GEORGETOWN ISD

Purchasing Procedures Manual

2026-27

Hammerlun Center for Learning & Leadership 507 E University Avenue Georgetown, TX 78626

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PURCHASING CODE OF CONDUCT

The following code of conduct was developed for the Purchasing Department staff. However, the standards and ideals are applicable to all district employees involved in the purchasing process.

CODE OF CONDUCT

- 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.
- Refrain from any private business or professional activity that would create a conflict between personal interest and the interests of the District.
- Refrain from soliciting or accepting money, loans, credits, discounts, gifts, entertainment, favors or services from present or potential vendors.
- Handle confidential or proprietary information with due care and proper consideration of ethical and legal ramifications and government regulations.
- Promote positive supplier relationships through courtesy and impartiality.
- 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.

Violation of any policies, regulations, or guidelines, including making a false claim, offering a false statement, or refusing to cooperate with a District investigation, shall result in disciplinary action, including termination of employment.

PURCHASING OVERVIEW

Public purchasing differs distinctively from private sector purchasing. Private businesses can purchase from only one vendor and their choice may be made on the basis of price, convenience, or on personal considerations. In sharp contrast, Public entities must conduct all of their dealings in the public eye and must adhere to strict legal guidelines.

The Purchasing Department is the District's centralized purchasing function that is responsible for issuing all formal bid requests, facilitating selection of vendors, and negotiating and establishing bids and other contract terms and conditions, delivery, and adjustments within the guidelines governing our District.

Having a centralized purchasing function can result in lower purchasing costs.

The Purchasing Department facilitates the adherence to applicable statute and policy requirements and application of efficient and effective procurement processes by:

- Monitoring purchases from a district-wide perspective to ensure adherence to Statute and District Policy requirements.
- Buying certain items in bulk and maintaining an inventory of materials and supplies necessary for daily operations of the District.
- Establishing bids and contracts to cover repetitive procurements of goods and services.
- Processing purchase requests in a timely manner.

Contacting the Purchasing Department

The Purchasing Department received many phone calls, faxes and visits each day. Experience shows us that an email is the most efficient way to contact our department. The other ways work too, just not as well.

Purchasing Web Site

Staff Members are:

- Angie Marsh, Director of Purchasing, ext. 6080 – email: marsha1@georgetownisd.org
- Donna Colburn, Purchasing Manager, ext. 6064 – email: colburnd@georgetownisd.org
- Ty Moran, Purchasing Bond Buyer, ext. – email: morant@georgetownisd.org
- Amy Melching, Textbook / Fixed Assets Manager, ext. 6027 – email: melchinga@georgetownisd.org
- Jaime Johnson, Administrative Assistant to CFO, ext. – email: johnsonj2@georgetownisd.org

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 such as office supplies, athletic supplies or instructional supplies 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 (TEC) 44.031-035.

The District prohibits commitment of purchases prior to the approval of a fully executed purchase order. The Texas Education Code provides for criminal penalties for persons who intentionally circumvent the purchasing contracts law by making split, separate, sequential, or component purchases. **APPROVAL OF PURCHASES MUST BE MADE PRIOR TO A PURCHASE ON A PROPERLY DRAWN AND ISSUED PURCHASE ORDER**.

The District uses purchase orders to obtain products, goods, and services. 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 (this portion of the purchase order is covered in the Accounts Payable section of the Business Office Procedures 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 District prohibits the use of non-awarded vendors when a valid contract/agreement exists. The fact that a Vendor is listed in the District's electronic bidding system, 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.

The following type of purchases are illegal per TEC 44.032:

- "Component purchases" – Purchases of the component parts of an item that in normal purchasing practices would be purchased in one purchase.
- "Separate purchases" – Purchases, made separately, of items that in normal purchasing practices would be purchased in one purchase.
- "Sequential purchases" – Purchases, made over a period, of items that in normal purchasing practices would be purchased in one purchase.

Purchases made using Federal / State funds fall under EDGAR Law and guidelines (2 CFR 200.320(a)). The District uses the most restrictive purchasing laws to ensure we remain in compliance. Refer to the District's State and Federal Grants Manual.

VENDOR RELATIONS & COMMUNICATION

The District's relationship with vendors is based on current and future partnerships. The District cannot do what we do without the vendor community. All vendors should be treated equally, fairly, and afforded all possible opportunities to do business within the District's established guidelines and procedures.

Below are specific areas that are addressed concerning the District's relationship with the vendor community. Please note that the list is not all inclusive of the different types of interactions you may have with vendors.

- **Conflict of Interest**
  - Access to District Employees
  - Vendors
- **Prior to Bid with Purchasing Involvement**
  - Research and Discovery by the Department or Campus
  - Demonstrations
  - Pilot Programs
- **Current Bid Opportunity ("On the Street")**
  - Bid Evaluations
  - Existing Contracts
- **After a Bid Award**
  - Awarded Vendors
  - Vendors that did not receive an Award
  - Vendor References for Other Entities
- **District Awarded Vendors**
- **Cooperative Contracted Vendors**
- **No Potential Bid in the Future**
- **Unsolicited Offers or Communications**

New Vendor Adds

Staff may request to add a vendor that is not in the District's finance system. The Purchasing Department will review the request and determine if the request is acceptable.

- The requestor must add the vendor in the District's finance system.
- The requestor must have the vendor submit a current W9 and a Vendor Information Form.

When making a purchase, you may occasionally identify a vendor that has not had a vendor number created or there may be other circumstances that require a new vendor number. To get a vendor number created, following the following steps:

1. The requesting campus/department should enter the vendor information in the District's electronic finance system and submit a current W-9 taxpayer identification form to the Purchasing Department.

2. The Purchasing Department will review the vendor data in the finance system and attach the W-9.
   - If the vendor is not an awarded vendor or one that the District can contract with through a cooperative agency, the Purchasing Department may contract the requestor in order to understand why they need to use that specific vendor.

- The Purchasing Department will make every effort to expedite this process.
- If such documentation is not received from the vendor, the vendor will not be added.

3. Once the new vendor is added, the requesting campus or department can enter the requisition using the online finance system.

CONFLICT OF INTEREST

Two District policies, CH (Local) and DBD (Local), address conflict of interest issues for employees of the District that have direct relationships with vendors, and vendors looking for opportunities to do business with the District.

District Employees

DBD (LOCAL) requires that a District employee is to disclose to their immediate supervisor any personal financial or business interest, or any other obligation or relationship that in any way creates a potential conflict of interest with the employee's duties and responsibilities. The employee has an obligation to the District to be transparent in such situations and disclose relationships with vendors for any procurement and always have the District's best interest in the forefront. Failure to do so will be considered a breach of District policy.

If the employee will be assisting the Purchasing Department in the evaluation of a solicitation, the employee will be required to complete and sign a Non-disclosure Statement for GISD Employee Form. By signature, the employee affirms that they, their spouse or dependent(s), are not receiving any compensation from, nor have been the recipient of any present or future economic opportunity, employment, gift, loan, gratuity, special discount, trip, favor, or service in connection with any proposal or involved proposers in return for favorable consideration.

Vendors

For vendors, CHE (LEGAL) requires that names of any GISD employee who owns, directly or indirectly, an interest in their firm or any of its subsidiaries must be disclosed before the vendor does business with the District. If the vendor fails to do so may be grounds for disqualification of the bid or cancellation of a contract resulting from the Solicitation.

Conflict of Interest for Vendors with Future Business Interests

If the department chooses to hire or retain a vendor, even at no cost, to assist in any part of the procurement process (e.g. developing specifications or scope of work, helping evaluate responses to a solicitation, etc.), the vendor cannot have any personal or business interest in the outcome of the process.

The contractor should disclose at the beginning of their contact with the District they may have interest in any potential solicitors related to their project. If one does exist, they will have to withdraw from assisting in the solicitation development. If they do not, all of the vendor's employees assisting will be required to complete a Vendor's Non-disclosure Statement for Contracted Consultants Form. Any companies with this level of relationship will not be eligible for any business opportunities related to this engagement.

Access to Staff

Vendors will ask for access to District staff since they are paid to cultivate business. If the end user agrees to meet, District office visits are acceptable and is the suggested location. District personnel are not obligated to talk to vendors. Responses and communications should be professional and respectful. Offsite meetings, meals, gatherings at coffee shops, bars, golf outings, etc., should be completely avoided and without consideration. This can be conceived and is perceived as providing an advantage during the bid process. Again, allow all interested vendors the same access to you as all other vendors.

Prior to Issuance of a Bid

Below are general scenarios and the suggested actions necessary to insure fair access.

Research and Discovery by the Department or Campus

Research and discovery is expected since the end user will need to know how to put into writing (e.g. specifications) what they want and/or need. The concern is the sharing of access with all potential vendors, and insuring that the

resulting research has provided a specification that is competitive. It is suggested and highly encouraged that the end user contact 3 or more vendors that have competing products or services, and compare the responses using the provided information to develop competitive requirements. If the end user is not certain the cost of the purchase to establish a budget, it is acceptable to ask for a non-obligated quote (ask for a rounded number).

Vendor Bid Notification Registration

When end users are approached by a vendor, they should always encourage the vendor to register within the District's electronic procurement system known as "eBid".

The vendor is to click on the "Supplier Registration" to start the process. The vendor will receive bid notifications based on the commodities chosen. Please note that by registering and being accepted on the bidder's list the vendor is not automatically awarded a contract with the District.

Demonstrations

Vendors will ask if they can do a demonstration of their product or service in an attempt to interest you or put their company above the competition. We highly discourage this practice outside the formal bid process. If the District does go to bid, the vendor, if chosen to do so, will have to do the same demonstration under controlled circumstances.

Such demonstrations are to be coordinated through the Purchasing Department. Please be aware that the Purchasing Department may not agree to the demonstration if it goes against District purchasing policy or procedures, or may be in conflict with good purchasing practices.

Current Bid Opportunity ("On the Street")

This is the most critical period to NOT have any discussions with any vendors that have interest in a bid award or outcome. These communications are only to be handled by the Purchasing Department. If you are contacted by a vendor asking questions about the bid, do not discuss the solicitation with them, and ask them to contact the assigned buyer or the Purchasing Department. Always thank them for their interest in our District. Do not provide any information, advice or opinions. Any comments or input provided are not binding and may create issues with the procurement process.

Please note that if a vendor does have such communications, they run the risk that their bid response may be rejected for such actions. Advise them to contact the Purchasing Department directly and cease communications with other District staff.

Bid Evaluations

During this period, if any individual that has been assigned to an evaluation team has some form of conflict of interest, they should disclose this immediately to their supervisor and the Purchasing Department. Evaluators will be required to sign a non-disclosure statement at the beginning of the process. Failure to indicate or bring attention to this issue could have serious consequences for both the District and the individual.

Existing Contracts

If a vendor has an active contract with the District but also has interest in a current bid opportunity, any discussion of the bid is to be completely avoided, with communications being directed only at the current contract. If the vendor does start to ask questions or ask for input, the District personnel is to direct them to the Purchasing Department.

After a Bid Award

Awarded Vendors

Once a vendor is awarded a contract with the District, they are in partnership with the District to accomplish the goals of both. The department/campus can have open communications with the vendor to insure that the vendor does meet all the obligations of the award and that the department/campus meets its obligations as well.

The end user is responsible for knowing who the main vendor point-of-contact(s) will be for questions, concerns, or performance issue discussions. The end user should consider scheduling a meeting with the vendor prior to the start of the contract or shortly thereafter to discuss responsibilities and expectations. Purchasing staff will be available if requested to attend.

It is critical to the operations of the District that an awarded vendor fulfills their obligations under the contract. If they do, they should be commended for being a beneficial partner with the District. The end user should let the vendor know the expectations the District has for them at the beginning of the contract.

If at any point the vendor's performance is not meeting the contractual requirements, the department / campus is to contact the vendor concerning the issue and copy the Purchasing Department with any communications. Timely, written documentation of such events is critical in helping the vendor do what is required or to assist in insuring a badly performing vendor does not remain under contract with the District. It is unfair to the vendor and a bad business practice if the end user withholds performance issues from the vendor and does not convey the District's concerns with performance.

Please note that the vendor cannot be held responsible to requirements that were not part of the solicitation, formal negotiations or final contract. If such situations arise, the end user should make note to add the deficiencies to the next solicitation.

If the vendor's performance is still inadequate after the end user has provided written documentation of the issues, the end user is to contact the Purchasing Department and provide the documentation given to the vendor. The Purchasing Department will review the documentation, and if believed necessary, schedule a counseling meeting with the vendor to formalize a plan for the vendor to meet these expectations. This may be further formalized by setting a probationary period using the District's Conditional Probation Agreement form (attached as an exhibit).

Vendors that did not receive an Award

The District's eBid website will provide award tabulations for all of the District's solicitations.

The vendor is to click on the "Awarded Bids/Proposals" to find the complete list of tabulations. It is the vendor's responsibility to review this information. Specific tabulations can be found by entering in the solicitation number into the "Bid Number" search.

Please note that the District does not contact vendors that did not receive an award.
Every vendor should do research on why they did not receive an award, which may include meeting with the District personnel to discuss their areas to be improved prior to the next solicitation response. We encourage this in what is called a "Debrief." In such a meeting, the Purchasing Department will request that the department / campus representative be present especially if a technically evaluation was performed. The Purchasing Department is not the "subject matter experts" and may not be able to address specific areas of the evaluation. Please note that no comparisons are to be made between competing responses.

Vendor References for Other Entities

A key to awarding to reliable vendors is to provide feedback to other entities when requested. Our District relies on this type of information, so it is fair to provide feedback as requested. If a District employee does receive a request to provide a reference for a vendor that has performed under contract with the District, the employee can respond but must be honest with the response, providing only factual information. Opinions should be kept internally and not made public. If the employee does not feel comfortable with a direct response to the requesting entity, please contact the Purchasing Department for assistance.

HOW TO MAKE A DISTRICT PURCHASE

The following guidelines are established based on State of Texas and Federal statutes, and District policies CH (Legal) and CH (Local), and these requirements are to assist District personnel in making a purchase using District managed funds. Please note, if federal funds (not related to Food and Nutrition) are to be utilized, the end user must follow the State and Federal Grants Manual guidelines.

Awards of purchase contracts shall be subject to the following legal requirements:

Board Policy

- BBFB (LEGAL) Ethics – Prohibited Practices
- CH (LEGAL) Purchasing and Acquisition
- CH (LOCAL) Purchasing and Acquisition
- CHH (LEGAL) Purchasing and Acquisition – Financing Personal Property Purchases
- CHG (LEGAL) Purchasing and Acquisition – Real Property and Improvements
- CK (LOCAL) Safety Program / Risk Management
- CR (LEGAL) Insurance and Annuities Management
- CV (LEGAL) Facilities Construction
- CV (LOCAL) Facilities Construction
- DBD (LEGAL) Employment Requirements and Restrictions – Conflict of Interest
- DBD (LOCAL) Employment Requirements and Restrictions – Conflict of Interest

Federal Regulations

- Office of Management and Budget (OMB) Circular A-21 Cost Principals for Educational Institutions
- Office of Management and Budget (OMB) Circular A-87 State and Local Governments

State Statutes

- Texas Education Code Chapter 44 – Fiscal Management – Subchapter B
- Texas Education Code Chapter 45 – School District Funds – Subchapter G
- Texas Business and Commerce Code
- Texas Local Government Code Chapter 171 – Regulation of Conflicts of Interest of Officers of Municipalities, Counties and Certain Other Local Governments
- Texas Local Government Code Chapter 176 – Disclosure of Certain Relationships with Local Government Officials: Providing Access to Certain Information
- Texas Local Government Code Chapter 271
  - Subchapter B – Purchasing and Contracting Authority of Municipalities, Counties and Certain Other Local Governments
  - Subchapter D – State Cooperation in Local Purchasing Programs
  - Subchapter Z – Miscellaneous Provisions
- Texas Government Code Chapter 552 – Public Information
- Texas Government Code Chapter 791 – Interlocal Cooperation Contracts
- Texas Government Code Chapter 2054 – Information Resources
- Texas Government Code Chapter 2157 – Purchase of Automated Information Systems
- Texas Government Code Chapter 2251 – Payment for Goods and Services
- Texas Government Code Chapter 2252 – Contracts with Governmental Entities
- Texas Government Code Chapter 2254 – Professional and Consulting Services
- Texas Government Code Chapter 2269 – Contracting and Delivery Procedures for Construction Projects
- Texas Health and Safety Code Chapter 361 – Solid Waste Disposal
- Texas Health and Safety Code Chapter 435 – Dairy Products
- Texas Agriculture Code Chapter 150 – Imported Meat

PURCHASING GUIDELINES

All purchases, leases, maintenance, agreements, MOUs, and contracts must comply with the following general requirements set by the Board of Trustees in local policy [CH] "Purchasing and Acquisition".

The Purchasing Department will process PROPERLY COMPLETED requisitions within 2 business days from the time it shows up in finance system's workflow approval que, with the exception of peak periods, or other unexpected delays out of the department's control.

Purchasing will monitor cumulative purchases for the year by commodity code to see when formal bids will have to be issued. These aggregate purchases are tracked for the entire District per commodity code.

Methods of Procurements:

- RFB / IFB – Request for Bid / Invitation for Bid
- RFP – Request for Proposal
- RFCSP – Request for Competitive Sealed Proposal
- RFQ – Request for Qualifications or Request for Quote

Before You Make a Purchase, the end user should follow the steps below until the item or service can be procured.

Step 1: Is the item or service available through a District contract?

The Purchasing Department may establish annual bids covering a variety of products and services required by campuses and departments (Georgetown ISD Awarded Contracts). All relevant statute and policy requirements have been met by Purchasing in establishing these bids/contracts. Purchases can be made utilizing a purchase requisition.

Step 2: Is the item or service available through an Inter-Local (Cooperative) contract?

The District has established a number of inter-local agreements with entities that, as allowed by law, can provide items and services for school districts. If the inter-local entity has competitively bid the item or service following the same requirements the District must follow, the item or service may be available through this method.

NOTE: The end user must receive approval from the District's Purchasing Department prior to any purchases being made via this method regardless of the purchase amount. Please see the Procedures for Co-operative Contracts section for more information regarding the requirements for these types of purchases.

Step 3: Is the item only available through a sole source provider?

For a purchase to meet the requirements of sole source, it must meet the legal and policy requirements. See the Sole Source Procurements section for further details.

Step 4: The item or service is not available through any of the processes in Steps 1 through 3, what should be done to purchase the item?

The end user is to follow the procedures for making a purchase based on the final dollar amount of the purchase outlined below.

Campuses and departments are encouraged to use vendors currently under contract with the District for all procurements. If the District does not have a current contract for the commodity or service needed, the following procedures apply.

Purchasing Thresholds

1. There are three key, dollar thresholds that impact on purchasing and contracts--$10K, $100K, and $250K. These three thresholds require the application of various regulatory guidelines.

    1.1. If a current contract, inter-local agreement, or relationship with other purchasing agency/co-ops exists, the District's campuses/departments can use these agreements with a degree of confidence that the agreement(s) comply with regulatory guidelines; however, all purchases must be made on a properly drawn and executed purchase order.
    - The Purchasing Department may request three quotes from three different sources at any time at their discretion.

    1.2. Campuses/departments can make budgeted purchases of products, goods, or services from awarded contracts, inter-local agreements, or co-ops.

    1.3. Persons making unauthorized purchases or violating regulatory guidelines (including, but not limited to, separate, sequential, or component purchases) shall assume full responsibility for debts incurred as a result of their action(s).

    1.4. Requisitions cannot be split to avoid obtaining quotes.

    1.5. **Purchases of less than $10,000**:
    - Quotes are not required, but encouraged, and should be made from an awarded vendor or a cooperative (interlocal) contracted vendor to ensure quick processing.
        - If using a cooperative (interlocal) contract, the vendor should reference their cooperative contract number and indicate the cooperative name (Buy Board, OMNIA Partners, etc.) on the quote.
    - In obtaining quotes, each vendor must be provided with the same information, including product description, quantity and required delivery date. Quotes should be received on the vendor's letterhead. Email or faxes may be used to issue and receive quotes.
    - *EXCEPTIONS*:
        - Travel reimbursements
        - Purchases made with 865 Funds (Student Clubs)
        - Interlocal – Examples include Communities in Schools, Region 13 ESC, etc. (Please check with the Purchasing Department as these may require Board approval)
        - Newspaper Subscriptions to the Williamson County Sun and other local newspapers – Newspaper legal notices
        - Admission Fees associated with Student Field Trips
        - Membership Fees / Dues to professional associations
        - Registrations
        - Professional Services as defined in the Texas Government Code 2254
        - Postage purchased from the US Post Office

    1.6. **Purchases of between $10,000 and $99,999**:
    - A minimum of three (3) written "informal" quotes are required and must be sent to Purchasing as supporting documentation for a requisition.
    - No newspaper advertisement is required.
    - The Purchasing Department will assign a unique District quote number that shall be entered on the purchase requisition in the Bid No field.
        - NOTE - If using an Awarded Vendor or Cooperative Contract, quotes may not be required. The Director of Purchasing will have the final approval on whether quotes are required for purchases at this threshold. Contact the Purchasing Department to determine what procurement will be required.
    - *EXCEPTION:* Child Nutrition has a more restrictive requirement. All purchases, when using Child Nutrition funds, are to follow the Administrator's Reference Manual (ARM) Section 17.

1.7. **Purchases over $100,000**:
- Requires competitive sealed process to be managed by the Purchasing Department, working directly with the campus or department, unless another acceptable purchasing method is approved by the Director of Purchasing.
- Newspaper advertisement is required.
- Award to be made by best value determination.
  - NOTE - If using an Awarded Vendor or Cooperative Contract, quotes may not be required. The Director of Purchasing will have the final approval on whether quotes are required for purchases at this threshold. Contact the Purchasing Department to determine what procurement will be required.

1.8. **Purchases over $250,000** – *Applies to use of Federal / State funds ONLY*
- The District must perform an independent estimate prior to release.
- Requires competitive sealed process to be managed by the Purchasing Department, working directly with the campus or department, unless another acceptable purchasing method is approved by the Director of Purchasing.
- Newspaper advertisement is required.
- The District must negotiate profit with vendor.
- Award to be made by best value determination.

1.9. **Blanket Purchases**
- Awarded vendors or cooperative contracted vendors may be processed as a blanket order for the year rather than the user having to do several requisitions each time a need arises.
- Keep in mind purchasing is no longer increasing blanket purchase orders during the school year, unless the order is made out to an awarded vendor for the commodity being ordered.
- Once you use up your blanket order that was issued to a non-awarded vendor, you will have to issue a new requisition for another blanket purchase order if you still want to use that vendor.
- Blanket orders are closed at the end of the school year.

2. **Check Requests** – Refer to the Business Services Finance Guidelines for additional information.

Supporting documentation must be provided with your check requests. Documentation should be a legible itemized receipt, an agenda, an invoice or confirmation of payment from a vendor / company, or any other type of document that supports the purchase. These supporting documents should be attached to the request in the District's Finance System.

3. **Acceptable Purchases** – Purchase Requisition / Check Request / District issued Credit Card
   3.1. Airline Tickets – Check Request or District issued Credit Card
   3.2. Cash Advance for District approved travel (staff and students) via Check Request
   3.3. Hotel Room Charges – Check Request or District issued Credit Card
   3.4. Rental Cars – Check Request or District issued Credit Card
   3.5. Temporary Services – Purchase Requisition
   3.6. Weapons – for JROTC, Marshalls, SROs and Archery

4. **Unacceptable Purchases** –
   4.1. Alcoholic Beverages
   4.2. Cash Advance – via District issued credit card
   4.3. Computer Hardware (including iPADS / Tablets) or Software, including licenses via District issued Credit Card
   4.4. Electronic Devices (Digital Cameras, iPADS, Tablets, Televisions, PDAs, scientific calculators) via District issued Credit Card
   4.5. **Gift Cards over $25/each to stores, restaurants or establishments that sell 51% or more in alcohol sales**.
   4.6. Personal Purchases
   4.7. Tagged/Capital Items – any single item with a per unit cost over $10,000 via District issued Credit Card

NOTE: The aggregate amount, is defined locally by the school district by identifying "like-types" of purchases. The aggregate is then calculated across all school district's fiscal year "like-type" purchases.

NOTE: The aggregate amount is **NOT** a single purchase or single purchase order.

Co-operative Contract Purchasing Procedures

These procedures only apply to procurements of products or services through a Co-operative (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 Department. The department may be required to follow other procedures that may require not using a co-operative. The aggregate purchase amount for the current fiscal year must be taken into consideration related to the Purchase Amount.

Less than $100,000

- Recommend at least one quote to assure best price;
- Department is to enter a requisition and select the vendor's contract number from the drop down menu.

$100,000 but less than $250,000

- 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.
- Receive a minimum of three quotes from the co-op vendors, Purchasing will assist with the quote process through the Co-operative(s).
- Purchasing will complete a quote summary and assign a unique District issued quote number. Purchasing will contact the requestor with the quote number.
- Department is to enter a requisition with the Co-operative Name and / or Quote Number in the "Notes" area.

Over $250,000

- Provide Purchasing a description of the product or service being purchased and the corresponding co-operative contract
- Purchasing will give direction on next steps based on the competitive process that meets the District's best interest

Quote Summary Form

1. To assist the campus or department with creating a quote summary that will be required by Purchasing, an Excel spreadsheet has been developed to be completed by the end user that will provide the needed information for the quote process.

   Quote Summary Form

   NOTE: The form was developed with protected cells, and only the cells needed for providing the summary to Purchasing can be changed.

2. The Purchasing Department will provide guidance on use of the above processes.

Food for Meetings

Outside food caterer or food trays (Object 6499)

Review the Awarded Vendor list for caterers and eateries to provide you with food for your meeting.

Your requisition should contain the following information:

1. Agenda for the meeting
2. Who is the food for? (District employees, non-employees, mixed groups, students, etc.)
3. The location for the food to be set-up.
4. Number of people expected in attendance.

Purchasing Levels and Requirements Chart

STATE and LOCAL FUNDS					
#	Purchase Commitment Amount	Supporting Documents	Additional Forms	RFP / RFB	Board Approval
	Purchases less than $10,000 from **AWARDED** Vendor or **COOPERATIVE** Contract	Not Required	Not Required	Not Required	Not Required
	Purchases between $10,000 than $99,999 from **AWARDED** Vendor or **COOPERATIVE** Contract	Minimum 1 Quote	Written Quote – Fax or eMail from Vendor	Not Required	Not Required
	Purchases between $100,000 and $250,000 from **AWARDED** Vendors or **COOPERATIVE** Contracts	Minimum 3 Quotes	Written Quote – Fax or eMail from Vendor	May be Required	Not Required
	Purchases less than $10,000 from a **NON-AWARDED** Vendor	1 Quote Recommended	Written Quote – Fax or eMail from Vendor	Not Required	Not Required
	Purchases less between $10,000 and $99,999 from a **NON-AWARDED** Vendor	Minimum 3 Quotes	Written Quote – Fax or eMail from Vendors	Not Required	Not Required
	Purchases over $99,999 from a **NON-AWARDED** Vendor	Formal Bids Required	Bid Documents	Required	Not Required
FEDERAL FUNDS					
	Purchases less than $10,000	Not Required	Not Required	Not Required	Not Required
	Purchases between $10,000 than $99,999	Minimum 1 Quote	Written Quote – Fax or eMail from Vendor	Not Required	Not Required
	Purchases between $100,000 and $250,000	Formal Bids Required	Bid Documents	Required	Not Required
	Purchases over $250,000	Price & Cost Analysis, Formal Bids Required, Bonds Required	Bid Documents	Required	Not Required
	Sole Source Purchase	1 Quote	TEA Approval Required	Not Required	Not Required
CHILD NUTRITION FUNDS					
	Purchases for a single item over $5,000	Must submit request to TDA for PRIOR approval before the purchase is made	Written Quotes – Fax or eMail from Vendor		
	Purchases less than $10,000 (Micro-Purchase)	1 Quote – Make sure reasonable pricing	Written Quotes – Fax or eMail from Vendor	Not Required	Not Required
	Purchases between $10,000 than $49,999 (Small Purchase)	Minimum 3 Quotes	Written Quotes – Fax or eMail from Vendor	Not Required	Not Required
	Purchases over $49,999 (Simplified Purchase)	Formal Bids Required	Bid Documents	May be Required	Not Required

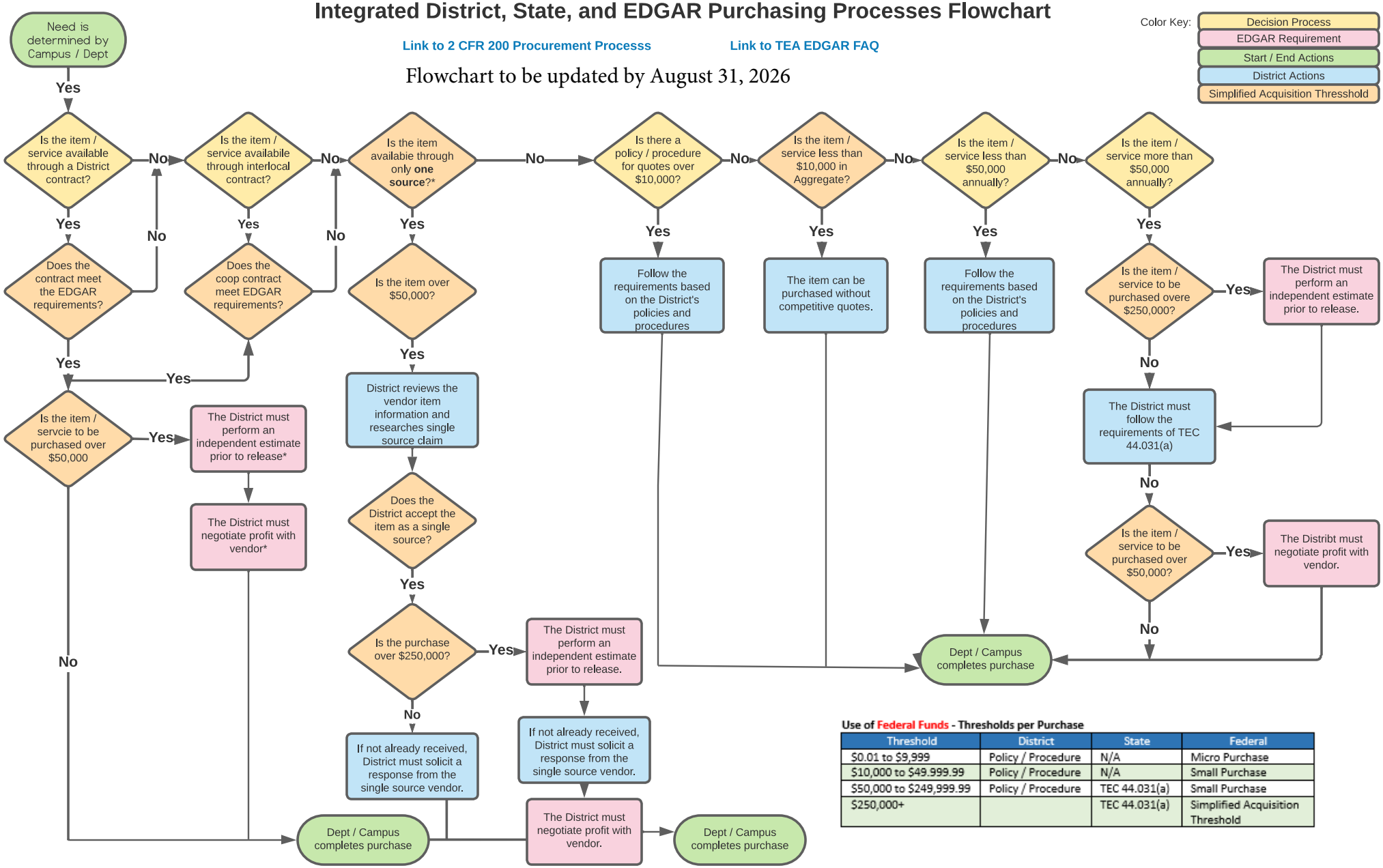
Integrated District, State, and EDGAR Purchasing Processes Flowchart

Color Key: Decision Process | EDGAR Requirement | Start / End Actions | District Actions | Simplified Acquisition Thresshold

Link to 2 CFR 200 Procurement Processs

Link to TEA EDGAR FAQ

Flowchart to be updated by August 31, 2026



Use of Federal Funds - Thresholds per Purchase

Threshold	District	State	Federal
$0.01 to $9,999	Policy / Procedure	N/A	Micro Purchase
$10,000 to $49.999.99	Policy / Procedure	N/A	Small Purchase
$50,000 to $249,999.99	Policy / Procedure	TEC 44.031(a)	Small Purchase
$250,000+		TEC 44.031(a)	Simplified Acquisition Threshold

A - EDGAR requirements state that the district is to follow the most restrictive guidelines. The required documentation should be kept for any type of procurement made to support the procurement in an audit situtation.
B "Mirco Purchases" are single purchases made less than $10,000. The district, to the extent practiable, must distribute micro-purchases equitably among qualified suppliers.
C- "Small Purchases" are single purchases made $10,000 up to $49,999. A minimum of three quotes are required unless the good/services are available through a valid cooperative contract.
Federal standards concerning suspension or debarment must be checked for each purchase.
D - Purchases made at $50,000 to $249,999.99 require a formal solicitation.
E - Purchases made $250,000 and greater not only require a formal solicitation, but also require an Independent Estimate and a Price & Cost Analysis and bonds (if applicable).

District Awarded Vendors

Vendors that have gone through a bid process (informal or formal) and have been awarded specific items or services are entitled to the District's business for those items or services. A non-all-inclusive list of awarded vendors can be found on the District's Google Drive Awarded Contract List. This drive can be shared with District staff. Contract the Purchasing Department in order to get access to the document.

Vendor List

The Awarded Contract List is updated frequently. If you do not find the vendor you need to purchase from, please contact the Purchasing Department. The Purchasing Department will attempt to get the vendor under an awarded contract as soon as possible.

Note: Vendors in the eBid system or in the District's Finance system (Skyward) may not have an award.

Searching the Awarded Vendor List

- Vendor - The awarded vendors are listed in alphabetical order
- Contract # - If the vendor contract is not listed in the drop down, please enter vendor's awarded contract number in the NOTES field of the requisition in the finance system; and notify purchasing@georgetownisd.org.
- Commodity Code – The most common commodity code for this vendor, based on their products or services awarded, should be listed in this column and must be entered in the Requisition Detail Lines entry screen, in the Commodity Code field in the finance system.
    - If there is no commodity code listed in the awarded vendor list, you must contact Purchasing to obtain the code
    - If there are multiple lines, you will need to enter the commodity code per line item.
- Contact – Awarded vendor's contact person
- Phone Number – Awarded vendor's contact person's phone number (may be a customer service number and not an individual)
- Email - Awarded vendor's contact person's email (may be a "generic" email and not an individual)
- Exp Date- The date the contract expires
- Contract Title/Description – Brief description of the goods / services that may be purchased from the vendor
- Discount – Discount offered by vendor. NOTE: Vendor's may offer discounts even if there is not one listed in the column. Contacting the vendor directly to obtain a district quote will ensure you are receiving the best price.
- Tech Review – Does Technology need to review / approve the purchase (i.e., software, hardware, etc.)?
- Additional Notes – If the vendor requires additional notes on your purchase order to ensure we are receiving the proper pricing, end-user must add the note on the requisition.

Georgetown ISD periodically issues bid/proposals for goods and services, and we encourage vendors to register in the District's electronic bidding system (eBID) to ensure they receive notice of upcoming opportunities.

Cooperative Contracted Vendors

The decision to use a cooperative contract is to be made by the Purchasing Department not the department or campus. It is the Purchasing Department's role to insure if the best interest of the District is being met by whichever process is available to secure such products or services. The department/ campus must always consider all procurements as competitive opportunities and no one vendor should be consider without such due process.

The District partners with the following purchasing entities (cooperatives):

- 1GPA
- CTPA (Central Texas Purchasing Alliance)
- Equalis Group
- Goodbuy
- HCDE (Harris County Department of Education / Choice Partners)
- H-GAC (Houston Galveston Area Council)
- Omnia Partners – including US Communities, TCPN
- Region 6 EPIC
- Region 13
- Region 19 (Allied States Cooperative)
- Region 20 – PACE (Purchasing Association of Cooperative Entities)
- Sourcewell
- TASB Buyboard
- TIPS (The Interlocal Purchasing System)
- Tx Edu EE Benefits Coop

Georgetown ISD is also eligible to procure goods and services through State of Texas contracting programs such as:

- Texas State Term Contracting
- Texas Multiple Award Schedules (TXMAS, Smart Buy)
- Department of Information Resources (DIR)

Procedures for adding a new vendor to the District's finance system

Annual Aggregate

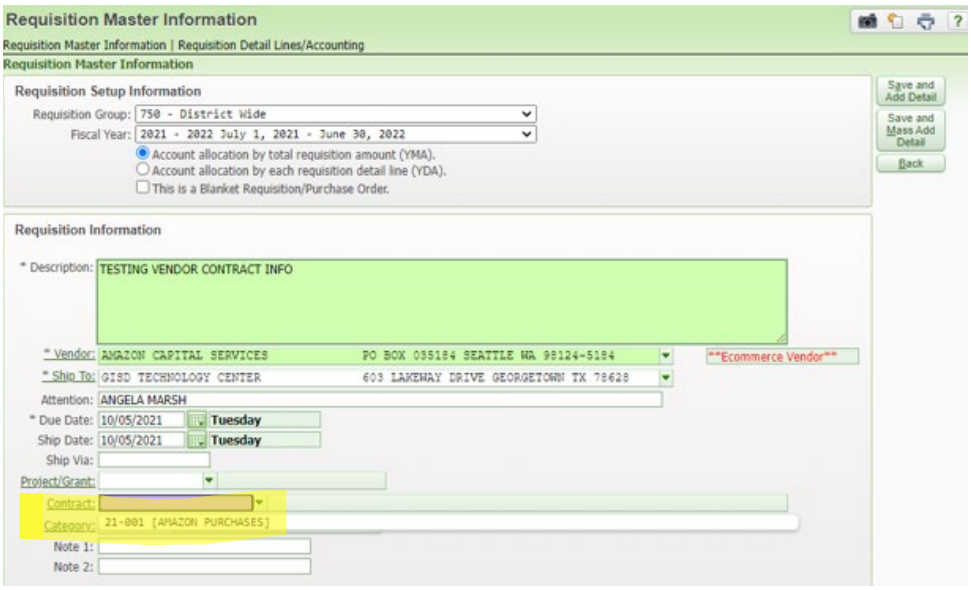
The following guidelines apply to the TOTAL requisition amount, not just the cost of a particular item, and includes any shipping / freight costs.

The aggregate amount, is defined locally by the school district by identifying “like-types” of purchases. The aggregate is then calculated across all school district’s fiscal year “like-type” purchases.

The aggregate amount is NOT a single purchase or single purchase order.

Georgetown ISD requires that campuses and departments reference an awarded contract when creating a requisition. An Awarded Vendor List containing all currently awarded vendors is available in a Google Sheet that can be shared with all district employees to assist them.

In addition to this Google Sheet, vendors who are awarded a contract and are active in the current finance system, will have a contract number listed on their vendor profile. This information can be accessed when entering a purchase requisition or check request, by clicking on the Contract drop down arrow. Some vendors are awarded multiple contracts. You will need to select the appropriate contract for your purchase if there are multiple contracts listed.



Each line item on the requisition shall be coded to a Commodity Code. A list of codes can be found on a District Google Drive that can be shared with District employees. Reports are reviewed frequently by the Director of Purchasing to ensure that all purchases are in compliance with state and federal laws. Reports for federal and state and local funds are analyzed to make informed decisions.

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

Purchasing Pitfalls

Some of the most common pitfalls that are experienced involve the following:

Rush or Non-Standard Purchase Orders – Allowing enough time to process requisitions is paramount to having success. It must be noted that acquiring goods or services without a properly issued purchase order is a violation of board policy (CH LOCAL).

Component, Separate or Sequential Purchases – This is basically dividing purchases up into multiple requisitions in order to avoid normal purchasing practices. This is a violation of board policy and state law (CH LEGAL and the Texas Education Code Chapter 44).

Purchases Over $100,000

Under the 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.

Professional and Consulting Services - Exceptions to Competitive Bidding

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,
- interior designer
- 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.

Non-Compliant Purchases

By policy, all District staff are to follow the established District and Purchasing procedures for all purchases based on the dollar amount for an aggregate total per year.

When these policies and procedures are circumvented, and an employee does not comply, the purchase will be considered non-compliant. Purchases made that are non-compliant will be noted as such by either N/C (non-compliant) or ATF (After-the-Fact).

If at any point an end user or Administrator is uncertain if a purchase will be compliant, they should contact the Purchasing Department first before the purchase is made.

Emergency Purchases

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

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

Sole Source Procurements

The Georgetown ISD Purchasing Department maintains a sole source list.

For an item to be considered for purchase under a sole source justification, the Purchasing Department must first review the request based on the requirements set forth in the 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 Department 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 a bona fide sole source exemption to purchasing law requirements, there must be no other like items available for purchase that would serve the same purpose or function, and only one price for the product because of exclusive distribution or marketing rights.

The fact that an item is covered by a patent or copyright is but only one factor in determining if the purchase falls under the sole source exemption to the purchase requirements. The District's Purchasing Department shall be the sole determinate on the acceptability of an item for inclusion on the sole source list.

The sole source exceptions provided by the TEC 44.031(j) do not apply to mainframe data-processing equipment and peripheral attachments with a single-item purchase price in excess of $15,000.

Acceptable Items

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

Vendor Application Process

As stated above, all vendors must submit their sole source application. A potential sole source vendor must complete the vendor Sole Source Request Form application to be included on the Sole Source Vendor List. Upon receipt, the Purchasing Department will perform a reasonable amount of research (e.g. internet searches, knowledge of potential competition through past solicitations, etc.) to validate such claims during the initial phase of approving a product for inclusion to the District's sole source list.

District Internal Sole Source Procedure

The use of the sole source process is not to be used to avoid making purchases using District purchasing guidelines due to a preference for a particular brand or manufacturer. Any purchasing requisitions with a claim of sole source will not be approved by the Purchasing Department until the vendor's product is on the list. Unless directed otherwise by the purchase dollar amount, the purchase requisition shall include in the contract field the applicable District contract number (example: 21-001).

Justification Letter for Purchases over $100,000

If the purchase of a specific item through a sole source vendor will exceed $100,000 the campus or department lead administrator must provide written justification stating why the product is only available through one source, and why no other like products will meet the intended needs. This justification is to be forwarded by the requesting campus or department to the Purchasing Department before a purchase requisition is entered. *The exception to this procedure is if EDGAR funds are being used*.

NOTE: Failure to provide the justification as described above will create a delay in processing the requisition approval.

Procedures for Processing a Requisition for a Sole Source Procurement

The campus / department is to check if the product and vendor is on the District's Sole Source Vendor List. If the product is included on the list, the campus / department is to process a purchase requisition and include the contract number (example: 19-001) identified on the list.

If it is found that the vendor is not on the list, forward the Sole Source Request application to the vendor for information on how to be approved and added. The Purchasing Department will not approve a sole source purchase unless the vendor and the requested product is on the list.

Non-Competitive Designation for Purchases of Certain Services

By state law and local policy, a Texas school district is required to attempt to obtain competition for purchases that meet specific thresholds, and it is always in the best interest of the school district to compete all purchases no matter the dollar amount. Sometimes specific purchases may not allow for competition due to the nature of the service, based on how it is made available or who will be providing the service, and no true competition exists. These qualifying purchases may be approved by the Purchasing Department and be designated as a non-competitive procurement. However, if the Purchasing Department determines that competition can be found, the procurement MUST follow the standard purchasing guidelines for competitive purchases.

NOTE: This designation does not conflict with the requirements set forth in Section 44.031(j) of the Texas Education Code for items that qualify to be purchased from a single source (also known as "Sole Source").

Common Spot or Non-Competitive Purchases:

- Athletic / UIL Entry Fees
- Facility Rentals
- Field Trips
- Memberships, Fees, and Dues
- Registrations for Conferences, Assemblies, Seminars, Workshops, Training Sessions not on-site
- Subscriptions to particular publications needed in the performance of duties or educational requirements
- Scholarships

NOTE: The Director of Purchasing has the final decision whether the purchase can be made as a non-competitive purchase or if quotes or a formal solicitation process is required.

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 newspaper 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. Additionally, GISD utilizes an electronic bidding system (eBID) to advertise bid/proposal opportunities and increase its competitive environment.

Competitive Bidding

Definition

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

The competitive bidding process requires that bids evaluation 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.

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.

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

Request for Bid (RFB) 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
- Evaluative Criteria and Relative Weights (mandatory for construction services)
- Specifications
  - Scope and Intent
  - Definitions and Applicable Documents o Requirements
  - Quality Assurance
- Price Form/Response Sheet
- Criminal Background Check and Felony Conviction Notice
- Non-Resident Bidder's Certification
- Non-Collusion Statement
- Conflict of Interest Questionnaire
- Compliance with HB 1295 – applies to awards that are approved by the Board or are over $1,000,000
- Compliance with HB 89 and SB 252
- 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

    Note: The above criteria is not applied when using federal funds.
9. Any other relevant factor specifically listed in the request for bids or proposals. 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.

Note: Price may not always be the highest percentage in evaluations. Experience is based on a survey of references submitted by proposers. Quality, Needs, Relationship, and Long-Term Cost are evaluated by using department/campus. Purchasing will evaluate price and can evaluate the vendor's geographic location.

Competitive Sealed Proposal (CSP) and Request for Proposal (RFP)

Definition

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.

Highlights of this procurement method

- Request for Competitive Sealed Proposal must be used for award of a construction contract
- Competitive Procurement Limit Summary is identical to competitive bidding
- Newspaper Advertisement is identical to competitive bidding
- Notice to Proposers is identical to competitive bidding
- Impartiality and equal access and opportunity is identical to competitive bidding

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

Request for Competitive Sealed Proposals

The use of a Request for Competitive Sealed Proposal (RFCSP) 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.

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

Components of the Request for Competitive Sealed 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.

Request for Competitive Sealed Proposal (RFCSP) 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 competitive sealed 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.

- Newspaper Advertisement
- Notice to Proposers
- Standard Terms and Conditions
- Special Terms and Conditions
- Scope of Work - general in nature
    - Scope and Intent
    - Definitions and Applicable Documents
    - Requirements - tend to be more open ended than competitive bid o Quality Assurance
- Price Form / Response Sheet
- Criminal Background Check and Felony Conviction Notice
- Non-Resident Bidder’s Certification
- Non-Collusion Statement
- Conflict of Interest Questionnaire
- Compliance with HB 1295 – applies to awards that are approved by the Board or are over $1,000,000
- Compliance with HB 89 and SB 252
- Note: additional forms to comply with 2 CFR 200 are required when using federal funds.

Negotiation

Negotiation is the most difficult part of the Request for 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 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 request 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.

Evaluation Criteria and Relative Weights

For Request for Proposals (RFP) and Request for Competitive Sealed Proposals (CSP) – mandatory for construction services

The evaluation criteria and relative weights the governmental entity may consider are as follows:

1. Price -X%;
2. Experience and reputation of proposer – X%;
3. Quality of the proposer's goods or services – X%;
4. Safety record of proposer – X%;
5. Proposed personnel – X%;
6. Proposer's financial capability – X%;
7. Other relevant factors specifically listed in the Proposal – X%

Contracted (Consulting) Services – NOT Professional

Professions not listed above as Professional Services should be considered Contracted Services and are subject to state and federal bidding laws.

In order to secure consulting services in unlicensed areas such as professional development, musical instrument instruction, choreography instruction or other services which are not considered professional services as defined by state law, you must complete the following steps prior to receiving any services.

1. Identify prospective vendors form the Awarded Vendor List. If you cannot identify prospective vendors due to the type of service which is required, contact the Purchasing Department for assistance.
2. Complete a Consultant Contract if required by the vendor, and submit the contract to Purchasing for approval.
3. Enter a requisition with the Consultant Contract attached.

CONTRACT MANAGEMENT

Contract management involves all aspects of contracts from the review and approval process, the receiving of goods or services, vendor evaluation, vendor payment and contract close out. This section is focused on what makes a contract along wit the approval process for all contracts obligating the District.

Contract Approval

All contracts must be submitted to the Purchasing Department for review and signature. The only authorized personnel who can sign or obligate the District are the Board of Trustees President, Superintendent, CFO or the Director of Purchasing. If a contract is signed by any other personnel, the contract is null and void.

No contract should be signed by anyone other than those authorized individuals listed above.

Contracting Basics

A contract is an agreement between two parties for goods or services for consideration. Simply stated, a contract is a legal arrangement for one person to provide a good or service in exchange for money.

A contract can be as simple as a purchase order or may be a complicated multi-page document that requires extensive legal review.

Of paramount consideration prior to the District entering into any contractual terms and conditions is to establish that the District's best interests are being met and we are not binding the District to anything illegal or contrary to District Policy. By making a vendor or contracted outside party adhere to these contract points of interest, the contract review can be expedited. Here are a couple of basic things the District looks for:

1. Indemnification – Definition: Compensation for harm or loss. This would be a cost to the District should the vendor file a suit against the District. The District cannot indemnify anyone unless an adopted budget contains the full dollar amount of the indemnity. Since the current budget would not contain the full dollar amount, as this is an unknown event, the indemnity is not permitted.
2. Legal Venue – The legal venue should always be in Williamson County, Texas in order to place the District in the most advantageous position.
3. Governing Law – Texas should always be cited as the governing law for any contract that the District enters into.
4. Dispute Resolution – Any dispute resolutions provisions should avoid requirements for arbitration. Requirements for mediation before litigation are generally more advantageous for the District.
5. Termination – Any long-term contract should include a provision for cancellation based on a certain number of days of written notice. This will allow the District to be flexible in curriculum programming as well as other changing situations.
6. Fund Out Clause – It is recommended that contracts contain a clause that allows the District the opportunity to cancel the contract with no penalty in the event that budgetary allocations are not appropriated by the Georgetown ISD Board of Trustees or otherwise not made available to the District.

Understanding the terms above should not be a priority of the campus or department. Information on each is available through the Purchasing Department if desired.

Electronic Copies Prior to Review.

To expedite the contract review process, the Purchasing Department may require an MS Word version of the proposed contract so that any changes can be done in the Track Changes mode. The affected departments may also be requested to review the proposed contract (e.g. Information Services for technology requirements, Legal Services for student data requirements, etc.). Once reviewed, the campus or department may be requested to present the changes to the vendor or external contracted party.

Definitions of Contracts or Agreements.

The following definitions provide guidance and definitions for the different types of contracts that are included within this procedure.

- Construction Services (CS) – Agreements with construction companies to renovate existing facilities or build new facilities / structures (i.e., playgrounds, tennis courts, campuses, etc.)
- Equipment Maintenance (EM) – Non-major contracts for maintenance service of existing District equipment (does not include Technology)
- Event Services / Equipment Rentals (ES) – DJs, light shows, petting zoos, event management, inflatable rentals
- Facility / Venue Rentals (FS) – Agreements with third party facilities for graduation, proms, staff retreats
- Field Trips / Student / Charter Travel (FT) – Trips for student education or extracurricular activities
- Interlocal Agreements (IA) – Includes Federal, State and Local governmental agencies, applicable 502(c) Non- profit organizations
- Instructional / Data Sharing (IP) – Agreements directly related to the education of students or the collection of data based on student information
- IT Services / Maintenance (IT) – Programming, developing, consulting, server maintenance, computer repairs
- Major Contract / Agreement (MC) – For contracts valued over $50,000 (major), and includes competitively solicited contracts, construction contracts, or non-competed agreements
- Memorandum of Understandings (MU) – Includes Federal, State and Local governmental agencies, applicable 502(c) Non-profit organizations
- School / Class / Event Pictures (SC) – Agreements or scheduling documents for school, class, graduation pictures
- Staff Development / Training (SD) – Non-major agreements for staff development and educational programs provided to District staff. May include governmental agencies (e.g., ESCs).
- Software / Software Maintenance (SM) – Non-major contracts for agreements related to information systems software programs
- Student Specialized Services (SS) – Speech pathology, transitional services, day school programs for the deaf, non-educational services
- Yearbook / Custom Printing (YC) – Non-major agreements between yearbook vendors and other custom print services
- Other Agreements not covered above (OA) – All other non-major contracts not defined above

Extensions. It is the originating campus or department's responsibility to track the effective dates of their contracts or agreements. If the provisions within the current contract or agreement allow for extensions that must be exercised to be valid, the originating campus or department shall follow the instructions below and note on the transmittal form that the document provided is an extension or amendment.

Contract Reports. The Purchasing Department can provide a report of contracts based on organization code, start dates, end dates, type of contract, contractor name, etc., upon request.

Submitting the Contract

1. The campus or department should complete a GISD Contracts and Agreements Transmittal Form and Cover Page prior to sending any contract or agreement to the Purchasing Department.

2. To complete the transmittal form, the campus or department is to complete Sections A, B, and C. In Section C, the Authorized Signature will be the Campus Principal / Department Budget Manager. The Contact Person will be the person handling and processing the contract.

   To support a contract agreement that exceeds in value the purchasing threshold of $50,000, the Purchasing Department reserves the right to require the campus or department to include, in addition to the above contract, a letter of justification that documents why the contracted outside entity was chosen (e.g. official procurement, sole source, existing system, etc.), and why other vendors or entities could not meet the campus or department needs.

3. The campus or department initiating the contract shall send the original contract and a fully completed contract library transmittal form to the Purchasing Department. A copy of the contract should also be maintained by the originating campus or department.

4. Upon receipt, the Purchasing Department will verify the information provided on the transmittal form and cover page is complete and accurate. **NOTE:** Any contract that does not follow the requirements in Step 2 above may be returned to the originating campus or department for completion.

5. Upon determination that the contract is valid and complete, the Purchasing Department will acquire the appropriate signature(s) per District policy (if applicable), and issue a Contract Reference Number based on the following:

   3-digit Organizational Number (of originating campus or office) + **Type of Contract Initials** + **8-digit Contract start date** (yyyy/mm/dd, e.g. 20220715) + **Sequential alpha letter**

   Example Reference Number:
   750-IA-20210715-A
   (GISD Purchasing Department (750) - Interlocal Agreement (IA) - start date of July 15, 2021, - and the first one listed in the sequence)

6. The Purchasing Department will review all terms and conditions for each proposed contract or agreement. Upon review:
   a. If all terms and conditions meet the best interest of the District, the process will move on to Step 7.
   b. If there are terms and conditions that are to be corrected before the District will sign the contract or agreement, the Purchasing Department will:
      1. Minor Revisions: Edit the agreement documents in pen. This includes simple strike throughs or minor text additions.
      2. Major Revisions: The Purchasing Department may require the vendor to provide the documents electronically in MS Word. The Purchasing Department may seek guidance from the other departments or get an outside legal opinion. The Purchasing Department will edit using MS Word Track Changes. The Purchasing Department will forward the changes to the vendor or external contracting entity. The Purchasing Department will continue to review the changes for appropriateness. If agreeable, move on to Step 7.

NOTE: The District will not agree to or sign any contract that does not meet the best interests of the District.

7. The signed contract will be emailed to the end user to forward to the vendor/entity by either:

8. The Purchasing Department will store the original contract for the specified period beyond the expiration date as found on the state's Retention Schedules for Texas State Agencies and Public Universities website or by contacting the District's Records & Administration Assistant to Technology.

Extensions or Amendments

For extensions or amendments to existing contracts, all procedures listed above with the exception of Step 5 are to be followed.

PURCHASE REQUISITION INFORMATION

The step by step instructions for ***processing*** and *approving* purchase requisitions are located within the District's Google Drive and may be accessed through this link.

https://drive.google.com/drive/folders/1T9gsaKVxgtNR8ILO2onzOJ3qn6nL0n69

Blanket or 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 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.

Examples:

1. 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.
2. Reoccurring monthly services (i.e., Bottled water service, Progressive Office)
3. A department or special area makes small frequent purchases from a local retail store for commodities that are needed at that moment for a repair, project, etc. The specific items are not known a head of time, but are necessary to complete a "job" and can not wait for the purchase order process.

HEB and Home Depot are examples of vendors this may apply to.

Purchase Order Receiving Procedures

Immediately upon delivery of the merchandise, verify the goods or services received against goods or services ordered on the purchase order. The boxes should be carefully inspected using the following guidelines for any damage.

Undamaged Freight (no visible damage to box or crate)

- Receiving individual should sign freight bill at time of delivery.

Visibly Damaged Freight (box or crate is visibly damaged)

- Freight company driver must note damage on the freight bill and sign it.
- Receiving individual should then sign freight bill and request inspection by the freight company if shipment is damaged.
- Call the vendor and have them issue a replacement for the order and provide you with a Return Merchandise Authorization (RMA) number / form to have the damaged order picked up.

Concealed Damaged Freight (Damage to merchandise is discovered after merchandise is removed from box and the box was not visibly damaged at the time of delivery)

- Call the vendor you placed the order with.
- Keep all boxes and packing materials since the inspector will want to see the packaging. You should also have available a copy of the freight bill, packing slip and purchase order.
- This must be reported to the vendor within 7 days if possible. If it is not reported timely, the vendor may not be able to replace the order.

Duplicate Shipment

- Call the Vendor you placed the order with and let them know you have received a duplicate shipment on a single purchase order.
- Depending on how much was duplicated (i.e., ordered a small dollar item), the vendor may authorize you to keep it at no cost.
- The vendor should provide you with a Return Merchandise Authorization (RMA) number / form to have the duplicate shipment picked up.

Repairs

- Once the work has been completed, sign the bill, receive the purchase order in the finance system, and submit the documents to Accounts Payable.

If delivery is complete, receive the order online. If delivery is not complete, it is the responsibility of the campus/department to follow up with inquiries.

Please remember, if late charges have to be paid, they will be charged against the budget of the campus or department which was responsible for placing the order.

- Cancellation of a purchase order is the responsibility of the campus/department. Notify the Accounts Payable department and the Purchasing Department via email to cancel a purchase order.
- Returns should be made prior to approving the order for payment. The Accounts Payable department should be notified of all returns to ensure that the company issues the proper credits and/or refunds. Failure to notify Accounts Payable could result in a loss of credit.

Delivery Requirements

The following information is to assist end users in handling follow-ups and expediting delivery of existing purchase orders with Vendors.

Contract Delivery Terms

In most District contracts, delivery requirements are established within the solicitation (e.g. Request for Quote, Bid or Proposal) and the subsequent contract award. There are specific procedures to follow that are identified in the contract should problems with delivery occur. If delivery time is a critical element in the purchase, it is imperative that any solicitation or contact with the Vendor identify the delivery requirements. This must be established and communicated by the end user to the Vendor and Purchasing prior to release of an order. Any special instructions related to delivery should be included on the requisition entered by the end user.

Order Processing Time

It is necessary to allow a Vendor sufficient time to process an order. As a general rule, it is within acceptable business practices to check on an order on a weekly basis and request an anticipated delivery date. In most instances, any contact done more frequently than once a week is counter-productive and will not foster a good business relationship with the Vendor. This contact can be made by the end user.

Order Follow-up – Non-delinquent

The end user is responsible for following up with the Vendor if there is a concern about the delivery being received on time and/or within the contract requirements. The end user may contact the Vendor to negotiate a more acceptable delivery. If an agreement cannot be reached, the end user should notify the Purchasing Department. Please note that if no agreement was reached before the release of the order, the delivery requirements cannot be added unless agreed upon by both the Vendor and the end user. If this is done, both the end user and the Vendor should agree to the delivery schedule in writing.

Late Deliveries – Delinquent

If a predetermined or agreed upon delivery has not been met or appears to be in jeopardy, the end user should contact the Purchasing Department who will work with the Vendor to identify the problem and take corrective action. Written notice of a late delivery to Purchasing by the end user can be included in the Vendor's performance file and can be used as a performance issue for future awards.

Non-Compliant Purchases

By policy, all District staff are to follow the established purchase procedures for all purchases based on the dollar amount for an aggregate total per year. All purchases made by the District must follow CH (LEGAL) and CH (LOCAL) which provides guidance on the development of District administrative procedures.

When the District policy and procedures are circumvented, and an employee does not comply, the purchase will be considered non-compliant. This is also known as “maverick buying,” a term used when a department or campus purchases items or services independently and without concern of the District’s policies or procedures.

If at any point an end user or Administrator is uncertain if a purchase will be compliant, they must contact the Purchasing Department first before the purchase is made.

DISPOSAL OF DISTRICT PROPERTY

Furniture

If an item is broken beyond repair, issue a work order to Maintenance to have the item(s) picked up. Maintenance will provide instructions on where to place the items (this may be in an area outside the building).

If the item is no longer needed in your campus / department, and it is still in good shape, issue a work order to Maintenance to have them pick the item(s) up and have them brought to the Distribution Center. Please contact the Distribution Center prior to having the items sent so they can prepare an area for the items.

Library Books / Magazines / Periodicals

If the item is torn, has pages missing, or any other damage which prevents a student from reading the material, the item can be placed in a wastebasket, preferably a recycle wastebasket. Any District markings or labels must be removed prior to disposal.

Musical Instruments (Band, Orchestra, etc)

Musical instruments that can no longer be played or are no longer used by the District shall be sent to the District's Distribution Center for proper disposal. If necessary, a work order may be required to have the District's Maintenance Department pick the instruments up and have them brought to the Distribution Center. Please contact the Distribution Center prior to having the items sent so they can prepare an area for the items.

Textbooks

Out of adoption textbooks should be returned to the District's Curriculum and Instructional Department's contact for proper disposal.

Uniforms

Uniforms that are worn and can no longer be repaired or are being replaced due to the District's replacement schedule should be sent to the District's Distribution Center. Please contact the Distribution Center to make arrangements to have the items picked up.

PURCHASING ETHICS

The following code was derived from the Texas Education Agency Financial Accountability System Resource Guide (FASRG).

General Ethical Standards

There are certain common standards of ethics that govern the conduct of employees involved in the purchasing function. It is a breach of:

1. To attempt to realize personal gain through public employment with the school district by any conduct inconsistent with the proper discharge of the employee's duties.
2. To attempt to influence any public employee of the school district to breach the standards of ethical conduct set forth in this code.
3. For any employee of a school district to participate directly or indirectly in procurement when the employee knows that:
   - The employee or any member of the employee's immediate family has a financial interest pertaining to the procurement;
   - A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement; or
   - Any other person, business or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.
   - If a school district board member or other official has a substantial interest in procurement, that person shall abstain from discussion and decisions regarding the award of the procurement contract.(Local Government Code, Chapter 171,) for definition of substantial interest.) In addition, the board member should disclose this substantial interest by filing an affidavit with the district.
4. **Gratuities**
   To offer, give or agree to give any employee or former employee of the school district, or for any employee or former employee of the school district to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefore pending before this government. Acceptance of gratuities may be construed as a criminal offense.
5. **Kickbacks**
   For any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor for any contract of a school district, or any person associated therewith, as an inducement for the award of a subcontract or order.
6. **Contract Clause**
   The prohibition against gratuities and kickbacks prescribed above should be conspicuously set forth in every contract and solicitation therefore. It is a breach of ethics for any employee or former employee of the school district to knowingly use confidential information for actual or anticipated personal gain, or for the actual or anticipated gain of any person.

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

VENDOR SELECTION (AWARD)

The Purchasing Department encourages an open and professional relationship with each vendor while maintaining total independence and objectivity.

Every effort must be made to use a bid vendor in compliance with applicable statutes and regulations. Bid vendors normally offer a discount off catalog prices and/or free shipping. Therefore, it is to the district's advantage to consistently use bid vendors.

In some cases, however, a new vendor must be added because the item(s) needed is a:

- Sole source
- Consultant, staff development presenter or doctor, psychologist, etc.
- New workshop, membership or conference registration

Vendor Award Criteria

Texas Education Code 44.031 states that in determining contract awards to vendors, the district may consider:

- The purchase price
- The reputation of the vendor and of the vendor's goods and services
- The quality of the vendor's goods or services
- The extent to which the goods or services meet the district's needs
- The vendor's past relationship with the district
- The impact on the ability of the district to comply with laws and rules relating to historically underutilized businesses
- The total long-term cost to the district to acquire the vendor's goods or services
- Any other relevant factor that a private business entity would consider in selecting a vendor. Factors that a school district may consider under this criteria would include:
    - Vendor response time
    - Compatibility of goods/products purchased with those already in use in the district

It is important to note that under Section 44.035, Texas Education Code, the district must publish in the request for bids, proposals, or qualifications for construction services the criteria that will be used to evaluate the offers and relative weights, if known at the time of the publication, given to the criteria.

Vendor Communication

Communications to vendors may be made directly to the vendor or through the Purchasing Department.

- Inquiry
- Placing an order
- Follow up of order already placed
- Returns
- Exchanges
- Changes

<u>Unsolicited Offers or Communications</u>

Vendors will contact District staff unsolicited, either by drop-in sales calls, phone calls or emails, since they are paid to cultivate business. Again, District personnel are not obligated to talk to vendors. This decision to meet with these vendors is the decision of the department / campus. Vendors should always be encouraged to sign up on the District's electronic purchasing website (eBid).

Vendor Gifts and Relations

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. Although such practices may be legitimate and generally accepted in the private sector, giving and receiving gifts in the public sector may constitute a violation of law.

Vendor Performance Evaluation

Some of the factors to consider in the evaluation of vendor's performance are:

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

Vendor Problems

- Document the problem, noting the date and an accurate description of the problem and forward a copy of documentation to the Purchasing Department.
- Contact the vendor immediately. Keep a record of all phone calls, including dates and what was discussed.
- If the problem is not resolved or continues to occur, written notification must be made to the vendor stating the problem, the corrective action required, and that failure by the vendor to correct the problem will be considered a breach of contract and could result in the cancellation of the contract.
- If significant problems are encountered, consult with the Purchasing Department, who will involve Legal Services or other departments as required.

TECHNOLOGY PURCHASES

When creating a technology requisition for items that connect to the District's network (software, computers, laptops, tablets, projectors, and networking equipment), a Service Ticket (via Technology Service Desk portal) must be completed and check the box that says "Purchase", and enter a budget code. The form is routed to the Technology department for review / approval.

Purchases for Software must be pre-approved by the Technology department. If necessary, the Technology department may need to discuss the purchase with Directors, etc.

When in doubt, contact the Technology Department for clarification.

Object Codes: 6395 – Technology Software <$5,000
6396 – Technology Software >$5,000