HCAA - PURCHASING

All purchases made on behalf of the District shall be executed in a fair, equitable, and legal manner using a process that helps ensure the best value for the District and its taxpayers. The purpose of this policy and accompanying regulation is to establish such procedures.

Establishment of a Purchasing System

The Board delegates overall purchasing authority to the Superintendent who shall serve as the district's Chief Procurement Officer. The Chief Procurement Officer shall be responsible for developing and administering the purchasing program of the District, including the development and implementation of a requisition and purchasing system that is efficient, economical, and meets the standards below. A complete purchasing record system shall be maintained by the Chief Procurement Officer. To ensure adequate checks and balances, the Chief Procurement Officer shall have authority to approve district employees' purchases but shall not directly make purchases for the District.[1]

General Requirements for Purchases

1. All purchases must conform to all applicable state laws (see HCAA-E), including, but not limited to, laws prohibiting disclosure of confidential and proprietary information.
2. All parties involved in purchasing shall act in good faith, and purchases at all levels shall be made in a manner and form that permits the highest degree of fair competition possible.
3. All purchases must be documented through the purchase card (p-card) system, a purchase order, contract, invoice, or receipt. All records of purchases must be submitted to the Chief Procurement Officer.
4. All purchases made through the purchasing system must have budget appropriations adequate to cover the cost of such obligations. Purchases not meeting this criterion must be approved by the Board.
5. Prior to making a purchase, the purchaser shall check current inventories to ensure that the purchase is necessary and determine if the item can be obtained through existing cooperative purchasing agreements under N.D.C.C. § 54-44.4-13 or federal agencies contracted under N.D.C.C. § 21-06-08. Purchases made through such agreements are exempt from the procurement procedures contained in this policy.
6. Procurement requirements may not be artificially fragmented as to constitute a small purchase or to avoid competitive purchasing requirements. Artificial fragmentation means splitting purchase requirements or splitting an invoice to stay below a certain dollar level to avoid competition or stay within delegated authority limits. Fragmentation must be based on an actual need of the District, and documentation of this need shall be filed with the procurement officer.

7. If purchases are made using restricted funds, including but not limited to federal grant dollars, purchases must conform to any requirements associated with those federal funding programs and policy HBAA (Federal Fiscal Compliance).
8. This policy is not applicable to legal services or public improvement or construction purchases, which are covered by separate policies BDBB (Retaining an Attorney),HCAB (Bidding Requirements and Procedures), HCAC (Local Purchasing), HCAD (Purchasing Computerized Data Systems).
9. Purchases requiring contracts must comply with the contracting standards contained in this policy and in law.

Purchasing Authority Thresholds

The Chief Procurement Officer or designee shall evaluate the procurement needs and estimate the amounts to be purchased to ensure the appropriate purchasing authority threshold is followed. Estimated price may be based upon previous purchases, market research, a published price list, or asking a vendor for a budgetary estimate.

1. **P-Cards**: The Chief Procurement Officer is authorized to implement a purchase card system. While most purchases with p-cards shall conform to the purchasing standards contained in this policy, the Chief Procurement Officer is authorized to make exceptions to this policy as follows. The Chief Procurement Officer may issue cards to school staff not listed in this policy, ensuring that their cards have adequate spending caps in place given the nature of their positions and may waive specification and solicitation requirements for p-card purchases for items or services that are difficult or impossible to obtain through competitive purchasing (e.g., travel expenses). In addition to these p-card requirements, the Board has adopted a separate p-card policy, HCAG.
2. **Purchases less than $10,000**: These purchases may be delegated by the Chief Procurement Officer to building-level administrators and Athletic Director. Purchasers shall obtain at least one fair and reasonable quote. To the extent feasible, the District must rotate vendors solicited on an equitable basis. The Board has developed criteria if multiple informal bids or proposals are necessary (HCAA-BR).
3. **Purchases $10,000 to $50,000**: These purchases may only be made by the Business Manager, who shall develop specifications and solicit at least three vendors to submit oral or written informal bids or proposals. If receiving three bids or proposals is not feasible or practical, the purchaser shall document an explanation and file it with the Chief Procurement Officer who has authority to require the purchaser to seek additional solicitations. The Board has developed criteria for purchasers to evaluate informal bids or proposals (HCAA-BR).
4. **Purchases greater than $50,000**: These purchases shall only be made in accordance with N.D.C.C. § 15.1-09-34 and board policy HCAB (Bidding Requirements and Procedures). If an exception exists under the law and bidding is not required, the board may direct the Chief Procurement Officer to:
    1. Voluntarily engage in a formal bidding process in accordance with policy HCAB; or

2. Solicit at least three vendors to submit oral or written informal bids or proposals, unless otherwise documented as not feasible or practical and filed with the Chief Procurement Officer. Final board approval is required for all purchases greater than $50,000.

Delegation of Purchasing Authority when Conflict of Interest Declared
In the event that an individual with purchasing authority has a conflict of interest under law, they shall contact the Chief Procurement Officer who shall appoint another qualified district employee without a conflict to oversee the procurement process of the good or service at issue.

Purchases Requiring Contracts
Any purchase requiring a contract with a vendor shall be approved by the Board prior to execution. When a vendor supplies the contract, the Chief Procurement Officer or designee shall review and make recommendations to the Board prior to approval. Contracts for purchases or services of $10,000 or more or contracts that contain the option for extension or renewals shall be reviewed by the district's legal counsel prior to board adoption.

Contracts shall be no longer than one year in term unless permitted by law and may contain options for renewals or extensions only in accordance with the law. The District shall not enter into contracts containing indemnity obligations on the part of the District and additional insured status when these clauses benefit another party.

Unauthorized Purchases
Unauthorized purchases are prohibited by Policy DEBJ.

Complementing Policies
DEBJ, Unauthorized Purchases
HBAA, Federal Fiscal Compliance
HCAA-AR, Informal Bids or Proposals Process
HCAA-E, Purchasing Laws for Schools
HCAB, Bidding Requirements and Procedures
HCAG, Purchase Cards
HEAA, Line-Item Transfer Authority

End of Jamestown Public School District Policy HCAA . . . . Adopted1/15/2018, Amended 5/18/2026