



Cleburne ISD

Purchasing

Manual

2026-2027

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Introduction

The purchasing procedures and guidelines presented in this manual have been developed in accordance with Texas state statutes and Cleburne Independent School District policies. As a public institution, we are required to follow these regulations in the conduct of our day-to-day business.

The Purchasing Department is committed to serving the District with the timely and cost effective procurement of goods and services. This is accomplished through product knowledge, competitive bidding, negotiation of special pricing agreements and contracts, and monitoring vendor performance. All of these serve to maximize the District's purchasing power.

Purpose of the Purchasing Manual

The purpose of this manual is to provide guidelines and procedures for staff involved in the procurement process throughout the District. The purchasing procedures contained in the document are intended to comply with all applicable laws, policies, and procedures. In the event of conflict, the appropriate law or policy shall prevail.

This manual should be used as a guide by all employees, when requisitioning, purchasing, receiving, or approving payment for goods and services. Included in this manual are statements of purchasing policies and objectives, responsibilities of various individuals and departments, and procedures for the performance of some of the major purchasing functions.

Responsibility for Purchasing

The main focus of Purchasing is to facilitate the acquisition of goods and services in order to meet the needs of schools and departments, while following federal, state and local requirements. Efforts are made to educate staff members primarily responsible for purchasing so they can make most purchases directly from vendors.

Mission, Goals, and Objectives

Mission Statement

To support the educational goals of the Cleburne Independent School District by acquiring the necessary resources through prudent effective and efficient purchasing practices and excellent customer service.

Goals

- To provide quality products, services, and material to the district, at the lowest cost, and the best value, in accordance with relevant statutes and policies.
- To foster good vendor relations and a strong competitive environment.

Objectives

- To assist in the prudent use of District resources through efficient use of competitive bidding, proposals, and the purchase order process.
- To promote and apply ethical business practices.
- To educate and train District personnel.
- To improve processes and implement the best purchasing practices.
- Ensure that all purchases meet the needs and mission of the District and campus as evidenced in improvement plans.

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.

- A. The following persons have been delegated authority to act as agents for Cleburne ISD in carrying out the purchasing activities of the District:
 - a. Superintendent
 - b. Chief Financial Officer
 - c. Purchasing Director
 - d. Principal/Supervisor
 - e. Department Buyers
- B. Budget owners have the authority to initiate and approve purchase requisitions within their authorized budget.
- C. Every employee involved in procuring goods or services for the District is responsible for earnestly working to attain the District's procurement goals and objectives.
- D. Principals/Supervisors share purchasing authority with the Business Office concerning purchases made from Operating & Activity Funds.

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

Purchasing Ethics

It is the intent of Cleburne ISD that the following ethical principles govern the conduct of every employee involved, directly or indirectly, in the District's procurement process. Taking ownership and being responsible for our actions is essential to preserve the public trust and protect the public interest. Guiding principles are as follows:

- Avoid the intent and appearance of unethical or compromising practice in relationships, actions and communications.
- Demonstrate loyalty to the District by diligently following the lawful instructions, procedures and policies using reasonable care while exercising only the authority, which has been delegated to you.
- Avoid any private business or professional activity that would create a conflict between personal interest and the interests of the District. If conflicts of interest exist, the employee shall notify the Purchasing Director and remove him or herself from the District procurement process.
- Give prompt and courteous attention to all District staff and legitimate business representatives.
- Work to identify and implement strategies and techniques that will preserve the integrity of the department while enhancing the level of service provided by the department.
- Remain open, fair, impartial, and non-discriminatory in all processes.
- Handle confidential or proprietary information with proper care and attention.
- Refrain from soliciting or accepting money, loans, credits, discounts, gifts, entertainment, favors or services from present or potential vendors.
- Know and obey the letter and the spirit of laws governing the purchasing function and remain alert to the legal ramifications of all purchasing decisions.
- Ensure that all segments of society have the opportunity to participate in governmental contracts.
- Enhance the stature of the purchasing profession by improving technical knowledge and adhering to the highest ethical standards.

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.

The Texas Education Agency (TEA), [Financial Accountability System Resource Guide](#) 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 time, on 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 – In accordance with Board Policy [DBD](#) (LEGAL), an 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 employee knows is interested in or likely to become interested in any such transactions of the District. Penal Code 36.08(d). A conflict of interest is defined as any circumstance that could cast doubt on an employee's ability to act with total objectivity with regard to the District's interest.

Per Local Government Code Chapter 176, a local government officer (defined as the School Board, Superintendent, or agent of the district) shall file a conflicts disclosure statement with respect to a vendor if the vendor enters into a contract with the district or the district is considering entering into a contract with the vendor and the officer has a conflict of interest or has accepted gifts in excess of \$100 in the aggregate in a 12-month period.

The district has developed a [Conflict of Interest Form](#) to be used to disclose employee conflicts related to purchasing, contract management or other expenditure of state and federal funds.

Gifts - District employees shall not solicit, accept, or agree to accept any gifts or benefits from a person conducting or intending to conduct business with the District. **Note:** The prohibition of accepting gifts does not apply to the acceptance of an unsolicited item with a value of less than \$50, excluding cash or a negotiable instrument.

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.

Strict adherence to laws, regulations, and District procedures 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 Chief Financial Officer @ 817-202-1151.

Legal Points to Remember

It is important to remember that individual schools and departments are not separate legal entities. When determining what sort of competitive process will be required for the purchase of quantities of an item or a category of similar items the entire district's purchases are considered.

Generally speaking the aggregate purchases of a particular category of related items must be submitted to competitive bidding when the aggregate purchase will total \$100,000 or more over a twelve-month period, except contracts for the purchase of produce or vehicle fuel. For example, if the total purchases of office supplies made by all departments and campuses in the district over a twelve-month period will amount to \$100,000 or more, those office supplies must be submitted to competition as required by the [Texas Education Code 44.031](#). The District has chosen to implement [locally defined commodity codes](#) to determine aggregate spend within a category.

Under [Texas Education Code 44.031 \(f\)](#), this section does not apply to a contract for professional services rendered, including services of an architect, attorney, certified public accountant, engineer, or fiscal agent. A school district may, at its option, contract for professional services rendered by a financial consultant or a technology consultant in the manner provided by [Section 2254.003](#), Government Code, in lieu of the methods provided by this section.

Under 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. Approval of purchases must be made prior to a purchase on a properly drawn and issued purchase order.**

The District uses requisitions and purchase orders to obtain products, goods, and services. The requisition and purchase order process can be viewed as having four distinct steps:

- The requisition process
- The purchase order process
- Delivery and receipt of goods or services
- Invoice and Payment (this portion of the requisition/purchase order is covered in the Accounts Payable portion of the [CISD Fiscal Manual](#))

Purchases should be made from “[awarded vendors](#)”. An “awarded vendor” is a vendor that has received an award for a Bid/Proposal through the District’s competitive procurement process or through an Inter-local Agreement. The fact that a Vendor is listed in the District’s electronic finance system (Tyler Munis), or has a vendor number, is NOT validation of an award of a contract. The finance system lists all vendors to whom the District has issued a check—it does not reflect that a contract exists with a particular Vendor.

Purchases made using Federal/State funds fall under 2 CFR 200 guidelines. The District uses the most restrictive purchasing laws to ensure we remain in compliance.

Competitive Procurement

Decentralized Purchasing Function

Cleburne ISD also utilizes decentralized purchasing by all campuses and departments. From a purchasing perspective this means the schools and departments (the end-users) determine **what** they need and **when** they need it. Departments, Principals, Directors, and Supervisors determine how best to meet the instructional and logistical needs of Cleburne ISD students in accordance with campus plans and operational needs. However, the final commitment of District Funds can only occur with approval through the Cleburne ISD Business Office.

Purchases Over \$100,000

Under [Texas Education Code 44.031](#), 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 for services other than construction services;
2. Competitive sealed proposals for services other than construction services;
3. A request for proposals, for services other than construction services;
4. An interlocal contract;
5. A method provided by Chapter 2269, Government Code, for construction services;
6. The reverse auction procedure as defined by Section 2155.062 (d), Government Code;
7. The formation of a political subdivision corporation under Section 304.001, Local Government Code.

Purchasing Cooperatives

To conserve and coordinate the use of public funds, the District may enter into interlocal agreements with other local governments or agencies for the cooperative purchase of goods and services. The interlocal agreement must be authorized by the governing body of each contracting party. Such contracts, if competitively procured by the cooperative administration or a purchasing alliance member, satisfy the requirements under Education Code, Section 44.031. Using cooperative contracts can provide cost savings and expedite the procurement process for the District.

NOTE: An interlocal contract between the District and a purchasing cooperative may not be used to purchase engineering or architectural services.

Cleburne ISD utilizes the following cooperative/interlocal agreements.

Cooperative/Alliance Name	Website
1. Educational Purchasing Cooperative of North Texas (EPCNT)	https://epcnt.com/
2. Central Texas Purchasing Alliance (CTPA)	https://www.txctpa.org/
3. Harris County Department of Education (HCDE) Choice Partners Cooperative	https://www.choicepartners.org/
4. Houston-Galveston Area Council (HGAC)	https://www.hgacbuy.org/Home
5. OMNIA Partners (formerly TCPN and US Communities)	https://www.omniapartners.com/publicsector
6. Region 19 Allied States Cooperative	https://www.esc19.net/domain/178
7. Region 8 The Interlocal Purchasing System (TIPS)	https://www.tips-usa.com/
8. Educational Purchasing Interlocal Cooperative at Region 6 (EPIC6)	https://www.esc6.net/epic6
9. ESC 20 The Purchasing Association of Cooperative Entities (PACE)	https://pace.esc20.net/apps/pages/contracts
10. 1Government Procurement Alliance (1GPA)	https://1gpa.org/current-vendors/
11. TASB BuyBoard	https://www.buyboard.com/home.aspx
12. Department of Information Resources (DIR)	https://dir.texas.gov/View-Contracts-And-Services/Landing.aspx
13. ESC 2 Goodbuy Purchasing Cooperative	https://goodbuy.ionwave.net/ActiveContractList.aspx
14. Sourcewell (Previously NJPA)	https://www.sourcewell-mn.gov/
15. TXMAS (State Comptroller's Office)	http://www.txsmartbuy.com/
16. Region 10 Multi-Region Purchasing Cooperative (MRPC)	https://www.region10.org/o/r10esc/page/multi-region-purchasing-cooperative
17. E&I Cooperative Services	https://www.eandi.org/
18. Tarrant County Purchasing Cooperative	https://www.tarrantcounty.com/en/purchasing/cooperative-purchasing-information.html

19. Region One Purchasing Cooperative	https://www.esc1.net/Purchasing
20. Equalis Group	Purchasing Contracts Equalis Group Cooperative Portfolio

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

Purchasing Procedures for Cooperative Contracts

These procedures only apply to procurements of products or services through a Cooperative (co-op) that the District has a current inter-local agreement with and is not available through an existing District contract.

NOTE: The following procedure and direction is at the discretion of the Purchasing Director. The department may be required to follow other procedures that may require not using a cooperative. The aggregate purchase amount for the current fiscal year must be taken into consideration related to the Purchase Amount. All co-op individual purchases of \$50,000 or more must be approved by the Cleburne ISD Board of Trustees.

Less than \$100,000

- Obtain multiple quotes to ensure best price (if purchase is over \$10,000)
- Department or campus must ensure the co-op name and contract number is on the quote
- Co-op name and contract number must be referenced on the requisition

Over \$100,00

- Contact Purchasing with information on what is being purchased, estimated dollar amount, anticipated vendors (if known) and suggested co-op(s) (if known)
- Receive approval from Purchasing to proceed with co-op purchase
- Obtain multiple quotes from vendors (purchasing can assist if needed)
- Department or campus must ensure the co-op name and contract number is on the quote
- Co-op name and contract number must be referenced on the requisition

State and Local Fund Purchase Limits

Schools and departments will be allowed to purchase using the best value criteria for the individual transaction, with the following guidelines:

Purchase Commitment Amount	Supporting Documentation	Additional Requirements/Forms	Board Approval
For purchases less than \$10,000	1 Quote	None	Not Required
For purchases of \$10,000 to \$99,999.99	Multiple Quotes	None	Agenda Item required if single purchase is over \$50,000
For purchases over \$100,000	Competitive Procurement (Via district bid, interlocal agreement, or purchasing cooperative contract) Education Code 44.031 (a)	Bid or Co-op Name/Contract # Multiple Quotes	Board Agenda Item Required

The use of non-awarded vendors may be allowed in limited circumstances provided that the commodity or service is not available from an awarded vendor. Schools and departments should contact the Purchasing Director for authorization prior to obtaining a written quote for a non-awarded vendor. For any purchases of commodities or services over \$100,000 in the aggregate for the fiscal year, the Purchasing Director should be contacted so that a formal competitive procurement process can be followed.

Exceptions to the Purchase Limits

The following exceptions to the Purchase Limits referenced above apply:

- A. Purchases Funded with Federal Grant Awards: Purchases for goods and/or services to be funded with federal grant awards require compliance with the administrative requirements imposed by the respective federal awarding agency. For example, the U.S. Department of Education (USDE) or the U.S. Department of Agriculture (USDA).
- B. Purchases Funded by Student Activity Funds: Purchases for goods or services funded by Student Activity Funds (Budget Fund Code 865) are not considered District funds, so they are exempt from all public procurement requirements and both federal and state procurement rules and regulations. However, purchases for goods or services with funds derived from student activities (i.e., fundraisers) that are deposited into a District-controlled activity account (e.g.,

Budget Code 461) or General Operating Fund account (e.g., Fund Account 199) must comply with all applicable procurement requirements.

- C. Purchases for Registrations to Events and Conferences: Purchases for registrations to events and conferences offered by industry related organizations (e.g. TASBO, TASB, TASA etc.) where staff will be attending for either professional development or to keep up with industry or job-related information are exempt from the Purchase Limits requirements, unless federal grant awards are used to fund the expenditure, in which case the applicable federal grant requirements must be complied with in their entirety.
- D. Purchases for Student or Staff Related Activities at Public Organizations: Purchases for District-organized activities at unique public organizations (e.g., Fort Worth Zoo, etc.) are exempt from the Purchase Limits requirements, unless federal grant awards are used to fund the expenditure, in which case the applicable federal grant requirements must be complied with in their entirety.
- E. Exceptions Authorized by the Director of Purchasing: In some instances, and depending on the circumstances, the Director of Purchasing shall have the right to waive the standard purchasing procedures referenced in this manual, under the condition that any applicable federal, state, or local rules and regulations are still complied with in their entirety. Circumstances leading to waiving such standard purchasing procedures may involve situations including but not limited to time sensitive procurements where standard procurement procedures would cause a disadvantage to the District (i.e., emergency situations, lack of known qualified vendors, etc.).

Exceptions to Competitive Procurement

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

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

Contracts for these professional services shall be made 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).

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

Emergency Procurements

Under Texas Education Code 44.031 text of subsec. (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.

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

Sole Source Purchases

There are very few sole source vendors with the increased shopping options on the internet and more competition than previously available. For an item to be considered for purchase under a sole source justification, the Director of Purchasing must first review the request based on the requirements set forth in Texas Education Code 44.031(j) and (k) and District policy CH([LEGAL](#)). The vendor's product claim must then be reviewed, researched and approved by the District's Purchasing office to be added to the Sole Source Vendor List. The product must be on the list to be considered acceptable for purchase without a formal bid process.

To be considered, the item must be available from only one source (not provided through distributors or dealers) and meet one of the following descriptions:

- an item for which competition is precluded due to the existence of a patent, copyright, secret process, or monopoly;
- a film, manuscript, or book;
- a utility service, including electricity, gas, or water; or

- a captive replacement part or component for equipment.

The following will not be considered acceptable for inclusion in the sole source list by the District:

- Services are not included in the statute and must be procured through other appropriate means
- A product with a patent that does not change the intent or output of an item, allowing for competition from another manufacturer's product that meets the same intent or output
- A product that is marketed through two or more distributors or has two or more outlets for purchasing the product
- Regional contracts between a manufacturer and a vendor that limits other vendors from selling the same product to the District

A potential sole source vendor must complete the vendor Sole Source Request Form application. The District's Purchasing Director shall be the sole determinant on the acceptability of a sole source item. **The exception to this procedure is if EDGAR/federal funds are being used.**

Advertisement

Under Texas Education Code 44.033 (g), notice of the time by when and place where the bids or proposals, or the responses to a request for qualifications, will be received and opened shall be published in the county in which the district's central administrative office is located, once a week for at least two weeks before the deadline for receiving bids, proposals, or responses to a request for qualifications. 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, Cleburne ISD utilizes the District website to advertise all bid/proposal opportunities on our District website, www.c-isd.com. Additionally, notices are sent through Cleburne ISD's [CTPA IonWave site](#) to all vendors who match the commodity attached to each solicitation.

Competitive Bidding Defined

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

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

Purpose and Intent for Competitive Bidding

The purpose and intent of competitive bidding is to help public schools secure the best work and materials at the lowest practical prices by stimulating competition. If a district advertises purchasing needs relating to large expenditures, purchasing in large quantities will probably result in lower costs either per unit item or in the aggregate.

Bid Document Elements

The following items are necessary in the preparation of a bid document and in requesting bids. *Note: It is important to note that each element must be appropriately structured to suit the items or services bid.*

- Newspaper Advertisement
- Notice to Bidders
- Standard Terms and Conditions
- Special Terms and Conditions
- Specifications
 - Scope and Intent
 - Definitions and Applicable Documents
 - Requirements
 - Quality Assurance
- Price Form/Response Form
- Criminal Background Check and Felony Conviction Notice
- Non-Resident Bidder's Certification
- Non-Collusion Statement
- Conflict of Interest Questionnaire
- Compliance with HB 1295
- State Certifications (HB 89, SB 252, etc.)
- Evaluative Criteria and Relative Weights (mandatory for construction services)

Note: Additional forms to comply with 2 CFR 200 are required when using federal funds.

Vendor 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; and
8. For a contract for goods and services, other than goods and services related to telecommunications and information services, building construction and maintenance, or instructional materials, whether the vendor or the vendor's ultimate parent company or majority owner:
 - a. Has its principal place of business in this state; or
 - b. Employs at least 500 persons in this state; and
9. Any other relevant factor specifically listed in the request for bids or proposals (Note: This criteria is not applied when using federal funds). Factors that the district may consider under this criterion would include:
 - a. Vendor response time
 - b. Compatibility of goods/products purchased with those already in use by the district.

Price is always the highest percentage in evaluations. Experience is based on a survey of references submitted by proposers. Quality, Needs, Relationship, and Long Term Cost are evaluated by using department/campus.

Competitive Proposals Defined

Competitive 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 price. 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.

Professional and nonprofessional service contracts involving federal funds are required to be let on a competitive basis, under 2 CFR 200. Competitive procurement procedures, Section 44.031(a) (2) -(8), TEC, are for certain procurement situations as an alternative to competitive bidding procedures. 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. To eliminate unfair advantage, vendors that develop or draft specifications, requirements, statements of work, and requests for proposals are excluded from competing in such procurement.

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.

Request for Proposals

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.

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.

Below is an example of a RFP process. It may also be used for a RFCSP, 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 item or service to be purchased.
Proposal Clauses	Can be identical to the competitive bids, but may be subject to negotiations.

Competitive Sealed Proposals

The use of a CSP shall be determined by a responsible purchasing authority who determines that the use of competitive sealed bidding is either not practicable or not advantageous to the district (for construction services use of this method must be determined by the board of trustees before the advertisement for proposals).

Terms and conditions are identical as those for competitive bidding except any reference to bids or proposers should be changed or interpreted as offers or offerors. Additionally, anything addressing the finality of the offer needs to be disregarded because proposals are negotiable.

Competitive Sealed Proposal Document Elements

This section includes a brief explanation of each element contained in a proposal document. The following items are necessary in the preparation of a request for proposal.

Note: It is important to note that each element must be appropriately structured to suit the proposed items or services and to identify acceptable ways to customize request for proposal documents. Districts are encouraged to obtain example documents from other districts.

- Newspaper Advertisement
- Standard Terms and Conditions
- Special Terms and Conditions
- Specifications
 - Scope and Intent
 - Definitions and Applicable Documents
 - Requirements
 - Quality Assurance

- Price Form/Response Form
- Criminal Background Check and Felony Conviction Notice
- Non-Resident Bidder's Certification
- Non-Collusion Statement
- Conflict of Interest Questionnaire
- Compliance with HB 1295
- State Certifications (HB 89, SB 252, etc.)
- Evaluative Criteria and Relative Weights (mandatory for construction services)

Note: Additional forms to comply with 2 CFR 200 are required when using federal funds.

Negotiation

Negotiation is the most difficult part of the Competitive Sealed 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 the 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.

As in any purchasing action, record keeping is vital, and accurate records of conversations must be kept in order to prove fairness throughout the negotiating process.

Special requirements apply in connection with negotiating a contract for construction services. In connection with any contract for construction services for which requests for bids, proposals, or qualifications are published, it is important to note that offerors must be notified in writing when negotiations are terminated in order to initiate negotiations with the next best ranked offeror.

Evaluative Criteria and Weights for Proposals

The evaluative criteria and relative weights are as follows:

1. Price (x%);
2. Qualification and reputation of proposer (x%);
3. Quality of the vendor's proposal (x%);
4. Technical aspects of goods and services in the vendor's proposal (x%); and
5. Other relevant factors specifically listed in the request for proposals (x%).

Vendor Relations

In centralized purchasing, the Business Office 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 are allowed to make purchase commitments.

Awarded Vendor List

An “awarded vendor” is a vendor that has been awarded a Bid/Proposal through the Cleburne ISD competitive procurement process or through an Interlocal Agreement. These vendors can be located on the Cleburne ISD Purchasing website [here](#). Awarded vendors are preferred because they have competed for business through the competitive procurement process and normally provide greater savings than a “non-awarded vendor”.

MUNIS Vendor List

A vendor list is maintained in the Tyler Munis software. Just because a vendor is in Tyler Munis, does not mean that they are awarded and approved. You must verify that they are on the [Awarded Vendor List](#) and if not call the Purchasing Director. 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.

New Vendor Request

Often vendors contact schools and departments and offer goods and services. If a campus or department decides to purchase goods or services that were not included in the competitive procurement process from a new vendor, they will have to submit a Vendor Request Form to the Business Office. In order to add a new vendor, a completed W-9, State Certifications and Conflict of Interest Questionnaire must be submitted with the Vendor Request Form. These forms can be located [here](#).

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 Purchasing Department. Factors to consider when dealing with vendors:

- Timeliness of deliveries
- Service availability
- Completeness and accuracy of the order
- Quality of products or services received

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. The simplest way to document a problem is through the Vendor Performance Record found [here](#).

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

If a significant problem continues, legal counsel will be obtained regarding the removal of the vendor from the vendor list and discontinuing business with the vendor.

Gifts from Vendors

School district officials and employees cannot accept anything of value from a vendor, such as personal gifts or gratuities, which may be construed to have been given to influence the purchasing process.

Vendor Registration

A new vendor wishing to receive an invitation to participate in any district bid or proposal should register on the CTPA IonWave site. Registration for vendors on IonWave is free. Vendors can register by going to the following address:

<https://ctp.ionwave.net/VendorRegistration/PreliminaryInfo.aspx>

Vendor Complaints and Protests

Cleburne ISD includes instructions in the solicitation documents regarding the protest procedure.

Cleburne ISD will allow respondents to request clarification of information prior to the close of the bid/proposal. These requests must be received per the timeline on the solicitation. Cleburne ISD will address the request for additional information as an addendum to all potential respondents.

Cleburne ISD will address all respondent protests within 24 hours of the bid award, and will provide evaluation scores per the request of the respondent.

Any party who believes they are aggrieved in connection with a procurement action may additionally protest to the Chief Financial Officer.

Requisition and Purchase Order Processing

Overview

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

1. The requisition process;
2. The purchase order process;
3. Delivery and Receipt of goods or services;
4. 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.

Requisition Process

A requisition is an internal document by which a campus or department of the district requests the Business Office to initiate a purchase order. It is a request generated electronically (through the use of the Tyler Munis automated system) for the purchase of supplies, services, equipment, etc. **No purchasing commitment (including reimbursements) shall be made without an approved Purchase Order. Ordering without a Purchase Order is a violation of both Cleburne ISD Board Policies and Purchasing Procedures. A purchasing request or requisition is NOT a PO until it is approved through the business office and a PO number is created.**

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

- Approval of purchases must be made prior to a purchase
- Request for payment without a purchase order approved by the Business Office will become the responsibility of the person ordering the material or service

Requisitions are initiated by those having proper authority. **Instructions for how to enter requisitions in Tyler Munis with commodity codes can be found [here](#).** After a requisition is input in Tyler Munis it must then be approved by the appropriate budget owner, which is normally a principal or a department head.

Requisitions received by the Business Office are reviewed for the following items prior to approval of a purchase order.

- Accuracy
- Availability of funds
- Proper approvals
- Adequate description
- Attached quotes

- Proper account coding
- Compliance with competitive procurement as established on Education Code 44.031

Budget Codes

It is the end user's responsibility to ensure the correct budget codes are used when entering a requisition. In order to process purchase orders in a timely manner, the correct object code must be used when the requisition is entered. A requisition that contains the wrong budget code may be denied. A comment will be included that explains how to correct the requisition so that it can be resubmitted.

For a complete list of budget codes, please refer to the [Cleburne ISD Accounting Code Structure Flip Chart](#).

Purchase Orders

After the requisition is reviewed and approved by the Business Office, the requisition is converted to a purchase order and is given a unique number. 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 Procedures

Purchases shall be made by means of purchase orders that are properly drawn, duly authorized, and adequately funded. The originator, principal/supervisor, or the Business Office may release a purchase order to a vendor.

Purchase orders are issued on a daily basis by the Business Office based on information submitted on requisitions. If a purchase order is needed immediately, contact the Purchasing Director in the Business Office.

Purchase orders are not to be modified with the vendor or by campuses or departments directly. If it becomes necessary to change the terms of a purchase order, the school or department must first advise the Business Office. Once an agreement to any price increases or modification

of terms is reached, the Business Office has the responsibility to adjust the encumbrance on the Purchase Order and notify all involved parties of the changes.

In the event it is necessary to cancel a Purchase Order, the school or department must advise the Business Office. The Purchasing Director or Accounts Payable Clerk will close the purchase order and liquidate the funds encumbered. The school or department placing the order must also notify the vendor of the cancellation of the purchase order if necessary.

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 procurements that are within approved budget authority.
- Shall use approved vendors to procure goods and services at the best price.
- Shall monitor the purchase order approval, vendor receipt of purchase order, check in shipped merchandise, return the receipts, invoice, or a copy of the purchase order (whichever is applicable) to the Accounts Payable Clerk in the Business Office. Receipts, invoice, copy of purchase order shall be marked "Ok to Pay" so that the Accounts Payable Clerk understands that the merchandise has been received and that invoice is ready for payment.
- Shall monitor the vendor's performance to ensure proper delivery of the goods or services ordered. Problems with vendor's unsatisfactory performance shall be directed to the Purchasing Director 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, Section 44.031, or Local Board Policies concerning purchasing.
- Shall process all requests for procurement that cost or aggregate to a cost of \$100,000 or more through the Bid process or RFP process for Board approval.
- 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 Office.
- Shall ensure that items ordered match the purchase order.

Business Office Responsibilities

- Shall supervise the purchase of all materials, supplies, equipment, and services for the District, according to the guidelines established in Board policy and statute.
- Shall not approve a requisition/purchase order after the event has taken place (i.e. **After-the-fact**).
- Shall review each purchase order in a timely manner for completeness and verify that the proposed purchases are being made through approved sources.

- Shall verify compliance with statutes, regulations, and Board policy applicable to purchasing.
- Shall verify correctness of budget object coding according to the account object codes for the campus/organization.
- Shall have discretion to direct purchases through interlocal agreements or cooperatives in order to save time and money.
- Shall review requests to use new vendors in a timely manner and verify that the annual aggregate amount for the goods or services ordered does not require competitive procurement.
- Shall work with the end users to resolve problems with vendors.
- Shall send the originator a copy of the purchase order.

Types of Purchase Orders

Routine Purchase Orders

Routine purchase orders are for all normal purchasing transactions requiring a purchase order. These are “line item” purchase orders (i.e. purchase order that have a quantity and a unit price per each item to be purchased).

Blanket to Open Purchase Orders

Blanket or Open purchase orders can be a useful tool when procuring products or services throughout the school year. A Blanket Purchase Order is generally issued to vendors when you do not know exactly what you will be purchasing or how much, but you know the vendor you will be using. The most common vendors involved are retail oriented. For example, if you need to purchase refreshments for a parent meeting, it would be an inefficient use of time to visit the store, determine the exact costs, return to your office to submit a requisition and then purchase the items upon receipt of a detailed purchase order. HEB, Sam’s Club, Home Depot, and Lowe’s are examples. When using a blanket or open purchase order it is important to turn in receipts within 5 days of the purchase.

Delivery and Receipt

Cleburne ISD utilizes both centralized and decentralized receiving. Purchases may be received by centralized receiving departments or by campuses or departments in a decentralized receiving. Deliveries with large items requiring the use of a forklift and deliveries scheduled during campus closures MUST be delivered to the Cleburne ISD Service Center.

Carefully checking deliveries and ensuring that the end-user(s) who ordered the goods/services actually obtain them is a critical part of the purchasing process. Monitoring the delivery and receipt of purchase orders is the end user’s responsibility. This ensures that the District actually receives what it purchases. The following procedure should be followed:

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
 - 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 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 and quantity of items on the packing slip match the items and quantity on the Purchase Order; accept the items that were ordered and contact the vendor for instructions for handling any incorrect items.
4. Compare the number of containers delivered to the number on the carrier's packing slip. Record any discrepancies in the carrier's shipping documents.
5. Examine the containers and items for damage.

If the campus or department determines there is damaged merchandise or a discrepancy exists, they should notify the vendor immediately and attempt to resolve the discrepancy. 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. If satisfactory results are not obtained in a timely manner contact the Business Office.

Once the end-user is satisfied with the delivery of goods or services, the white copy of the purchase order should be signed as certification that delivery was received and payment is authorized. The purchase order is then matched with the original vendor invoice and forwarded together to the Accounts Payable Clerk for payment and closure of the purchase order.

Purchase Cards (P-Card) and Travel Cards

The district is a participant of the Commerce Bank Procurement Card Program. The purchasing card is a credit card issued through Commerce Bank's Commercial Card Program. P-cards and travel cards are available for purposes of efficiency and should not be used to circumvent normal purchasing procedures. All district employees that have been authorized to use a card for purchases shall sign a [Commerce Card Agreement Form](#) each year. Violations of the Commerce Card User Agreement may result in disciplinary action, up to and including employment termination.

The purchaser must submit a [Sales Tax Exemption form](#) to the merchant to avoid sales taxes on purchases and a [Hotel Occupancy Exempt](#) form to remove state occupancy taxes from any hotel stays. If the purchaser fails to submit the tax forms, the purchaser shall either request a refund from the vendor or promptly reimburse the tax to the district. A copy of the receipt for sales tax paid shall be attached to the monthly card statement reconciliation back-up for audit purposes.

All credit receipts (detailed, itemized) shall be submitted to the business office **within five (5) days of the purchase or stay** to ensure prompt payment to the vendor. If a receipt is not received from the purchaser, the purchaser may be held liable for reimbursement of the entire purchase. District credit card usage may be suspended and/or revoked if receipts are not submitted on a timely basis.

The district does allow the use of the selected merchant credit cards for purchases from federal grants. Expenditure of federal funds with a credit card shall be allowable under the grant program. The Program Administrator may be required to approve questionable credit card expenditures.

Each campus or department that is entrusted with credit cards shall properly secure the cards when not in use in a locked safe. Annual training related to credit cards shall include: 1) allowable purchases; submission of detailed receipts; transaction limits; security of the credit card; and return of the credit card upon completion of the approved purchase and/or employment with the district, as appropriate.

Sale of Personal Property – Surplus

All supplies and equipment which are deemed to be surplus [not of any use to the district], will be recommended to the School Board for sale via a Surplus Sale. At least one surplus sale may be scheduled per year. Sales will be conducted either via an on-line auction service or by sealed bids. When using a sealed bid, the bid will be solicited, and the items will be sold to the highest bidder per item. Neither district supplies, nor equipment, shall be sold or conveyed other than via a surplus sale, unless authorized by the Superintendent and School Board. See Board Policy [CJ](#).

Appendix A – Federal Procurement Guidelines

The district shall comply with the general procurement requirement of the EDGAR (2 CFR 200) **effective July 1, 2018 and amended in October 2024**. The district shall utilize a purchase order and encumbrance system to manage the expenditure of all federal grant funds. All purchases shall be in accordance with the district's School Board Policies (CH Legal and Local) and the district's **Purchasing Procedures**. **The district purchasing procedures shall comply with all federal, state, and local procurement requirements. If a conflict arises between the federal, state and local requirements, the stricter requirement shall prevail.**

The district shall adhere to state law and federal guidelines related to competitive procurement of grant purchases. Specifically, the district shall comply with the Texas Education Code, Chapter 44 regarding the authorized competitive procurement options available to school districts. In addition, any competitive procurement requirements specific to a federal grant must also be adhered to for all grant purchases. For example, a federal grant may require that all purchases and/or contracts that exceed \$100,000 be approved by the granting agency before approval of a purchase order or contract.

Additional compliance with federal guidelines may include specific approval for purchases from sole source vendors, non-appropriate cancellation language in multi-year contracted purchases, vendor selection criteria, and other guidelines specific to a federal grant.

Procurement Tracking and Documentation

The Director of Purchasing shall be responsible for ensuring compliance with all federal, state and local procurement requirements and for ensuring that the district maintains an up-to-date procurement history to include, but not limited to, the information below for all federal-funded purchases

- *Rationale for the method of procurement
- *Selection of contract type
- *Contractor selection or rejection
- *Basis for the contract price
- List of all procurements by type
- Like-item category (commodity code)
- Advertisement date(s) of the procurement
- Release date of the procurement specifications
- Selection criteria for vendors
- Opening date of the procurement
- List of vendors submitting a proposal/bid

- Selection of Vendor
- Date of contract award
- Begin date of contract
- End date of contract
- Contract Amount
- EDGAR-specific provisions [2 CFR 200.318(i)]

The procurement history records and other procurement records shall be retained in accordance with the federal, state and/or local retention periods, whichever is greater. The procurement records shall be made available to the federal granting agency, pass-through entity (TEA), and auditors, as appropriate.

Purchasing Efficiency Strategies

All purchases shall be purchased from a variety of qualified vendors with the ability to perform successfully under the terms and conditions of a proposed procurement. The district shall strive to avoid acquisition of unnecessary or duplicative items.

The district shall implement the following strategies to maximize federal grant funds:

- Consolidation of purchases to obtain volume pricing, as appropriate
- Evaluate the cost efficiencies of leases versus purchases of equipment
- Utilize cooperative purchasing agreements, as appropriate, to obtain volume pricing
- Utilize federal or state excess/surplus property supplies or equipment in lieu of purchasing new supplies or equipment, as appropriate
- Utilizing value-engineering in construction projects to seek cost reductions
- Develop vendor selection criteria to select the best vendor
- Develop a tracking system of all informal and formal procurements
- Avoid “time and materials” contracts if other alternatives exist
- Monitor vendor performance to ensure that the vendor provides the services and/or goods, as appropriate
- Ensure that all contract and vendor disputes are resolved in the most advantageous manner
- Minimize the risk of jurisdictional issues by ensuring that all contracts would be litigated in a court within the county, city and/or state, as appropriate

Vendor Competition

The Business Office shall be responsible for selecting and awarding contracts to vendors that are qualified to provide the goods and/or services to be purchased with federal grant funds. The vendor selection process shall ensure that the district does not restrict competition among qualified vendors.

Vendor Selection Criteria

The district has selected vendor qualification criteria that includes, but is not limited to, the following:

- Past experience with the district
- Cost of goods and services, including future costs of maintenance
- Vendor's financial stability and position as it relates to the ability to provide the goods and/or services
- Small, minority, woman-owned, or labor surplus area firms
- Other criteria as appropriate

The district shall not restrict vendor competition by requiring any of the following as selection criteria:

- Unreasonable requirements, such as excessive experience or bonding, brand name products, or geographic preferences that would unduly restrict competition among qualified vendors
- Arbitrary restrictions that are not essential to the bid/proposal specifications

Vendor Database

A vendor database shall be maintained by the Business Office by the Director of Purchasing. The district's Purchasing Procedures shall be adhered to for all purchases. Vendor selection shall include the following criteria:

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

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

- [Vendor application file](#) (new vendors) which includes the following forms:
 - [Form W-9](#) – Internal Revenue Service
 - [Conflict of Interest Questionnaire](#) (CIQ) – Texas Ethics Commission
 - Vendor Certifications (for non-federal)
 - EDGAR Certification (for federal)
- Fingerprinting (If working directly with students)
- Criminal Background and Fingerprinting (if working directly or indirectly with students)
- Certificate of Insurance (with the District as additional insured) if services will be rendered on district property

Vendor Management

A vendor database shall be maintained by the Director of Purchasing with oversight by the Chief Financial Officer. The Director of Purchasing shall provide oversight for adding and maintaining approved vendors.

A [Vendor Performance Survey](#) shall be completed to report complaints against vendors or to indicate appreciation for positive vendor performance. Vendor Performance Surveys shall be submitted to the Director of Purchasing for review and possible action. Complaint and appreciation reports become a permanent record of the vendor and must be accurate to guarantee an equitable resolution and to serve as a reliable guide for future action, positive or negative, regarding a vendor's performance.

Bid and Proposal Specifications

The district shall develop written bid/proposal specifications that are provided to every qualified vendor to ensure consistency in the procurement process. At no time shall the district allow a specific vendor to develop the bid/proposal specifications as this may provide a barrier to open competition among the qualified vendors. The bid/proposal documents must include guidance to vendors regarding the following:

- Time, date, and place of bid/proposal opening
- Anticipated award date, as applicable
- Written specifications and addendums, as appropriate
- List of all bid/proposal required documents such as CIQ, Felony Conviction Notice, etc.
- Bid/Proposal Sheet
- Bid/Proposal evaluation criteria, including the weights, as applicable
- Other documents, as appropriate for a specific bid/proposal

The Director of Purchasing shall oversee all bid/proposal documents before release to the vendor to ensure the documents comply with the federal requirements.

Procurement Methods

The district shall use one of the procurement methods allowed by federal regulations to procure goods and services with federal grant funds. In addition, the district shall comply with state purchasing laws and local Board Policy, [CH Legal](#) and [Local](#).

The procurement method shall be determined based on the type of goods or services to be purchased with federal grant funds. The Director of Purchasing shall be responsible for selecting the appropriate procurement method for each procurement.

The district shall adhere to the *most restrictive* federal regulations, state laws, local policies and/or procedures when the guidance documents are in conflict.

Procurement Levels and Requirements

The district has developed and implemented a [Cleburne ISD Purchasing Levels and Requirements Chart](#) for non-federal and federally-funded purchases. The chart includes the following data:

- Purchase Commitment Amount

- Support [Documentation] Required
- Additional Forms Required, if any
- RFP/RFQ Requirement
- Board Approval Requirement
- Advertising Requirement

The threshold shall be determined by expenditures for “like-items” in the aggregate over a fiscal year (July 1st through June 30th). The Director of Purchasing shall review expenditures from all district funds by “like-item” to monitor that the district does not exceed any “like-item” categories. The district has elected to use a coding system for “like-items” that are locally defined [Commodity Codes](#). The commodity code shall be entered during the requisition process for items purchased.

The Director of Purchasing shall review annual expenditures from all district funds (local, state and federal) mid-year and after the close of the fiscal year to determine if any additional “like-item” categories should be added for the following fiscal year.

Micro-Purchase Procurement Method

Micro-purchases may be awarded without soliciting competitive price or rate quotations if the non-Federal entity considers the price to be reasonable based on research, experience, purchase history or other information and documents it files accordingly.

Micro-Purchase Procedures – Less than \$15,000

The **Procurement by Micro-purchase** may be the most frequently used method due to the frequent purchase of goods or services that are less than \$15,000 in the aggregate. 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 federal or 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 to the maximum extent possible and shall ensure that the price is reasonable.

Small Purchase Procedures - \$15,000 - \$99,999

The **Small Purchase Procedures** shall be used by the district when the purchase of goods or services do not exceed \$100,000, the Simplified Acquisition Threshold. The Business Office shall require written, emailed, or faxed quotations from multiple qualified vendors for all small purchases, i.e. purchases that do not exceed \$100,000 [the state law threshold which requires a competitive procurement]. Note. The quotes can be from multiple vendors within a qualified purchasing cooperative or different purchasing cooperatives to meet both the EDGAR and state law requirements for competitive procurement.

The district shall strive to obtain small 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 district must still obtain at least 2 quotes to ensure compliance.

The Director of Purchasing maintains the [List of Purchasing Cooperatives](#) that includes the cooperative programs the district currently participates in.

*Sealed Bid Procedures – Over \$100,000**

The Procurement by Sealed Bids (formal advertising) method shall be used by the district when the purchase of goods or services exceed \$100,000 if the acquisition of the goods or services lends itself to a fixed price contract and the selection of the successful bidder can be made principally on the basis of price. The district shall comply with the sealed bid requirements, as defined by the EDGAR, as noted below:

- Bids must be solicited from an adequate number of bidders, but no less than two (2) bidders
- Bids must be publicly advertised and bidders shall be provided an adequate amount of time to prepare and submit their bid. Local criteria shall include:
 - The district shall publicly advertise all bids in accordance with state law, i.e. at least two (2) times in two separate weeks
 - The district shall provide no less than ten (10) days for bidders to prepare and submit their bids
- Bids must contain detailed specifications to ensure that bidders have a clear understanding of the goods or services that the district is seeking to purchase
- Bids must specify the time, date, and district location where bids will be opened publicly
- Bids must be awarded based on a fixed price contract to the lowest responsive and responsible bidder. The district shall consider discounts, transportation costs, and life cycle costs only if these factors were included in the bid specifications. The district will consider payment discounts because the district does routinely take advantage of payment discounts.
- Bids will be evaluated, ranked, and a recommendation for award made to the School Board at a regularly scheduled board meeting.
 - If no bidder is recommended, the district shall reject all bids and evaluate whether to modify the bid specifications to initiate a new bid process
- The district shall notify the successful bidder and process the contract documents and/or purchase orders, as appropriate
- The district shall notify all of the unsuccessful bidders to ensure that qualified bidders are encouraged to submit bids during future bid opportunities

***Note. The state regulations (TEC Chapter 44) related to competitive procurement shall be implemented at a \$100,000 threshold even though the federal regulations allow greater flexibility.**

Competitive Proposal Procedures – Over \$100,000

The Procurement by Competitive Proposal method shall be used by the district when the acquisition of the goods or services exceeds \$100,000 and does not lend itself to a fixed price contract. The district shall comply with the competitive proposal requirements, as defined by the EDGAR, as noted below:

- Requests for Proposals (RFP) must be publicly advertised
- The RFP shall identify the evaluation factors and their weight in awarding the proposal
- Proposals shall be solicited from an adequate number of bidders, but no less than two (2) qualified vendors
- Proposals shall be evaluated, ranked, and a recommendation for award made to the School Board at a regularly scheduled board meeting
 - The district shall develop an instrument to evaluate each proposal and rank the proposals based on the evaluation scores
 - The district shall evaluate each proposal by committee or no less than two (2) district staff with knowledge of the RFP specifications
 - In accordance with state law, the vendor who is ranked highest as providing the “proposal most advantageous to the district” shall be notified of the potential award
 - The district may negotiate with the vendor only as it relates to potential cost savings
 - If the district and vendor cease to negotiate, the district shall notify the vendor in writing before starting to negotiate with the 2nd highest ranked vendor.
- The district shall notify the successful proposer and process the contract documents and/or purchase orders, as appropriate
- The district shall notify all of the unsuccessful proposers to ensure that qualified bidders are encouraged to submit bids during future bid opportunities

Noncompetitive Proposal Procedures

The Procurement by Noncompetitive Proposal method shall be used by the district when the purchase of goods or services is from a sole source vendor. A sole source vendor is defined as a vendor that meets the following requirements:

- The acquisition of property or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold.
- The goods or services are only available from a single source

- The district shall acquire and maintain a copy of a vendor's sole source letter which specifies the statutory or other reason for its sole source status
- The [TEA Division of Grants Administration Request for Noncompetitive Procurement \(Sole Source\) Approval Form](#) shall be utilized to request prior approval of a non-competitive, sole source proposal.
- A public exigency or emergency will not permit a delay resulting from the competitive solicitation process. The district shall declare a public exigency or emergency prior to making such as purchase of goods or services under this method.
- The granting agency or pass-through entity authorized the use of a non-competitive proposal method
 - The district shall obtain written approval/authorization from the granting agency or pass-through entity.
- After solicitation of a number of sources, competition is determined to be inadequate
 - The district shall determine that competition is inadequate if after two (2) solicitations of bids and/or proposals, only one vendor is responsive to the solicitations.

Note. TEA has approved Education Service Centers in the non-competitive proposal category.

Other Procurement Guidelines

Vendor Preferences

In accordance with state purchasing laws, the district shall comply with the Texas Education Code (TEC Chapter 44) if the procurement guidelines are stricter under state law than federal regulations. Regardless of the procurement method, the district shall encourage small, minority, woman-owned and labor surplus area firms to compete with other qualified vendors by implementing strategies to encourage their participation.

As appropriate the district should, to the greatest extent practicable under a Federal award, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all subawards including all contracts and purchase orders for work or products under this award.

The Director of Purchasing shall ensure that vendor preferences are included in all specifications, purchase orders and contracts, as appropriate.

Vendor Restrictions

The Director of Purchasing and the Executive Director of Technology Services shall review and approve all telecommunication contracts for goods and services with federal grant funds to include the following:

- Recipients and subrecipients are prohibited from obligating or expending loan or grant funds to:

- Procure or obtain;
- Extend or renew a contract to procure or obtain; or
- Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public Law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
 - For the purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunications equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
 - Telecommunications or video surveillance services provided by such entities or using such equipment.
 - Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence or the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

The district shall comply with the federal regulations related to the procurement of recovered materials and the Solid Waste Disposal Act.

All contracts shall contain the applicable provisions described in 2 CFR 200 Appendix II. In addition, all contracts for services and/or goods purchased with federal grant funds shall be subjected to the same review and approval process as all other district contracts.

The district shall retain all records related to the procurement of goods and services in accordance with federal, state and local requirements. In addition, all procurement records shall be available for inspection and/or audit during the life of the records.