

District Purchasing

1. Business Services will provide regulations and instructions to cost centers that will highlight the procedures for procurements, budget transfers, financial activity reports, staff reimbursements, payroll, business forms, accounts receivable and chart of accounts. Updates will be provided as required to meet the ever changing school business environment.
2. Business processes are designed to aid cost centers to operate in an efficient and effective manner. Consideration is given to both fiscal responsibility and staff resource needs.
3. Procurements will generally consist of goods and services necessary for district operations and programs.
4. Procurements are authorized only when the following conditions are met:
 - a. Obtain pre-approval by the appropriate person with cost center budget authority;
 - b. Confirm adequate budget is available;
 - c. Comply with all state and district purchasing policies and regulations;
 - d. Create an encumbrance; and
 - e. Procurement work/delivery does not commence until a public contract is fully executed or Purchase Order approved.
5. The Board shall, at the annual organizational meeting and at other times deemed necessary, authorize the positions designated by the superintendent to sign district checks. The Board authorizes the use of facsimile signatures by those persons authorized to sign district checks.
6. Contract Approval:
 - a. Other than contracts procured under an emergency declaration, all contracts, including contracts defined by statute as public contracts but not those for public improvements, that are reasonably estimated to exceed \$150,000 (including any with the potential for amendments or change orders that may cause the total amount to exceed \$150,000) shall be presented to the Board for approval. The same policy shall apply to contracts for public improvements, except that the dollar threshold requiring board award of public improvement contracts shall be \$100,000 (including any with the potential for amendments or change orders that may cause the total amount to exceed \$100,000):
 - (1) The Public Contracts Consent Agenda is maintained by Business Services. Business Services shall issue a monthly communication to all administrators seeking information for any contracts to be included on the consent agenda.

- (2) Contracts for public improvements shall additionally include a “report” to be enclosed with the Public Contracts Consent Agenda. The superintendent or designee shall maintain the report content.
- (3) The district may seek an “advanced authorization” for any contract; the cost of the contract shall be an estimated total amount. No further authorization for the contract is required.

7. Superintendent Designated Authority to Obligate the District.

- a. The superintendent shall annually designate the following positions authorized to electronically approve and/or sign contracts that obligate the district that are appropriately awarded as a result of any public procurement process. These contracts include, but are not limited to: purchase orders, public improvement contracts, goods and services contracts and personal services contracts (including contracts for architecture/engineering and related series); all other contracts and financial obligations, but not emergency contracts, see article 8. The following table indicates the positions that are authorized to execute contracts and the amounts which are authorized (per contract):

Position Title	Contract Amount
Business Manager	Unlimited
School Administrator	\$5,000
Superintendent	Unlimited
Maintenance Lead Person	\$5,000

- b. The superintendent shall annually designate the following positions authorized to electronically approve and/or sign contract amendments or change orders of any existing contract and to any dollar amount, except for Direct and Intermediate and Informal Procurements, where the total dollar amount or percentage increase to the original contract are limited by state statute or rule. Amendments or change orders shall be pursuant to article 7c. These positions may also sign project work authorizations or other approved change order documents for the amounts indicated. The amounts are aggregate, per contract, per contract term. In addition, once the contract amendment or change order is co-signed by an authorized individual with higher contract amendment/change order authority, the authority of the original signer is “renewed.”

Position Title	Amount
Business Manager/Deputy Clerk	Unlimited
Superintendent	Unlimited
Maintenance Lead Person	\$10,000
District Bond Construction Manager (TBD)	\$10,000

- c. Contract Amendments and Change Orders. An amendment or change order is a written agreement changing or extending the terms and/or conditions of an existing contract by introducing, canceling or changing details, but leaving the general purpose of the contract intact. The district may amend a contract without additional competition or Board authorization. Although there is no requirement to report individual changes to the Board, regardless of dollar amount, the superintendent will endeavor to discuss changes with the Board leadership concerning major contract amendments or change orders (dollar-wise and/or content-wise), prior to execution of the change, and shall seek Board approval or concurrence if the superintendent believes that the contract warrants such approval or concurrence and time and other circumstances permit this to occur. Where an amendment or change order may result in a public improvement project to exceed \$50,000 the superintendent will be consulted with respect to Bureau of Labor and Industries (BOLI) requirements prior to executing the amendment or change order.

8. Emergency Public Declaration and Contracting

- a. “Emergency” means circumstances that:
 - (1) Could not have been reasonably foreseen;
 - (2) Create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety;
 - (3) Require prompt execution of a contract to remedy the condition; and
 - (4) Require prompt remedy of the situation.
- b. Emergency Declaration: The superintendent or designee may declare that emergency circumstances exist that requires prompt execution of a public contract.
 - (1) The declaration shall be made in writing in a memorandum by the superintendent, or designee, describing the circumstances in this paragraph 8a.
 - (2) A copy shall be issued to the business manager.
 - (3) The emergency declaration memorandum, public contract and associated documentation shall be kept on file as a public record.
 - (4) Report to Board all emergency contracts that exceed \$150,000 at the earliest opportunity.
 - (5) Whenever possible, the emergency declaration shall contain specifics as to the contract(s) that will be procured through the emergency declaration or the process for procuring the emergency contract(s).
- c. Designees authorized to make an emergency declaration:
 - (1) The superintendent;
 - (2) The business manager; or
 - (3) The maintenance lead person - up to \$25,000.
- d. Contract authority for an emergency declaration. (The authority to enter into an emergency contract is a separate act from the declaration of the emergency.)
 - (1) Superintendent, business manager or designee - No limit

(2) Maintenance supervisor - up to \$25,000

e. Emergency Procurement: The procurement of goods and services in response to the Emergency Declaration shall be done in accordance with ORS 279B.080, the *Attorney General's Model Rules* OAR 137-047-028 and 137-049-0150.

9. Protest Resolution regarding solicitations.

a. Except where specifically required by the *Attorney General Model Rules*, the superintendent or business manager shall have the authority to resolve protests submitted by persons for:

- (1) Exemptions and special procurements;
- (2) Solicitation process and documents; or
- (3) Notice of intent to award and notice of award to a contract.

All other protests pertaining to public contract procurement or implementation.

b. An adversely affected or aggrieved person must exhaust all avenues of administrative review and relief before seeking judicial review of the district's protest decision.