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|  GOVERNING BOARD POLICY | POLICY TITLE: Purchasing Procedures |
| | POLICY CODE: DJ |

Bidding, RFP Requirements and Emergency Relief

Tucson Unified School District No. 1 shall seek to maximize value to the extent practicable for each transaction.

The Tucson Unified School District No. 1 shall seek competitive bids or quotations for all purchases in accordance with the requirements of the appropriate sections of the Arizona Revised Statutes, the Arizona Department of Education School District Procurement Rules, and the Uniform System of Financial Records.

Administrative regulations prescribing purchasing procedures for Tucson Unified School District No. 1 shall be consistent with the appropriate sections of the Arizona Revised Statutes, the Arizona Department of Education School District Procurement Rules, and the Uniform System of Financial Records. Regulation DJ-R: Purchasing Procedures is hereby incorporated into this Board Policy.

Bids, proposals, documented sole source and emergency procurements and awards shall be approved by the Chief Operations Officer, Director of Purchasing, Purchasing Manager or Contract Manager when the transaction is less than \$150,000. All procurements between \$150,000 and \$250,000 shall require additional approval of the Superintendent or Chief Financial Officer.

The following transactions shall require the approval of the Governing Board:

- All transactions over \$250,000.
- All consultant RFP awards or contracts that meet or exceed the cumulative amount of \$50,000 or the threshold for a competitive, sealed bid process under applicable state procurement regulations (whichever is less).

The Director of Purchasing, Purchasing Manager or Contract Manager may sign procurement agreements on behalf of Tucson Unified School District No. 1, when the agreements comply with applicable rules, regulations, statutes, and policies. The Purchasing Department shall prepare written determinations as required by the Arizona Department of Education School District Procurement Rules prior to issuing solicitations for multi-step sealed bidding, competitive sealed proposals, and multi-term contracts, or non-construction contracts requiring bid or contract security.

The Purchasing Department representative most closely involved in the procurement shall serve as the District representative for protests and claims on solicitations and contracts, except those for construction, construction-related professional services and the Food Services Department. The Chief Operations Officer shall serve as the District representative for construction and construction-related professional services contract protests and claims. The Food Services Purchasing Manager shall serve as the District representative for Food Services Department contract protests and claims.

Construction and Construction-related Professional Services Contracts

The Chief Operations Officer shall serve as the procurement officer for construction and construction-related professional services contracts. Construction-related professional services shall include, but are not limited to architects, engineers, geologists, surveyors, and applicable testing laboratories. The procurement officer for construction and construction-related services is authorized to develop, evaluate and recommend award of applicable solicitations, and to approve, sign and administer applicable contracts and change orders in accordance with this Governing Board Policy. The authority to approve and sign contracts and change orders shall not extend to bids, proposals or purchase orders.

Food Services Fund Purchases

The Director of the Food Services Department shall serve as the procurement officer for food services fund purchases. The procurement officer for food services fund purchases has the authority to approve and sign contracts and change orders specific to food service fund purchases. The procurement officer for food services fund is authorized to make procurements and awards up to \$250,000. All food services fund purchases shall be made in accordance with the provisions of the Arizona Department of Education School District Procurement Rules and this Governing Board Policy. All food services fund purchases shall also comply with the requirements of the Federal Child Nutrition Programs.

Purchase Orders and After- the-Fact Procurement

A properly executed purchase order shall be issued for the acquisition of all goods, personal services and construction. If a school site or department orders materials, services or construction prior to a purchase order being issued, then an After-the-Fact procurement has occurred. After-the-Fact procurements violate the Arizona Revised Statutes, Article 10 of the Arizona Administrative Code (School District Procurement Rules) and the Uniform System of Financial Records. School Sites or departments that violate statute and code will be required to follow certain procedures (see Policy Regulation DJ-R).

Purchase orders may be signed only by authorized staff, which include the Director of Purchasing, Purchasing Manager, Contract Manager, Purchasing Department

Procurement Specialists, Chief Operations Officer, or Superintendent. Purchasing Department Procurement Specialists are authorized to sign purchase orders for purchases up to \$30,000, unless specific prior written approval for larger amounts has been obtained from the Director of Purchasing.

Food Services Department purchase orders may be signed by the Director of Food Services, or designee. Food Services Department designees are the Food Services Purchasing Manager and Administrative Coordinator of Site Operations. Further delegation is not allowed.

Selection of Architects, Engineers and other Professionals

It is the policy of the Governing Board that architects, engineers and other professionals shall be selected through competitive practices and procedures, to the extent practicable for each transaction. Procurement of the services of architects, engineers and other professionals shall be in accordance with the requirements of the appropriate sections of the Arizona Revised Statutes, the Arizona Department of Education School District Procurement Rules, and the Uniform System of Financial Records.

Purchasing for Personal Use

No employee may purchase goods or services for personal use in the name of Tucson Unified School District No. 1.

No employee may sell goods or services for private gain to students or other employees on school premises or via District computer networks.

No employee may use his/her position with the District to solicit, directly or indirectly, the purchase of supplies, services or equipment at special discounts for private use from any school district vendor.

Any person using their employment position or influence at the Tucson Unified School District for the purpose of obtaining goods or services for personal benefit or the personal benefit of others shall be subject to disciplinary action up to and including dismissal and possible criminal charges. Such activities shall include, but are not limited to:

- A. Purchases at discounted rates not available to the general public; or
- B. Acceptance of goods and services at no or reduced cost; or
- C. Purchases with the intent of avoiding sales taxes.

It is permissible to obtain goods and services for personal use at discounted rates where suppliers typically offer educational discounts to employees of the District. Such discounts are characterized by being made available to all employees regardless of position or influence. Employees are responsible for personal transactions with

vendors, including sales tax, and purchase arrangements shall not be made through the use of District purchase orders or procurement cards.

Procurement Card

A District Procurement Card may be used to purchase supplies and materials with values of less than \$100.00 per item. The card may not be used for the purchase of capital equipment. The purpose of a Procurement Card is to maximize the use of educational funding while providing necessary controls. The Card is a means to simplify small dollar purchases of materials and services. It can eliminate multiple purchase orders to various vendors and only requires one requisition to be issued to the financial institution, who has issued the District Procurement Card. It is an easy and convenient method for purchasing last minute and emergency supplies and materials. The Procurement Card improves the payment process to the District suppliers since the suppliers are paid immediately by the financial institution, who has issued the District Procurement Card. The Card may also be used to purchase single need services such as registrations, memberships, dues and subscriptions. The Card shall not be used to purchase materials and supplies that are inappropriate for use in a public school district.

Only designated employees that have completed the required training session and have signed a user agreement may, in the process of conducting School District business, use the District's Procurement Card for specific items. (See Policy Regulation DJ-R, Section F) Card usage shall be audited regularly and must adhere strictly to usage procedures.

Ethics and Professional Conduct

The activities of Purchasing/Engineering, Facilities & Planning and Food Services procurement staff, as defined by Food Service Procedures, shall be conducted on the highest level of ethical conduct. The activities of the Purchasing/Engineering, Facilities & Planning and Food Services procurement shall promote positive relationships through courtesy and impartiality in all phases of the purchasing cycle by providing a prompt and courteous reception as far as conditions will permit to all who call on a legitimate business mission, and by refraining from reciprocal agreements that restrain competition. Certain District staff involved in procurement activities or decisions on behalf of the District is required to sign and adhere to a written Ethics Policy regarding procurement and vendor relations.

Instructional Technology Acquisitions of English and Spanish Software, Courseware and Materials

The Tucson Unified School District No. 1 is dedicated to identifying and providing appropriate instructional technology for the immediate and long term needs of its students. Among these are the needs for English and Spanish materials to provide basic instruction in the child's native language, enrichment in the child's second language, compliance with the State of Arizona mandate for second language

instruction and support for the District's TUSD 2000 and Beyond goal that each student will "demonstrate mastery of two languages" by time of graduation.

In its technology acquisitions, the District shall develop bid specifications which demonstrate the District's commitment to acquisition of comparable English and Spanish language components.

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Legal Reference: *A.R.S. 15-213. Procurement Rules of School Districts; Adoption of Rules; Report; Recovery of Damages By Contractor For Delay; Civil Action; Definition*
A.R.S. 15-271. Duties of Auditor General For Uniform Financial Records System; Annual Report
A.R.S. 41-2501, et seq.
Arizona Administrative Code

Cross Reference: Regulation DJ-R, Purchasing Procedures

Replaces: TUSD Policy # 3320, Purchasing Procedures