for Bids. Such bids are acceptable only if provided for in the Invitation, or if the bidder quoted an individual price for each of the items, services, etc., as listed and they are the low bidder on each item.

Alternate Bid: A bid submitted in knowing variance from the specifications, terms, conditions, or provisions of the solicitation. Such a bid is acceptable only when the variance is deemed to be immaterial.

Approved Vendor: Is a vendor that has been awarded a Bid or Proposal through the WISD competitive procurement process. A vendor approved through an Inter local Agreement.

Assigned Budget Owners: Is a manager who is assigned ownership of a Board approved budget and who is authorized to procure goods or services in accordance with the approved budget. An ownership code is assigned as the last three digits of the account code.

Award: The acceptance of a bid or proposal.

Back Order: Is the portion of an order, which a vendor does not deliver at the scheduled time and has re-entered for shipment at a later date.

Best Interests of the District: The rationale granting the District discretion in acting most advantageous to the district when it is impossible to delineate adequately a specific response by law or regulation.

Bid: The executed document submitted by a Bidder in response to an Invitation for Bids, or a multi-step bidding procedure.

Bid Bond: An insurance agreement in which a third party agrees to be liable to pay a certain amount of money in the event that a specific bidder, if the bid is accepted, fails to accept the bid award as bid.

Bid Deposit: Is a sum of money or check deposited with and as instructed by the prospective purchaser to guarantee the bidder (depositor) will, if selected, accept the bid award in accordance with the bid. If the bidder does not accept the bid award, he forfeits the amount of the deposit.

Bid Opening: The formal process through which bids are opened and the contents revealed for

the first time to the district, other bidders and usually, to the public.

Bid Sample: A sample required of a bidder for examination, comparison, testing, and evaluation by the prospective purchaser.

Bid Security: A guarantee, in the form of a bond or deposit, that the bidder, if awarded a bid, will accept the bid award as bid, otherwise the bidder (in the case of a deposit) or his/her guarantor (in the case of a bond) will be liable for the amount of the bond or deposit.

Bidder: Any person submitting a competitive bid in response to a solicitation.

Bidders List: A mailing list maintained by the Business Department setting out the names and addresses of suppliers of various goods and services from whom bids, proposals, and quotations can be solicited (also called the vendor mailing list).

Bill: A list of charges or costs presented by a vendor to a purchaser, usually enumerating the items furnished, their unit and total costs, and a statement of the terms of sale: an invoice.

Blanket Purchase Order: A blanket purchase order is issued to an approved vendor authorizing purchases from that vendor over a period of time. Is an arrangement under which a purchaser contracts with an approved vendor to provide the purchaser's requirements for an item or a service, on an as-required and often over-the-counter basis? Properly prepared, such an arrangement sets a limit on the period of time it is valid and the maximum amount of money which may be spent at one time or within a specified period.

Bona Fide: In good faith.

Brand Name: A name which serves to identify a product of a particular manufacturer or a trade name.

Brand Name or Equal Specification: A specification that cites brand names, model numbers, or other identifications as representing quality and performance called for, and inviting bids on comparable items or products of any manufacturer.

Bulk Purchasing: Purchasing in large quantities to seek a lower price per unit. Bulk Purchasing is also known as volume purchasing.

Budgeted Purchases: Purchases that assigned budget owners are authorized to make within approved budget limits.

Calendar Day: Every day shown on the calendar, Saturdays, Sundays, and holidays included.

Cash Discount: A discount from the purchase price allowed by the seller to the purchaser when payment is made within a designated period.

Cash on Delivery (COD): Payment due and payable upon delivery of goods.

Catalog: A listing of item identifications arranged systematically.

Centralized Purchasing: Is a system of purchasing in which authority, responsibility, and control of activities is concentrated in one administrative unit.

Change Order: A written order directing the contractor to make changes which the Changes clause of the contract authorizes the District to order without consent of the contractor.

Code of Ethics: Written guidelines within which judgments and considerations of professional ethics and behavior should be made for all public officials and employees of a district.

Collusion: A secret agreement or cooperation between two or more persons to accomplish a fraudulent, deceitful, or unlawful purpose.

Combination Specifications: Contain elements of both design and performance specifications. Some features of each are included to allow a vendor to use ingenuity to meet the performance needs of the government and also to require certain necessary design characteristics. This is probably the most common type of specification.

Commodity: An article of trade, a movable article of value, something that is bought or sold; any movable or tangible thing that is produced or used as the subject of barter or sale.

Competition: The process by which two or more vendors vie to secure the business of a purchaser by offering the most favorable terms as to price, quality, delivery and/or service.

Competitive Bidding: The submissions of prices by individuals or firms competing for a contract, privilege, or right to supply merchandise or services.

Competitive Negotiation: A method for contracting for goods and services, whereby proposals are solicited from qualified suppliers, following submission of which changes in proposals and prices are allowed, and the offer deemed by the awarding authority to be most advantageous in terms of criteria as designated in the Request for Proposals is accepted; a negotiated procurement.

Competitive Sealed Proposals: A term used for competitive negotiation as a source selection.

Component Purchases: Purchases of the component parts of an item that in normal purchasing practices would be made in one purchase.

Confirming Order: Is a de facto purchase order issued to a vendor listing goods or services procured verbally and/or outside established purchasing procedures. Since a confirming order precludes competition it may be illegal under certain laws/ordinances.

Conflict of Interest: A situation where the personal interests of a contractor, public official or employee are, or appear to be, at odds with the best interests of the district.

Contingency: A possible future event or condition arising from presently known or unknown causes, the outcome of which is indeterminate at the present time.

Cooperative Purchasing: (1) The combining of requirements of two or more political entities to obtain the advantages of volume purchases, reduction in administrative expenses, or other public benefits. (2) Procurement conducted by, or on behalf of, more than one Public Procurement Unit, or by a Public Procurement Unit with an External Procurement Activity.

Delivery Schedule: The required or agreed time, or rate, of delivery of goods or services.

Delivery Terms: Conditions in a contract relating to freight charges, place of delivery, time of delivery, or method of transportation.

Descriptive Literature: Information, such as illustrations, charts, drawings, and technical data which show the characteristics or construction of a particular product or explains its operations, furnished by a bidder as part of the bid to describe the items he offers. The term refers only to information required to evaluate a product, and need not include other information such as that relates to the qualifications of a bidder or operating or maintaining equipment.

Design-Build: The district and the design/build contractor enter into a specific contract wherein the contractor undertakes the responsibility to provide for the design and construction of the project in conformance with basic requirements which have been set forth by the district. The contract may be lump sum, cost plus a fee or guaranteed maximum, lease or lease-purchase. The contract is generally entered into after project definition but before substantial design work has

been done.

Design Specifications: A type or manner of writing a purchase description characterized by detail as to how the product is to be manufactured or work is to be performed; generic specification. Appropriate for a unique product or custom work.

Designee: A duly authorized representative of a person holding a superior position.

Discount: An allowance or deduction from a normal or list price extended by a seller to a buyer to make the net price more competitive.

Emergency Purchases: Two types of emergency purchases are made in districts. One type result from an eminent threat to the health, safety, or welfare of students. Such purchases must comply with state law and may be made only after a formal board action declaring an emergency and authorizing the purchase. The second type of emergency purchase usually is defined by local policy to provide for the acquisition of goods or services to meet an immediate need such as purchases to repair damage to a facility which may imperil students or the security of the facility.

End User: Staff member from a school or department who initiates the request for purchase (requisition).

Equipment: Personal property of a durable nature which retains its identity throughout its useful life.

Evaluation Committee: A committee which advises and assists the purchasing office in evaluation and award, usually employed in high tech and purchase of services transactions.

Evaluation of Bid: The process of examining a bid after opening to determine the bidder's responsibility, responsiveness to requirements, and to ascertain other characteristics of the bid that relate to determination of the successful bidder.

Fiscal Year: A period of 12 consecutive months selected as a basis for annual financial reporting, planning, or budgeting.

F.O.B.: "Free on Board" specifies when the title for shipped merchandise transfers to the district. F.O.B. is often followed by the text that specifies which party is responsible for freight charges and damages or losses while in transit.

F.O.B. Destination: Under these terms, the risk of loss of goods does not pass to the district until the goods are delivered and the district has accepted the shipment. If the shipment is refused or never reaches its destination, the vendor is responsible for re-shipping new goods at their expense. It is recommended that all orders be placed as F.O.B. Destination.

F.O.B. Origin: Under these terms, the risk of loss passes to the district when the carrier picks up the shipment from the vendor. The district is responsible for the merchandise at that point. If the merchandise is damaged or lost in shipment, the district owes the vendor full payment regardless. If there are damages or shortages, the district is responsible for filing any needed freight claims to attempt to recover the damages. If goods must be replaced, a new order must be placed with the vendor. The district **does not recommend** using F.O.B. Origin.

Identical Bid: A bid that is the same in all respects with another bid.

Ineligible Bidder: A supplier or prospective supplier who, by reason of financial instability, unsatisfactory reputation, poor history of performance, or other deficiency, does not meet the qualifications for placement on the vendor mailing list (bidder's list) or for award; also, non-responsible bidder.

Inspection: Critical examination and/or testing of items to determine whether they have been

received in the proper quantity and condition and conform to the applicable specifications.

Invitation for Bids (IFB): (1) The solicitation document used for competitive sealed bidding, the customary method used by state and local governments for the purchase of equipment, materials, supplies, and construction. (2) All documents, whether attached or incorporated by reference, utilized for soliciting bids.

Late Bid Proposal: A bid or proposal received at the place specified in the solicitation after the time designated for all bids or proposals to be received.

Legal Notice: Notice of a proposed purchase as required by law. Depending upon the legal requirement, notice may be satisfied by posting an announcement of the purchase in a public place, notification of the appropriate bidders from the vendor mailing list (bidder's list), formal advertisement in a newspaper or newspapers, or a combination of these methods.

Lease-Purchase Agreement: A lease contract containing a purchase option in which the lessee's periodic payments or parts thereof may be applied to serve both as the rental obligation and as installments for acquiring ownership of the property upon lessee exercising the purchase option; a conditional sales contract.

Life-Cycle Costing: A procurement technique which considers demonstrable and documented operating, maintenance, the cost of money, and other costs of ownership and usage, and resale or residual value in addition to acquisition price in making an award on low total cost.

Lowest (Responsive and) Responsible Bidder: Originally, the bidder submitting the lowest initial price and capable of performing the proposed services or provide the proposed goods. Under modern purchasing concepts, often construed as generally the same as the "lowest responsive and responsible bidder," or the bidder who submits the "lowest and best bid," or the "most advantageous bid, price, and other factors considered." For clarity and accuracy, the recommended provision for determining award is the "responsive and responsible bidder whose bid is most economical for the purpose intended, according to criteria set forth in the solicitation."

Multiple Awards: The award of bids/proposals to two or more bidders for the same or essentially similar items. Appropriate only in situations where a single award would be impossible or impractical and awards are limited to the least number of suppliers necessary for a workable contract.

Multi-Step Competitive Bidding: A competitive process calling for separate submissions of a technical proposal (which may be negotiated) as the first step or steps of the process followed by a call for non-negotiable competitive price bid as the final step.

Skyward Vendor: A "Skyward vendor" is a vendor that is established in the Skyward Financial Management System.

Non-responsive Bid: A bid that does not conform to the essential requirements of the invitation for Bids; nonconforming bid; unresponsive bid.

Option to Renew: A bid/proposal clause that allows a party to elect to re-institute the bid/proposal for an additional term.

Performance Bond: A contract of guaranty executed subsequent to award by a successful bidder to protect the district from loss due to vendor's inability to complete the bid/proposal as agreed.

Performance Record: Record to indicate a supplier's ability to keep delivery promises and reliability, together with consistency of quality and performance of the products and services furnished.

Performance Specifications: Where the goods and/or services are described in terms of required performance. They may include such details as required power, strength of material, test methods

and standards of acceptability and recommended practices.

Pre-Bid/Proposal Conference: A meeting scheduled in a solicitation for the purpose of providing clarification as needed. Substantive questions raised at a pre-bid conference are answered in writing and may modify the solicitation.

Procurement: The procedures for obtaining goods or services, including all activities from the planning steps and preparation and processing of a requisition, through receipt and acceptance of delivery and processing of a final invoice for payment. The acts of preparing specifications, evaluating bids or proposals, making awards, and administering contracts are involved; in some contexts, property management is implied.

Professional Services: Often technical, and/or unique functions performed by independent contractors whose occupation is the rendering of such services. While not limited to licentiates, the services are considered "professional," and the contract may run to partnerships, firms, or corporations as well as individuals. Examples of professional services include medicine and the medical arts, architectural and engineering services, management and systems consultation, research, and the performing arts.

Proposal: The executed document submitted by an offeror in response to a Request for Proposal (and the basis for subsequent negotiation).

Proposal Evaluation Criteria: Factors, usually weighted, relating to management capability, technical capability, and manner of meeting performance requirements, price and other importance considerations used to evaluate which proposer in a competitive negotiation has made the most advantageous offer.

Purchase Order: This document serves as a formal order for goods, materials and/or services from a vendor. A purchase order, once approved, is a binding commitment for a district to remit payment to the vendor after the item(s) and an invoice are received by the district. Acceptance of a purchase order by the vendor constitutes a contract.

Quotation: A statement of price, terms of sale, and description of goods or services offered by a prospective seller to a prospective purchaser, usually for purchases below the amount requiring formal bidding; the stating of the current price of a commodity, or the price so stated.

Request for Information (RFI): The document used in informal, uncompetitive solicitation of information, data, comments, or reactions from possible suppliers preceding the issuance of a Request for Proposals or a multi-step bidding procedure.

Request for Proposal (RFP): (1) All documents, whether attached or incorporated by reference, utilized for soliciting (competitive) proposals. The RFP procedure permits negotiation of proposals and prices as distinguished from competitive bidding and an Invitation for Bids. (2) The solicitation document used in the competitive negotiation process. The procedure allows changes to be made after proposals are opened and contemplates that the nature of the proposals and/or prices offered will be negotiated prior to award.

Requisition: A requisition is an internal document by which a campus or department of the district requests the Business Department to initiate a purchase order. It is a request generated electronically (through use of the automated system Skyward) for the purchase of supplies, services, equipment, etc. A requisition is an un-approved purchase order. No purchasing commitment shall be made without an approved purchase order.

Responsible Bidder: A person who has the capability in all respects to perform in full the bid requirements, and the integrity and reliability which will assure good faith performance.

Responsive Bidder: (1) A person who has submitted a bid which conforms in all material respects to the Invitation for Bids. (2) One whose bid conforms in all material respects to the

terms and conditions, the specifications and other requirements of the Invitation for Bids.

Sealed Bid: A bid which has been submitted in a sealed envelope to prevent its contents being revealed or known before the deadline for the submission of all bids: usually required by law or rule on major procurements, to enhance fair competition.

Separate Purchases: Purchases, made separately, of items that in normal purchasing practices would be made in one purchase.

Sequential Purchases: Purchases, over a period, of items that in normal purchasing practices would be made in one purchase.

Sole Source Procurement: A purchase or award for a commodity or service to the only legally capable supplier, occasioned by the unique nature of the requirement, the supplier, or market conditions.

Special Revenue Fund: Proceeds of specific program grants that are legally restricted to expenditures for specified purposes.

Specification: A description of what the purchaser seeks to buy, and consequently, what bidder must be responsive to in order to be considered for award of a contract. A specification may be a description of the physical or functional characteristics, or the nature of, a supply of service. It may include a description of any requirements for inspecting, testing, or preparing a supply or service item for delivery.

Standardization (of Specifications): The process of examining characteristics and need for items of similar end usage and developing a single specification that will satisfy the need for most or all purchases for that purpose.

Supplies: Customarily, items that are consumed or expended in the course of being used, as distinguished from equipment and materials; but in some purchasing terminology, all items except construction and services.

Suspension and Debarment: Non-federal entities are subject to non-procurement debarment and suspension regulations at 2 C.F.R. Part 180. These regulations restrict awards, sub awards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities. *2 C.F.R. 200.213*

Tabulation of Bids: A recording of bidders and abstract of their bids listing items offered, prices, deliveries, etc., in response to a specific solicitation, made for purposes of comparison and recordkeeping; an abstract.

Terms and Conditions: A general reference applied to the provisions under which bids must be submitted and which are applicable to most purchase orders.

Testing: Is the determination of the physical, chemical, or performance characteristics of the items. Testing may be conducted in connection with developing specifications and standards, making comparative evaluations of products offered on bids, and ascertaining compliance with specifications before or after a bid/proposal award.

Title: The means whereby a person's ownership of property is established.

Uniform Commercial Code: Uniform statute law adopted by states for consistency and modernity in law governing commercial transactions.

Warranty: A representation of utility, condition, and durability made by a bidder for a product offered.

Warehouse Requisition: A warehouse requisition may be used to obtain supplies or materials (a catalog describing items in the warehouse is available by contacting the Warehouse Distribution Center). A warehouse requisition is completed at the department or campus level and submitted to the warehouse. Warehouse personnel then review the requisition for accuracy, completeness and availability of funds. After processing the requisition, the supplies and materials are removed from the warehouse stock and delivered to the appropriate party.

APPENDIX - A

WISD PURCHASING LEVELS AND REQUIREMENTS

WIMBERLEY ISD
PURCHASING LEVELS AND REQUIREMENTS
(FOR THE PURCHASE OF SUPPLIES/MATERIALS OR CONTRACTED SERVICES)

Purchase Commitment Amount	Support Required	Additional Forms	RFP/RFQ	Agenda Item for Board Approval	Advertising	Debarted Confirmation (SAM)
PURCHASES TO BE MADE WITH STATE AND LOCAL FUNDS						
For purchases **Less than $3,500.00**	1 QUOTE	NOT REQUIRED	NOT REQUIRED	NOT REQUIRED	NOT REQUIRED	NOT REQUIRED
For purchases **$3,500.00 to $99,999.00**	AT LEAST 2 QUOTES (1 QUOTE IF PURCHASING FROM A COOPERATIVE)	2 QUOTE FORM OR COOP CONTRACT NO.	NOT REQUIRED	NOT REQUIRED	NOT REQUIRED	NOT REQUIRED
For purchases over $99,999.00 in the aggregate	COMPETITIVE PROCUREMENT (Education Code 44.031)	BID OR PROPOSAL TABULATION FORM	REQUIRED	REQUIRED	**REQUIRED** One (1) time for two (2) consecutive weeks	NOT REQUIRED
SOLE SOURCE PURCHASES $3,500.00 and Over	1 QUOTE	SOLE SOURCE AFFIDAVIT	REQUIRED OVER $99,999	REQUIRED OVER $99,999	REQUIRED IF PROCURING One (1) time for two (2) consecutive weeks	NOT REQUIRED
PURCHASES TO BE MADE WITH FEDERAL FUNDS						
CHILD NUTRITION PROGRAM ONLY (Equal to or more than $10,000.00 p/unit)	AT LEAST 2 QUOTES (1 QUOTE IF PURCHASING FROM A COOPERATIVE)	2 QUOTE FORM OR COOP CONTRACT NO.	NOT REQUIRED	NOT REQUIRED	NOT REQUIRED	**MUST ACQUIRE TDA APPROVAL**
For Micro-Purchases **Less than $15,000.00 in the aggragate**	1 QUOTE	NOT REQUIRED	NOT REQUIRED	NOT REQUIRED	NOT REQUIRED	NOT REQUIRED
For purchases **$15.000.00 to $99,999.00 in the aggragate**	AT LEAST 2 QUOTES (1 QUOTE IF PURCHASING FROM A COOPERATIVE)	2 QUOTE FORM OR COOP CONTRACT NO.	NOT REQUIRED	NOT REQUIRED	NOT REQUIRED	REQUIRED
For purchases over $99,999.00 per unit or in the aggregate	COMPETITIVE PROCUREMENT (Education Code 44.031)	BID OR PROPOSAL TABULATION FORM	REQUIRED	REQUIRED	**REQUIRED** One (1) time for two (2) consecutive weeks	REQUIRED
SOLE SOURCE PURCHASES $15,000.00 and Over	1 QUOTE	SOLE SOURCE AFFIDAVIT	REQUIRED OVER $99,999	REQUIRED OVER $99,999	REQUIRED IF PROCURING One (1) time for two (2) consecutive weeks	NOT REQUIRED