



RIALTO
UNIFIED SCHOOL DISTRICT
BRIDGING FUTURES THROUGH INNOVATION

PURCHASING HANDBOOK

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TABLE OF CONTENTS

TABLE OF CONTENTS	2
INTRODUCTION AND GUIDELINES FOR PROCUREMENT	4
DUTIES OF THE PURCHASING SERVICE AREA	6
PURCHASING CODE OF ETHICS	8
CONFLICT OF INTEREST	9
PURCHASING SERVICE AREA GUIDELINES	9
PURCHASING TEAM SUPPORT ASSIGNMENTS	11
VENDOR RELATIONSHIPS	14
UNAUTHORIZED PURCHASES	15
PRICE SOLICITATION REQUIREMENTS	15
FEDERAL PURCHASING REQUIREMENTS	16
E-RATE PURCHASING REQUIREMENTS	26
PUBLIC WORKS AND THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT (“CUPCCAA”)	27
BIDS AND REQUEST FOR PROPOSALS (“RFP”)	29
PURCHASE ORDERS	32
OPEN PURCHASE ORDERS	33
EMERGENCY PURCHASE ORDERS	34
INTERGOVERNMENTAL PROCUREMENT	35
CONTRACTOR INVOLVEMENT IN THE DEVELOPMENT OF SPECIFICATIONS	37
CHANGE ORDERS – MATERIALS AND SUPPLIES	37
NON-COMPETITIVE PROCUREMENT	38
REQUESTING CHECKS FOR VENDORS	39
VENDOR REGISTRATION AND CONTRACTOR PREQUALIFICATION	40
ASSET INVENTORY	41
DISTRICT SURPLUS AND DISPOSAL	42
REQUEST TO ENTER INTO AGREEMENT FORM (“R.E.A.F.”)	43
PROHIBITED EXPENDITURES	45

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INTRODUCTION AND GUIDELINES FOR PROCUREMENT

The intent of this handbook is to acquaint District personnel with the basic procedures to be referenced when purchasing supplies, materials, equipment, and services. The Purchasing Service Area's goal is to provide an organizational structure that will effectively control the procurement and distribution of all goods and services, and to ensure that the District is in compliance with all Federal, State, and Governing Board policies.

The Purchasing Service Area provides service to the sites through the purchase order process via the Financial 2000 online purchasing system. Sites and Service Areas enter requisitions into the Financial 2000 system to initiate the procurement process. All approvals that are required for a particular requisition are handled electronically through the Financial 2000 system. Requisition status and approvals can be tracked as the requisition moves through the approval process. The Purchasing Service Area will process all requisitions and issue a purchase order for goods and services needed. The average time to generate a purchase order is one to seven days. Orders can be generated immediately, when necessary, if the appropriate documentation and approvals are provided.

The procurement function is one of the major business responsibilities of the Governing Board, and the Governing Board shall retain sole approval authority and responsibility for all purchase contracts of the District except as delegated by official action of the Governing Board.

This purchasing handbook provides reference information on the methods used within the Purchasing Service Area and will assist the user in answering the day-to-day questions pertaining to purchasing and other related procurement activity.

This handbook is in compliance with the Government Code of the State of California, sections 54202 and 54204, which mandate the following:

54202: Every local agency shall adopt policies and procedures, including bidding regulations, governing purchases of supplies and equipment by the local agency. Purchases of supplies and equipment by the local agency shall be in accordance with said duly adopted policies and in accordance with all provisions of law governing same. No policy, procedure, or regulation shall be adopted which is inconsistent or in conflict with this statute.

54204: If the local agency is other than a city, county, or city and county, the policies provided for in Section 54202 shall be adopted by means of a written rule or regulation, copies of which shall be available for public distribution.

DUTIES OF THE PURCHASING SERVICE AREA

Purchasing functions for the Rialto Unified School District (“RUSD” or “District”) are centralized under Purchasing Services, with the actual function, unless noted otherwise, delegated to the Agent: Purchasing Services by the Governing Board. However, under law, the Governing Board has the sole authority and responsibility for all purchase contracts of the District, and this authority and responsibility cannot be delegated.

The Board of Education recognizes its fiduciary responsibility to oversee the prudent expenditure of District funds. In order to best serve District interests, the Superintendent or designee shall develop and maintain effective purchasing procedures that are consistent with sound financial controls and that ensure the District receives maximum value for items purchased.

Purchasing Services, on behalf of the District, shall:

Serve the best interest of the District in all transactions;

Regard public service as a sacred trust, giving primary consideration to the District by which we are employed;

Obtain the maximum value for each dollar expended;

Comply will all applicable provisions of the San Bernardino County Superintendent of Schools, State and Federal laws governing purchasing;

Purchase and contract without favoritism or prejudice, avoid unfair practices and giving all Vendors an equal opportunity;

Purchase equipment, supplies and services on a competitive basis when required by law;

To solicit formal procurements when required by the District and legal statutes;

Establish specifications that are descriptive of materials desired and, whenever possible;

Attract and develop a group of responsible bidders able to offer the best prices, best quality, and best service;

Conduct the purchasing function in a manner that utilizes the most efficient procedures, records and reports;

Maintain a bidder's list and vendor file for the District;

Publicly open advertised bids at the prescribed time and place;

Grant awards and contracts to the lowest responsible bidder(s) who meet all specifications or reject all bids;

Standardize equipment and supplies used within the District;

Employ the use of open or blanket purchase orders with those vendors where a continual flow of supplies is utilized by the District;

To cooperate with all organizations and individuals engaged in enhancing the development and integrity of the purchasing profession;

Utilize piggyback contracts when authorized by the Governing Board to obtain equipment or supplies to the extent allowed by law;

Keep abreast of all local, State, and Federal laws as they pertain to public purchasing;

Support every purchasing transaction with the timely processing of a requisition, purchase order, formal contract, or other written instrument, as applicable;

To decline personal gifts or gratuities;

To regard each transaction on its own merits;

To foster and promote fair, ethical and legal trade practices;

To conform with all applicable provisions of the California Public Contract Code, California Education Code, California Government Code, Code of Federal Regulations, and other applicable local, State, and Federal laws.

PURCHASING CODE OF ETHICS

- Give primary consideration to the interest of the School District by which we are employed.
- Apply objective practices, seeking to obtain the maximum benefit for each tax dollar spent.
- Maintain fairness in all dealings with qualified vendors, contractors, materials suppliers, service providers and employees.
- Provide courteous and professional service to vendor representatives and others.
- Apply continuous improvement practices.
- Cooperate with all organizations and individuals who conduct business with the District.
- Foster and promote ethical and legal trade practices.



CONFLICT OF INTEREST

Both the District employee(s) and the Contractor(s) providing goods, equipment, and services are responsible for ensuring there is no conflict of interest related to financial, business, professional, personal, or other interest, including, but not limited to, the representation of other parties, that would conflict in any manner or degree with the performance of obligations in providing goods or services to the District. Such conflicts include those contemplated by Government Code section 1090, the California Political Reform Act (Government Code Section 87100 et seq.), and other California laws. District Purchasing Services or the Business Services office shall be immediately notified in writing if any such conflict of interests (whether actual or potential) arises in connection with conducting any business with the District.

PURCHASING SERVICE AREA GUIDELINES

The following procedures are established by the Purchasing Service Area to assist District employees in the procurement of goods. These requirements will ensure proper compliance with the Code of Federal Regulations, Public Contract Code, Education Code, Government Codes and approved Board of Education policy. Adherence to all requirements is mandatory.

- A. All purchases shall be made through and by Purchasing Services, unless otherwise noted. Requests will be routed to Purchasing Services through a District requisition and purchases will be made with a District Purchase Order.
- B. The demonstration of machines, equipment, and materials for the schools should be arranged through the Purchasing Service Area.
- C. Sales personnel are not permitted in schools for the purpose of making sales. If it is necessary to contact a company representative regarding details of their products, schools should make such arrangements only for informational purposes.
- D. Communications with suppliers by the schools must be made following the Districts Board Policy, including adherence to all conflict of interest policies.
- E. No direct purchase of any materials whatsoever will be made by District employees other than as designated by the Purchasing Service Area or those individuals specifically authorized by the Governing Board.

- F. Items for purchase will be sent to the Purchasing Service Area via a District purchase requisition. The Purchasing Service Area will issue and forward a Purchase Order to the vendor. Purchase requisitions will not be used as a Purchase Order. District employees who contact vendors and authorize shipment of goods or supplies utilizing a purchase requisition number will be held financially responsible for such goods and/or services.
- G. District employees, other than those designated Purchasing Service Area employees, or District employees designated by the Lead Business Services Agent shall not fill out forms, which may be interpreted as agreements authorizing the delivery of merchandise and/or service.
- H. Employees shall also not answer telephone solicitations regarding free/trial goods and services. Any solicitations should be immediately forwarded to the Purchasing Service Area.
- I. Employees shall not contract for services (workshops, assembly speakers, M&O services etc.) without a signed Purchase Order and/or contract. Such communication is often considered legally binding and will place the employee in the position of being personally liable for the goods or services provided.
- J. Pursuant to Government Code Sections 1090-1092, District employees must not have a financial interest in any contract with the district for goods and/or services under the following conditions:
 - a. The contract is between the District and the employee.
 - b. The contract is between the District and a partnership or unincorporated association of which the employee is a partner or in which he/she is the owner or holder, directly or indirectly, of a proprietorship interest; or
 - c. The contract is between the district and a corporation in which any employee is the owner or holder, directly or indirectly, of five percent (5%) or more of the outstanding common stock.
- K. Statement of preference for a particular material or equipment is a prerogative of each using requisitioner; however, the Purchasing Service Area has the authority to review the quality and kind of material or equipment requested and to make recommendations relative to safety, health, economy, and substitute materials or

equipment. Disagreements over materials that cannot be reconciled between the Purchasing Service Area and the requisitioner will be forwarded to the Lead Business Services Agent.

PURCHASING TEAM SUPPORT ASSIGNMENTS

The Purchasing Team is assigned a group of schools and service areas to support with purchases. If you have any questions regarding purchasing, please reach out to your assigned buyer.

CYNTHIA JAMES (ext. 2115)	
Site Location	Site Code
BEMIS ELEM.	100
FITZGERALD ELEM.	150
GARCIA ELEM.	160
HENRY ELEM.	170
SIMPSON ELEM.	240
KOLB M.S	320
CARTER H. S.	400
FACILITIES PLANNING	740
MAINTENANCE & OPERATIONS	800
SAFETY AND SECURITY	853
EMERGENCY OPERATIONS	855
TRANSPORTATION/GARAGE	880
JANET LOZANO (ext. 2112)	
Site Location	Site & Management Code
PRESTON ELEM.	230
TRAPP ELEM.	250
JEHUE M.S.	315
KUCERA M.S.	330
EISENHOWER H.S.	410
REGISTRATION CENTER	732
ESY (SPECIAL SERVICES)	765
LANGUAGE ASSESSMENT CENTER	790/0265 MGMT
MULTILINGUAL PROGRAM	785/0265 MGMT

PDC - INDUCTION AND TEACHER SUPPORT	785/7392 MGMT
PROFESSIONAL DEVELOPMENT	829/0266 MGMT
SPECIAL SERVICES	860
MARIA ALDACO (ext. 2110)	
Site Location	Site // Management Code
BOYD ELEM.	110
DUNN ELEM.	140
MORRIS ELEM.	210
MORGAN ELEM.	200
MYERS ELEM.	220
WERNER ELEM	260
RIALTO M.S	340
DISTRICT PARENT GROUP	495
MILOR H.S.	510
ZUPANIC H.S.	520
ALTERNATIVE EDUCATION	610
ADULT EDUCATION	620
HEALTH SERVICES	760
TEACHER RESOURCE CENTER	780
CHAVEZ/HUERTA CENTER	785/0101 MGMT
INSTRUCTIONAL SERVICES - SCIENCE & CAREER PROGRAMS	785/0102 MGMT
CURRICULUM - SECONDARY INNOVATION	785/0120 MGMT
CURRICULUM - ELEMENTARY INNOVATION	785/0260 MGMT
INSTRUCTIONAL SERVICES - SECONDARY INSTRUCTION - MATH & COLLEGE CAREER PROGRAMS	785/0268 MGMT
EARLY EDUCATION	830/0075 MGMT
PERSONNEL SERVICES	825
HELEN LUKES (ext. 2111)	
Site Location	Site & Management Code
CASEY ELEM.	120
CURTIS ELEM.	125
DOLLAHAN ELEM.	130
HUGHBANKS ELEM.	180

KELLEY ELEM.	190
KORDYAK ELEM.	195
FRISBIE M.S.	310
RIALTO H.S.	420
STUDENT WELFARE/ATTENDANCE	715
INFORMATION TECHNOLOGY	775
TECHNOLOGY PROJECTS	776
STUDENT SERVICES	785/0261 MGMT
SPECIAL PROGRAMS	785/0264 MGMT
ASSESSMENT/RESEARCH/DATA ANALYSIS	785/0269 MGMT
PBIS	785/0272 MGMT
COMMUNITY PARTNERSHIPS	785/0274 MGMT
PUBLIC INFORMATION	843
PURCHASING ASSISTANT (ext. 2113) (TEMP ASSIGNMENT)	
Site Location	Site, Management, & Object Code
BUSINESS SERVICES	705
CENTRAL KITCHEN	710
FISCAL SERVICES	745
NUTRITION SERVICES	750
BOARD OF EDUCATION	755
MAIL SERVICES	795
PRINTING SERVICES	835
PURCHASING SERVICES	845
RISK MANAGEMENT/EMPLOYEE BENE.	850
ST. CATHERINES	865
SUPERINTENDENT OFFICE	875
STRATEGICS/CONGRUENCE/SOCIAL	878
CNG REFUELING STATION	880/0372 MGMT
WAREHOUSE	885
TRAVEL & CONF (RUSD EMPLOYEES)	OBJ 5200
TRAVEL & CONF (OUT OF STATE) - RUSD EMP	OBJ 5299

VENDOR RELATIONSHIPS

To maintain a professional and courteous relationship with vendors, the following procedures are necessary and will be adhered to by the staff of the Purchasing Service Area, and those individuals interacting with vendors or contractors. In doing so, appropriate conduct and staff integrity will be maintained.

- A. All suppliers' representatives may have a meeting at the discretion of the purchasing staff relative to their products the first time they make contact with the Purchasing Service Area. Subsequent requests for visits will be promptly and courteously acknowledged and interviews may or may not be granted, depending upon the circumstances. District Personnel are not required to indiscriminately place their time at the disposal of a salesperson, however frequent his/her visits and/or mission. It is advised that vendors schedule such meetings.
- B. District staff shall not extend favoritism to any vendor. Each order is to be placed on the basis of quality, price, service and delivery, with past performance being a factor if all other considerations are equal. When two or more vendors make offers which are identical in price, service, delivery and past performance, the Purchasing Service Area shall choose the vendor by the Districts Board Policy or as authorized the legal statute.
- C. Purchasing staff shall conduct all necessary negotiations for price adjustments. All arrangements for return or exchange of merchandise must be made through the Purchasing Service Area.
- D. At no time shall the Purchasing staff solicit funds, donations and/or materials from vendors, however worthwhile the purpose may be.
- E. In order to eliminate favoritism to vendors, District staff will not have any personal relationships with any vendor that does business with the District. Personal relationships and conflicts of interest must be disclosed to the District Purchasing Service Area and Business Services.
- F. No District employee or Governing Board member shall accept personal gifts, commissions or expense-paid trips from individuals or companies selling equipment, materials or services required in the operation of District programs.

- G. Authorized Purchasing staff may visit a vendor's place of business to acquaint themselves with a product line and to determine the company's capability to serve the District.

UNAUTHORIZED PURCHASES

In accordance with California Education Code 42632 and Governing Board Policy, only authorized individuals appointed by the Governing Board may financially obligate the Rialto Unified School District. The District requires issuance of a signed purchase order or contract to a vendor prior to furnishing any services or shipping materials.

Expenditures and Purchases:

The Purchasing Service Area shall conduct or supervise all purchase transactions for the District. In the event that an unauthorized purchase is made, the following applies:

1. Any purchase of supplies or equipment made by staff members, without a purchase order or contract approved by the Purchasing Service Area will not be paid for by the District. Board Policy 3300 states, the Board shall not recognize obligations incurred contrary to Board Policy and Administrative Regulations.
2. Purchases made in the name of the District without an authorized purchase order shall be considered an obligation of the person making the purchase, and not an obligation of the District. Deliveries of materials or services, which are made without a purchase order or contract, are made at the employee and the seller's risk.

Employees of the Rialto Unified School District placing orders without proper authorization cause additional issues beyond making a financial obligation on behalf of the District. This unlawful practice has resulted in duplicate orders, delays in payments to vendors, unnecessary time spent verifying the order. Unauthorized purchases as a direct violation of Board Policy and a violation of state law under Education Code section 42632.

PRICE SOLICITATION REQUIREMENTS

Procurement of materials, supplies, non-capitalized equipment, equipment, equipment replacement and services, where aggregate amounts do not exceed the limits set by Public Contract Code sections 20111 through 20118, and 22002 shall require the number of written proposals as listed by the corresponding dollar amounts:

QUOTING REQUIREMENTS		
All Purchases	Construction Contractor Services (Public Works)	Quotes/Documents Needed
\$0.01 - \$4,999.99	\$0.01 - \$14,999.99	One (1) quote or current price list with purchase details *Public Works and Maintenance work over \$1,000 requires prevailing wage
\$5,000 - \$24,999.99	\$15,000 - \$24,999.99	A minimum of two (2) written quotes on the vendors letterhead *Maintenance Contracts over \$15,000 require Department of Industrial Relations (DIR) Registration
\$25,000 - \$109,299.99	N/A	A minimum of three (3) quotes on the vendors letterhead
N/A	\$25,000 - \$59,999.99	A minimum of three (3) quotes on the vendors letterhead A Construction Services Agreement Performance and Payment Bonds PWC-100 Registration* *Projects over \$25,000 for new construction, alteration, installation, demolition or repair require Department of Industrial Relations (DIR) Registration
N/A	\$60,000 - \$199,999.99	Informal Bid Process: Contact Purchasing Services
\$109,300	\$200,000 or more	Formal Procurement Process: Contact Purchasing Services

Specifications for products, supplies, or for construction, alteration, or repair of school facilities may not limit bidding to any one product or supplier. Specifications designating a particular brand name shall list at least two brands of comparable quality or utility and follow the description with the words “or equal” (Public Contract Code 3400)

FEDERAL PURCHASING REQUIREMENTS

Federal Requirements may vary from State and District procurement policies. In the event of a conflict between policies, the strictest of the policies will be adhered to. To comply with Federal Regulation 2 CFR 200.318[a] which says, “The non-Federal entity must use its own documented procurement procedures which reflect applicable State, local and tribal laws and regulations, provided that the procurements conform to applicable Federal law and the standards identified in this part.” The District shall adhere to all Federal laws when procuring goods or services utilizing Federal Funds.

When purchasing items using Federal funds, the District must ensure the Federal Provisions are included in the agreement, the Code of Federal Regulations is followed, and ensure the vendor/contractor is not debarred from doing business with any Federal agency. The requirements include, but are not limited to, the following:

Contract Provisions

- i. Contracts involving Formal Purchase Procedures must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate. (2 CFR, Appendix II to Part 200[A])
- ii. Contracts in excess of \$10,000 must address termination for cause and for convenience by the District, including the manner in which we will be affected and the basis for settlement. (2 CFR, Appendix II to Part 200[B])
- iii. Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of “federally assisted construction contract” in 41 CFR Part 60-1.3 must include the Equal Opportunity clause provided under 41 CFR 60-1.4(b). (2 CFR, Appendix II to Part 200[C])
- iv. Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of \$2,000 awarded by the District must include a provision requiring contractors to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. (2 CFR, Appendix II to Part 200[D])
- v. Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the District in excess of \$100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, whereby each contractor is required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. (2 CFR, Appendix II to Part 200[E])
- vi. Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of “funding agreement” under 37 CFR §401.2 (a) and the recipient or sub-recipient wishes to enter into a contract with a small business firm or non-profit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that “funding agreement,” the recipient or sub-recipient must comply with the requirements of 37 CFR Part 401, “Rights to Inventions Made by Non-profit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements,” and any implementing regulations issued by the awarding agency. (2 CFR, Appendix II to Part 200[F])
- vii. Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended. Contracts and sub grants of amounts

in excess of \$150,000 must contain a provision that requires the -Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA). (2 CFR, Appendix II to Part 200[G])

- viii. Debarment and Suspension (Executive Orders 12549 and 12689). Aggregate contract awards of \$25,000 or more (see 2 CFR 180.220) must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM). (2 CFR, Appendix II to Part 200[H])
- ix. Byrd Anti-Lobbying Amendment (31 U.S.C. 1352). Contractors that apply or bid for an award exceeding \$100,000 must file the required certification. (2 CFR, Appendix II to Part 200[I])

Review of Suspension and Debarment

As a district, we want to do business with reputable vendors. In order to maintain such a standard, we include within our solicitations notice that we disallow entering into any contract with parties that are currently debarred or suspended. Federal regulations require checking for suspension and debarment of vendors with aggregate contracts of \$25,000 or more per fiscal year.

Any new or re-activated vendors will be checked against SAM, with a printout of the result placed in the SAM Debarment binder. Checking for debarment or suspension is done as follows:

1. At the Federal level, a list of contractors found NOT to be presently responsible, and therefore suspended or debarred, is found on the System for Award Management (SAM). The website is www.sam.gov.
2. At the State level, the Department of Industrial Relations (DIR) Division of Labor Standards Enforcement (DLSE) maintains a list of contractors barred from bidding on, accepting, or performing any public works contracts, as either a contractor, or subcontractor. The website is <https://www.dir.ca.gov/dlse/debar.html>.

(2 CFR, Section 200.213) (2 CFR Appendix II to part 200[H]) (LAB 1725.5[a][2][D]) (SVUSD AR 3230)

Code of Federal Regulations (“CFR”) – Purchasing Requirements

2 CFR 200.213 Suspension and debarment.

Non-federal entities are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, 2 CFR

part 180. These regulations restrict awards, sub-awards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in Federal assistance programs or activities.

2 CFR 200.318 General procurement standards.

(b) Non-Federal entities must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

(d) The non-Federal entity's procedures must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach.

(e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.

(f) The non-Federal entity is encouraged to use Federal excess and surplus property in lieu of purchasing new equipment and property whenever such use is feasible and reduces project costs.

(i) The non-Federal entity must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(k) The non-Federal entity alone must be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes, and claims. These standards do not relieve the non-Federal entity of any contractual responsibilities under its contracts. The Federal awarding agency will not substitute its judgment for that of the non-Federal entity unless the matter is primarily a Federal concern. Violations of law will be referred to the local, state, or Federal authority having proper jurisdiction.

2 CFR 200.319 Competition.

(a) All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for

such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

1. Placing unreasonable requirements on firms in order for them to qualify to do business.
2. Requiring unnecessary experience and excessive bonding.
3. Non-competitive pricing practices between firms or between affiliated companies.
4. Non-competitive contracts to consultants that are on retainer contracts.
5. Organizational conflicts of interest.
6. Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement.
7. Any arbitrary action in the procurement process.

(c) The non-Federal entity must have written procedures for procurement transactions. These procedures must ensure that all solicitations:

1. Incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description must not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured and, when necessary, must set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a “brand name or equivalent” description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand, which must be met by offers, must be clearly stated.
2. Identify all requirements, which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

2 CFR 200.320 Methods of procurement to be followed.

The non-Federal entity must use one of the following methods of procurement.

(a) Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not

exceed the micro-purchase threshold (§200.67 Micro-purchase). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.

(b) Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.

(c) Procurement by sealed bids (formal advertising). Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the conditions in paragraph (c)(1) of this section apply.

1. In order for sealed bidding to be feasible, the following conditions should be present:
 - (i) A complete, adequate, and realistic specification or purchase description is available.
 - (ii) Two or more responsible bidders are willing and able to compete effectively for the business.
 - (iii) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.
2. If sealed bids are used, the following requirements apply:
 - (i) Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for local, and tribal governments, the invitation for bids must be publically advertised.
 - (ii) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond.
 - (iii) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly.
 - (iv) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of.
 - (v) Any or all bids may be rejected if there is a sound documented reason.

(d) Procurement by competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost- reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. If this method is used, the following requirements apply:

1. Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical.
2. Proposals must be solicited from an adequate number of qualified sources.
3. The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and for selecting recipients.
4. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered.
5. The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.

(f) Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

1. The item is available only from a single source.
2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
3. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity.
4. After solicitation of a number of sources, competition is determined inadequate.

2 CFR 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

(a) The non-Federal entity must take all necessary affirmative steps to assure that minority business, women's business enterprises, and labor surplus area firms

are used when possible.

(b) Affirmative steps must include:

1. Placing qualified small and minority businesses and women's business enterprises on solicitation lists.
2. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources.
3. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises.
4. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises.
5. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce.
6. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

2 CFR 200.325 Bonding requirements.

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:

(a) A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

(b) A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.

(c) A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment

as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

2 CFR 200.326 Contract provisions.

The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

7 CFR 210.21 Procurement

(d) Buy American

1. Definition of domestic commodity or product. In this paragraph (d), the term 'domestic commodity or product' means

- (i) An agricultural commodity that is produced in the United States; and
- (ii) A food product that is processed in the United States substantially using agricultural commodities that are produced in the United States.

2. Requirement.

(i) In general. Subject to paragraph (d)(2)(ii) of this section, the Department shall require that a school food authority purchase, to the maximum extent practicable, domestic commodities or products.

(ii) Limitations. Paragraph (d)(2)(i) of this section shall apply only to

- (A) A school food authority located in the contiguous United States; and
- (B) A purchase of domestic commodity or product for the school lunch program under this part.

(f) Cost reimbursable contracts

1. Required provisions. The school food authority must include the following provisions in all cost reimbursable contracts, including contracts with cost reimbursable provisions, and in solicitation documents prepared to obtain offers for such contracts:

(iv) The contractor must identify the amount of each discount, rebate and other applicable credit on bills and invoices presented to the school food authority for payment and individually identify the amount as a discount, rebate, or in the case of other applicable credits, the nature of the credit. If approved by the State agency, the school food authority may permit the contractor to report this information on a less frequent basis than monthly, but no less frequently than annually.

(g) Geographic preference.

1. A school food authority participating in the Program, as well as State agencies making purchases on behalf of such school food authorities, may apply a geographic preference when procuring unprocessed locally grown or locally raised agricultural products. When utilizing the geographic preference

to procure such products, the school food authority making the purchase or the State agency making purchases on behalf of such school food authorities have the discretion to determine the local area to which the geographic preference option will be applied;

2. For the purpose of applying the optional geographic procurement preference in paragraph (g)(1) of this section, “unprocessed locally grown or locally raised agricultural products,” means only those agricultural products that retain their inherent character. The effects of the following food handling and preservation techniques shall not be considered as changing an agricultural product into a product of a different kind or character: Cooling; refrigerating; freezing; size adjustment made by peeling, slicing, dicing, cutting, chopping, shucking, and grinding; forming ground products into patties without any additives or fillers; drying/dehydration; washing; packaging (such as placing eggs in cartons), vacuum packing and bagging (such as placing vegetables in bags or combining two or more types of vegetables or fruits in a single package); the addition of ascorbic acid or other preservatives to prevent oxidation of produce; butchering livestock and poultry; cleaning fish; and the pasteurization of milk.

2 CFR Appendix II to Part 200 Contract Provisions for Non-Federal Entity Contracts Under Federal Awards

(H) Debarment and Suspension (Executive Orders 12549 and 12689). A contract award (see 2 CFR 180.220) must not be made to parties listed on the government-wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), “Debarment and Suspension.” SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

7 CFR, 225 Summer Food Service Program 7 CFR, 225.6 State agency responsibilities.

(a) General responsibilities. 1. The State agency shall provide sufficient qualified consultative, technical, and managerial personnel to administer the Program, monitor performance, and measure progress in achieving Program goals. The State agency shall assign Program responsibilities to personnel to ensure that all applicable requirements under this part are met.

(h) Monitoring of food service management company procurements.

3. Each State agency shall have a representative present at all food service management company procurement bid openings when sponsors are expected to receive more than \$100,000 in Program payments

7 CFR, 225.15 Management responsibilities of sponsors. (Summer Food Service Program)

(m) Food service management companies.

1. Failure by a sponsor to comply with the provisions of this section shall be sufficient grounds for the State agency to terminate that sponsor's participation in accordance with §225.18.

5. Each food service management company which submits a bid over \$100,000 shall obtain a bid bond in an amount not less than 5 percent nor more than 10 percent, as determined by the sponsor, of the value of the contract for which the bid is made. A copy of the bid bond shall accompany each bid.

6. Each food service management company, which enters into a food service contract for over \$100,000 with a sponsor, shall obtain a performance bond in an amount not less than 10 percent nor more than 25 percent of the value of the contract, as determined by the State agency, of the value of the contract for which the bid is made. Any food service management company which enters into more than one contract with any one sponsor shall obtain a performance bond covering all contracts if the aggregate amount of the contracts exceeds \$100,000. Sponsors shall require the food service management company to furnish a copy of the performance bond within ten days of the awarding of the contract.

E-RATE PURCHASING REQUIREMENTS

The District shall follow all Federal Procurement requirements when soliciting proposals which shall be paid by E-Rate. The Schools and Libraries Program of the Universal Service Fund, commonly known as "E-Rate," is administered by the Universal Service Administrative Company ("USAC") under the direction of the Federal Communications Commission ("FCC"), and provides discounts to assist most schools and libraries in the United States to obtain affordable telecommunications and Internet access.

The procurement process that the District will follow when soliciting proposals for E-Rate is covered under State purchasing guidelines, specifically, Public Contract Code sections 20111 through 20118. The process is initiated with the filing of a Form 470, completed by a Service Area other than purchasing, and a request for proposal is then generated after the filing. In order to meet the requirements of USAC, the District shall post Form 470 on the USAC website and send out proposals. The District will not open proposals, nor select a vendor, until Form 470 and the proposal documents have been posted for a minimum of 28 days.

When sending out the request for proposal, the District will follow the guidelines set forth in Public Contract Code Sections 20111-20118 as it pertains to a competitive negotiation or request for proposal guidelines for technology purchases. For projects or product that surpass the current bid limit, the District will consider the project a formal bid and follow the bidding guidelines stated in Public Contract Code sections 20111-20112.

After proposals have been opened and reviewed, the lowest responsible proposer(s) will be selected based on conformity to specifications and pricing. The winning proposer(s) will then be placed on the Board Agenda for approval by the Governing Board. Once Governing Board approval is received, requisitions will be generated in the Financial 2000 Purchasing System and approved. Purchasing will generate a purchase order after the requisitions are received in the buyer's queue.

PUBLIC WORKS AND THE CALIFORNIA UNIFORM PUBLIC CONSTRUCTION COST ACCOUNTING ACT ("CUPCCAA")

Public Contract Code 1101 defines a "Public works contract," as an agreement for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind. RUSD participates in the Uniform Public Construction Cost Accounting Act, Public Contract Code 22000, which raises bidding thresholds for informal public work bids to \$60,000.00 and bidding thresholds for formal public work bids to \$200,000.00. The Governing Board shall let any contract for a public project, as defined in Public Contract Code section 22000, involving an expenditure of two hundred thousand dollars (\$200,000.00) or more, to the lowest responsible bidder who shall give security as the Board requires, or else reject all bids. All bids, whether formal or informal, for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security:

- a) Cash.
- b) A cashier's check made payable to the School District.
- c) A certified check made payable to the School District.
- d) A bidder's bond executed by an admitted surety insurer, made payable to the School District.

Upon an award to the lowest bidder, the security of an unsuccessful bidder shall be returned in a reasonable period of time, but in no event shall that security be held by the School District beyond sixty (60) days from the time the award is made.

- A. In this regard, the District will follow the provisions of Public Contract Code Section 22033 which states:

It shall be unlawful to split or separate into smaller work orders or projects any work, project, service, or purchase for the purpose of evading the provisions of this article requiring contracting after competitive bidding.

The District shall maintain records indicating the total cost expended on each project in accordance with the procedures established in the most recent edition of the California School Accounting Manual for a period of not less than five (5) years after completion of the project.

- B. The District will act in accordance with Public Contract Code section 20112, which reads:

For the purpose of securing formal bids the Governing Board shall publish at least once a week for two weeks in a newspaper of general circulation published in the District, or if there is no such paper, then in a newspaper of general circulation circulated in the county, a notice calling for bids, stating the work to be done or materials or supplies to be furnished and the time and place where bids will be opened. Whether or not bids are opened exactly at the time fixed in the public notice for opening bids, a bid shall not be received after that time.

- C. All bid instructions and specifications will be clear and complete, setting forth all necessary conditions for competitive bidding.
- D. Bid, payment (labor and material) and performance bonds shall be required as per statute. However, the District may, in its discretion, set lower limits as deemed necessary.
- E. All advertised bids shall be opened in public at a prescribed time and place. Interested parties may receive prices and other information listed in the bid at the public opening. After the bids have been opened and tabulated, they will be made available for interested parties to review. The Purchasing Service Area shall receive, open, announce and secure all bids within the department. No original bid document will be removed from the Purchasing Service Area, without

the written authorization of the Lead Business Services Agent or his/her designee.

- F. Any bid received after the time specified in the advertised notice will be returned unopened to the bidder. (Government Code section 53068)
- G. All bids received will be evaluated and recommendations made to the Lead Business Services Agent for Governing Board approval. Evaluations will be based upon responsiveness to District specifications by the vendor. Awards shall be made to the lowest responsive and responsible bidder meeting all specifications.
- H. When identical low responsible and responsive bids are received, the District will choose amongst the low bids by lot or reject all bids. The only statutory exception to this rule applies when the District receives two or more identical lowest responsible bids. Public Contract Code section 20117 allows the Board of Education to choose by lot between identical bids for the purchase, sale or lease of real property, supplies, materials, equipment, services, bonds, or the awarding of any contract, pursuant to a provision requiring competitive bidding.
- I. The Governing Board reserves the right to:
 - a. Reject all bids.
 - b. Reject any part of any bid unless the bidder expressly limits the bid to “all or none.”
 - c. Accept any part of a bid at prices quoted, unless the bidder expressly limits the bid to “all or none.”
 - d. Waive any informality or minor irregularity in any bid.

BIDS AND REQUEST FOR PROPOSALS (“RFP”)

Formal Bids

This section applies to all equipment, materials, or supplies, whether patented or otherwise. This section shall not apply to professional services or advice, insurance services, or any other purchase or service otherwise exempt from this section, or to any work done by day labor or by force account pursuant to Public Contract Code section 20114.

Public Contract Code section 20111 (a) with which the District will act in accordance reads as follows:

The governing board of any School District, in accordance with any requirement established by that governing board, shall let any contracts involving an expenditure of more than fifty thousand dollars (\$50,000) for any of the following***:

- 1) The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the District.
- 2) Services, except construction services.
- 3) Repairs, including maintenance as defined in section 20115, that are not a public project as defined in subdivision (c) of section 22002.

The contract shall be let to the lowest responsible bidder who shall give security as the Governing Board requires, or else reject all bids.

*** Commencing January 1, 1997, the Superintendent of Public Instruction shall annually adjust the dollar amounts specified in subdivision (a) to reflect the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the prior fiscal year. The annual adjustments shall be rounded to the nearest one hundred dollars (\$100).

The Agent: Purchasing Services, shall annually notify District Personnel of the annual adjusted dollar amounts after notification by the Superintendent of Public Instruction of the adjusted dollar amounts.

The Purchasing Service Area will adhere to the established District policies, Public Contract Code, Education and Government Codes, and regulations pertaining to bidding and quotation solicitation.

- a. Purchasing will be accomplished through competitive bidding or solicited quotations, with awards made to the lowest responsible bidder or proposer meeting all District specifications, instructions and conditions.

- b. The Purchasing Service Area will seek estimates, quotations and bids from those sources able to offer the best prices consistent with quality, delivery and service.
- c. Competitive bidding shall be practiced (advertised bid, written price quotations, oral price quotations) whenever required by law or this Purchasing Handbook.

Public Works projects that are valued at more than \$200,000.00 must be let to contract by formal bidding. Formal bidding procedures require the following:

1. Publication in a newspaper of general circulation at least 14 days before the date of opening of bids. The notice is only required to be published once.
2. The bid should include all information about the project, including bonding requirements. The District has the option of mailing bids to the contractors on the bid list.
3. The bid award requires approval by the Governing Board before creation of the contract or contracts.

Professional Services

In accordance with Government Code sections 4528 and 53060, certain professional services are exempt from competitive bidding. The District may elect to send out a Request For Proposal (“RFP”) to the firms requesting qualifications and pricing for comparison. These services may include:

1. Architectural firms.
2. Landscape architectural firms.
3. Engineering firms.
4. Land survey firms.
5. Program management firms.
6. Construction management firms.
7. Inspection firms.

The Governing Board must approve all contracts entered into for professional services before a contract or purchase order is signed and delivered to the firm for work.

RFP's

The Purchasing Service Area will issue RFPs on service items that meet the requirements of Government Code sections 4528, 53060, and Education Code sections 35204 and 35205, which are not required to be formally bid. Procedures for the issuance of a RFP's are as follows:

1. The requesting site or service area will notify and request authorization from the Agent: Purchasing Services to solicit proposals from all vendors for a specific service.
2. The Agent: Purchasing Services will draft the Request for Proposal and forward to those companies that are qualified to perform the requested services for the District.
3. The Agent: Purchasing Services will receive the proposals and open the received proposal on the date and time specified in the Request for Proposal.
4. The Agent: Purchasing Services will review the proposals. A committee will be selected to evaluate proposals and selected a winner.
5. The Purchasing Service Area will create the necessary agenda information and vendor selection, and forward to the Lead Business Services Agent for Governing Board approval.
6. Once approved by the Governing Board, the selected vendor will be issued a contract for the services listed in the Request for Proposal.

PURCHASE ORDERS

The procedure for the purchase of materials, supplies and equipment for which payment is to be made from District funds, is as follows:

1. Requisitions for purchases will be developed into Purchase Orders only when there are unencumbered funds available or arrangements have been made for additional appropriations through established channels. This approval shall be in advance of purchase, with the only exceptions being for an emergency purchase.
2. Specifications pertaining to the purchase must be as complete as possible when submitted to the Purchasing Service Area. No commitments to vendors are to be

made by employees when securing information about products and/or services. Specifications for instructional items shall be developed through appropriate instructional service areas.

3. All persons responsible for providing or using materials and services are urged to anticipate their needs so that purchases may be arranged in an orderly fashion and not on an emergency basis.
4. Requisitions are not a legal contract for purchase. Purchases may not be made using requisitions. A Purchase Order will be generated after the requisition has met all of the above requirements.

In order to provide us with acceptable materials, products, and services, we must include for our vendors a clear and accurate description of any technical requirements expected. Features unrelated to our performance expectations are not to be included, preventing us from restricting competition. A statement of the qualitative nature of the material, product, or service may be included. Detailed product specifications should be avoided whenever possible, instead using the minimum essential characteristics and standards we expect. If impractical or uneconomical to make a clear and accurate description of the technical requirements, it is acceptable to include the phrase "(brand name) or equivalent" as part of the description. In this case, the specific features of the named brand that are expected must be detailed.

(2 CFR, Section 200.319[c][1]) (PCC 3400[b])

OPEN PURCHASE ORDERS

Open purchase orders are valid only for the time period stated and the amount stipulated on the purchase order. The purchase order number must be indicated on all invoices. Open purchase orders may not be used for the purchase of furniture, equipment or any single item that has a value over \$500.00.

The personnel listed on the open purchase order are authorized to make purchases or pickups from the vendor who appears on the purchase order.

When generating a requisition for an open purchase order, the requisition must include:

1. A not to exceed amount.
2. Valid dates that the purchase order is open.

3. Authorized names of employees who will be picking up orders from vendors.
4. Account codes

Invoices that are generated from using an open purchase order must have the following:

1. Be itemized, extended and totaled with sales taxes included.
2. Include the purchase order number
3. Include those items received at the time the material is picked up. Back orders should be invoiced at the time they are delivered or picked up.
4. Be signed by the authorized employee at the time of purchase, pickup or delivery.
5. Deliver to Fiscal Services the first working day after the purchase is made.

If a receipt is not turned in, the vendor will not receive payment.

Keep open purchase orders to an absolute minimum. The entire amount of the open purchase order will be encumbered and will not be available for other purchases.

If you are using an open purchase order with Wal-Mart Lowe's, or Food 4 Less, you must check out the credit card from the Purchasing Service Area. The card is to be returned immediately after each use as other sites and service areas may require use of the cards.

EMERGENCY PURCHASE ORDERS

In case of emergency affecting the operation of the District, the Lead Business Services Agent may authorize issuance of a Purchase Order for District emergencies. An emergency is defined as a safety issue that presents danger to the health and safety of students and or employees or the inability of a service area to carry out their assigned responsibilities because of the loss of critical/important equipment, materials and/or vehicles. The Lead Business Services Agent may sign Purchase Orders and shall submit them to the Governing Board for approval/ratification. In the case of an Emergency Purchase, the following procedure shall be followed:

1. The emergency will be identified and submitted in writing to the Lead Business Services Agent for approval.
2. A requisition will be generated and include proper account numbers. The requisition will be forwarded to the Purchasing Service Area for processing.
3. The Purchasing Service Area will issue a Purchase Order/Contract for the purchase and forward it to the requesting service area and vendor. In the event that Purchasing Services staff is not available for issuance of a Purchase Order, the service area administrator may authorize purchase of emergency items.
4. The purchase must be placed on the next Governing Board meeting agenda for ratification.

Purchases for convenience will not be considered as an emergency, and as such, will not be authorized or approved.

Emergency purchase orders or contracts that exceed bid limits must have Governing Board approval through a resolution with a unanimous vote, and have approval from the San Bernardino County Superintendent of Schools.

INTERGOVERNMENTAL PROCUREMENT

The District shall act in accordance with Public Contract Code 20118 in regards to Piggyback Purchasing (“Intergovernmental Procurement”). Public Contract Code 20118 reads as follows:

Notwithstanding sections 20111 and 20112, the governing board of any school district without advertising for bids, if the board has determined it to be in the best interests of the district, may authorize by contract, lease, requisition, or purchase order, any public corporation or agency, including any county, city, town, or district, to lease data-processing equipment, purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner in which the public corporation or agency is authorized by law to make the leases or purchases. Upon receipt of any such personal property, provided the property complies with the specifications set forth in the contract, lease, requisition, or purchase order, the school district may draw a warrant in favor of the public corporation or agency for the amount of the approved invoice, including the reasonable costs to the public corporation or agency for furnishing the services incidental to the lease or purchase of the personal property.

By purchasing through the California Department of General Services (“DGS”), the District takes advantage of the savings inherent in large contracts pre-negotiated at the State level. Such contracts are available as a California Multiple Award Scheduled (“CMAS”) contract. When using another agency’s contract, the following is required:

1. Review from the Purchasing Services Area.
2. Authority to participate in the contract must be given by the Board of Education.
3. The executed original contract detailing the piggyback clause, which must allow our District to use the contract. For example, “all public agencies within San Bernardino County, California,” or “all agencies within the State of California,” are acceptable. However, contracts with, “all Los Angeles, Orange, and San Diego County public agencies” would not be acceptable.
4. The awarding Board’s authorization to award the contract.
5. Proof of Advertising of the original bid’s “Notice to Bidders.”
6. The contract must still be valid. If extended, the awarding Board’s authorization to extended
7. The items being purchased must be identical to the items listed in the bid. Options must also be listed in the original bid as an “add on”.
8. A Purchase Order will be issued to the vendor shown on the originating agencies bid, listing the items as described in the bid.

The above documents must be saved as they may be requested by the County. The following must be included on our purchase order:

1. A notation as “Piggyback” followed by the awarding agency’s name and contract title.
2. Attach to our Purchase Order both the awarding Board’s authorization of the contract with which we are piggybacking on, as well as our Board’s authorization to allow piggybacking.
(2 CFR, Section 200.318[e]) (PCC 20118)

CONTRACTOR INVOLVEMENT IN THE DEVELOPMENT OF SPECIFICATIONS

In order for us to ensure objective contractor performance and eliminate unfair competitive advantage, no contractor/consultant is allowed to compete for any related procurement opportunity when the contractor/consultant developed or drafted any of the following:

- Specifications
- Requirements
- Statements of Work
- Invitations for Bids
- Requests for Proposals

(2 CFR, Section 200.319[a]) (GOV 1090)

CHANGE ORDERS – MATERIALS AND SUPPLIES

Change Orders will be issued for Materials and Supplies when there is a necessity to change the price, delivery date, delivery point, quantity increases and decreases, account codes, employee names, vendor addresses, shipping costs, etc. to the original purchase order.

Change Orders shall not be issued against an existing purchase order to add additional items or used as a means to keep a purchase order open for an indefinite amount of time, or used as an open purchase order to a vendor.

Change Orders will not be issued against a Purchase Order that increases the quantity of an item if the order has been delivered and received by the District.

Change Orders will not be issued on items that exceed the dollar threshold which requires Board of Education approval.

The procedure for issuance of a change order is as follows:

1. The end user will create a requisition in Financial 2000, ensuring that the original purchase order number is referenced in the requisition description.

2. The requisition amount should only be made for the amount of the actual increase. (i.e., Original purchase order is for \$100.00, increase required to be made to a total of \$150.00, requisition should only be for \$50.00)
3. If the change order increases the quantity of the item, the Fiscal Service Area will check the account codes to verify existence of the funds.
4. If the requested change order meets the necessary criteria, the Purchasing Service Area will issue a change order and forward to the appropriate service areas and vendor. If a change order requires a change to the quantity or delivery point, an original change order will be forwarded to the vendor.

NON-COMPETITIVE PROCUREMENT

A procurement environment of free and open competition helps encourage vendors, contractors, and manufacturers to develop and implement new and ingenious materials, products, and services that are equal in essential respects to existing products, yet provide a lower cost to the taxpayers. By adhering to procurement code, we help to promote such an environment. An exception to the above, which limits procurement to a single source, may be necessary under certain conditions. California code and Federal Laws allow for limiting both the vendor, as well as a good or service, related to public works under the following conditions:

In order to field test a product.

1. To match other products in use on a particular public improvement.
2. To obtain a necessary product only available from one source.
3. To respond to an emergency.

Federal code allows limitation to a single source, without any reference to public works, under the following conditions:

1. An item is available only from a single source.
2. A public emergency will not permit a delay resulting from competitive solicitation.
3. Non-competitive proposals have been expressly authorized by the Federal agency or pass-through entity in response to a written request.
4. After solicitation of a number of sources the competition is determined inadequate.

In cases of non-competitive procurement involving federal funds, get written pre-approval from the California Department of Education (“CDE”) and save all related documentation. Any situation that may involve non-competitive procurement should first be discussed with the Agent: Purchasing Services.
(2 CFR, Section 200.320[f]) (PCC 3400)

Non-federal purchases allow limitations to a single course under the following conditions: Specifications for contracts may designate a product by brand or trade name (sole sourcing) when one or more of the following conditions apply: (Public Contract Code 3400)

1. The product is designated to match others in use on a particular public improvement that has been completed or is in the course of completion.
2. One product has a unique application required to be used in the public interest.
3. Only one brand or trade name is known.
4. Upon a resolution of the Board of Education, the Board of Education makes a finding that the item sought is the subject of a field test to determine its suitability for future use.

REQUESTING CHECKS FOR VENDORS

Occasionally there is a need to purchase equipment or supplies from vendors who will not accept a purchase order; however, this method is discouraged unless there is absolutely no other choice because of the unique nature of the product. In this event, you must complete a requisition, and indicate in the description that the vendor does not accept purchase orders for payment. You must also provide documentation directly from the vendor showing that the vendor will not accept a purchase order. An e-mail from the vendor will suffice. Please follow the steps below:

1. Obtain an exact written price quote and an invoice from the vendor. Verbal quotes are not allowed or acceptable. Send this information to Purchasing Services as back up for your requisition.
2. Original invoices are preferred, but faxed or e-mailed copies of the invoice are acceptable. Invoices should be signed as “Approved to Pay” in blue ink, along with the signature of the sites approving party and date.

These guidelines are only to be used on those occasions where vendors will not accept a purchase order. Whenever possible, utilize the regular requisition process.

VENDOR REGISTRATION AND CONTRACTOR PREQUALIFICATION

On July 1, 2022, the District began using PlanetBids. If a vendor reaches out to staff with questions regarding PlanetBids, please refer them to Purchasing Services or to the Purchasing Services webpage under "Vendor Registration & Bidding Opportunities."

Purchasing Services uses the PlanetBids platform to handle vendor registration, including receiving W-9 and creating new vendors in Financial 2000.

All vendors must register to do business with the District through PlanetBids. Vendors do not need to pay for a PlanetBids subscription or membership to register as a vendor or access solicitations for the Rialto Unified School District. The District will review all vendor applications in a timely manner and ensure all minimum requirements are met, including a recent copy of a W-9 Form and a complete Conflict of Interest and References form.

Changes and updates to vendor profiles will also be received through PlanetBids. Such changes include a change to the business name, address updates, remit to addresses, or change in W-9 information.

Vendors are responsible for maintaining their profile information up to date, including contact information and payment information (W-9). The District will not make changes to a vendor's profile unless the changes are made in PlanetBids by the Vendor.

Vendors shall not provide goods or services to the District without a signed Purchase Order. The District is not responsible for the payment of goods and services received without a signed Purchase Order. District staff requesting goods and services without a Purchase Order shall be held personally liable for the purchase.

Certain services may require additional documents such as a written agreement, employee background checks, or other documents deemed necessary to ensure the District and Vendor are properly covered.

RUSD utilizes PQBids to prequalify contractors for construction projects. Contractors shall submit an electronic prequalification questionnaire on the RUSD PQBids webpage. If prequalified, the contractor will remain on the list until the expiry date, upon which the contractor will need to resubmit a new application.

Each year, RUSD invites licensed contractors, under the provision of PCC Section 22036 of the California Uniform Public Construction Code Accounting Act, to be included on the agency's list of qualified bidders for the current calendar year. Per California Public Contract Code 22032, any Public Works Project that is estimated to be \$200,000 or less is subject to the Informal Bidding Procedure set forth by the State of California Uniform Construction Cost Accounting Commission. All trade categories are subject to Informal Bidding Procedures. Contractors that are interested in being on the Informal Bidding Contractors List are required to have a current license and are subject to verification through the Contractors State License Board

For questions or support, please call Purchasing Services.

ASSET INVENTORY

Per Education Code 35168, the Governing Board of each school district, shall establish and maintain a historical inventory, or an audit trace inventory system, or any other inventory system authorized by the State Board of Education, which shall contain the description, name, identification numbers, and original cost of all items of equipment acquired by it whose current market value exceeds five hundred dollars (\$500) per item, the date of acquisition, the location of use, and the time and mode of disposal. A reasonable estimate of the original cost may be used if the actual original cost is unknown.

To comply with Education Code 35168, all assets, regardless of the funding used to purchase, will be delivered to the district warehouse for processing and tagging. The warehouse will affix a district asset number to the item and forward the receiving paperwork to the Purchasing Service Area for updating of the inventory system. On occasion, equipment may be delivered directly to the site because of the difficulty in delivering the equipment because of size or weight. In this case, the asset tag will be sent to the site to affix on the asset. It is mandatory that the site affix the tag to the item. All items purchased using E-RATE and Categorical Funds will be delivered directly to the warehouse, NO EXCEPTIONS. Typically, assets are items that have a total cost exceeding \$500.00. Capital assets are items that have a total cost of \$5,000.00 or greater.

When an asset is received by the warehouse, the assets listed on the vendors manifest will be compared against the purchase order to ensure that all items have been delivered. The warehouse will then record all items, serial numbers, installation or delivery locations, and assign an asset number. The information will be entered into the Financial 2000 Asset Module. The Financial 2000 System will compile a listing of assets

for each site and service area, and include information such as purchase order number, location, funding source, items, serial number and asset numbers.

Deletions or changes to the asset listing will only be performed after Governing Board approval when items are considered surplus or obsolete.

Any asset purchased with categorical funds will be listed on the master inventory list and include the following information: Site Name, Purchase Order Number, ID Number, Asset Number, Program Name, Description, Manufacturer, Model Number, Serial Number, Date Acquired, Amount Paid, Miscellaneous Comments, Area of Use, Room Number or Location, Funding Source, Site Number, Fiscal Year, Goal, Function, Object, Disposition, Useful Life, Ordered By, and Date Entered.

DISTRICT SURPLUS AND DISPOSAL

A. The site administrator currently in possession of surplus equipment and/or furniture shall prepare and submit an Equipment Transfer/Surplus form ("B-44"), and forward to the Warehouse.

B. Equipment and/or furniture transferred into District surplus storage shall be made available for use by any school or office within the District.

C. Any transfer of equipment purchased through state or federal special project funds must be approved by the Agent who oversees that specific state or federal project.

D. District administrators or designated personnel may request information from Purchasing to determine what available surplus equipment may be of use in their programs.

E. To obtain available equipment and/or furniture from District warehouse site, the administrator shall:

1. Contact the Warehouse to verify that the needed item(s) is/are available.
2. The Warehouse will check surplus inventory and determine if the requested items are available.
3. If items are available, the Warehouse will have the items delivered to the site.

When the need arises to dispose of District owned equipment and materials, the following procedure shall be adhered to:

1. The Agent: Purchasing Services shall list equipment/furniture and miscellaneous items which have not been requested by schools or offices and are considered to be surplus to any requirements within the District.
2. The Agent: Purchasing Services will review the lists submitted with instructional and District office Agents to verify that the items are of no further use.
3. When required by statute, the Purchasing Service Area will conduct sales of surplus in accordance with Education Code sections 17545, 17546 and 60530.

Metals or other recyclable materials will be processed through the District warehouse and any funds received through the sale will be deposited into the District's general fund.

Books and instructional materials that have no further value to the District or have become obsolete, should be disposed of in such a manner as to provide maximum benefit to the District. The Superintendent is authorized to dispose of obsolete books and instructional materials as provided for in Education Code sections 60510 and 60510.5.

REQUEST TO ENTER INTO AGREEMENT FORM (“R.E.A.F.”)

The District has established a process to enter into agreements. Sites and Service areas shall follow the R.E.A.F. process as follows:

1. All services require a REAF.
2. Ensure the Contractor is registered and approved to do business with the District.
 - Contractors are required to submit an electronic vendor application using PlanetBids. The link to register as a vendor is available through the Purchasing Services webpage. Once the contractor is approved, they will be available in Financial 2000 with an assigned vendor number.
3. Fill out the REAF and attach it to a Requisition. The Requisition will serve as the REAF approval, encumbrance of funds, and Purchase Order once completed.
 - If a Board Item is required, please attach the draft to the Requisition.
4. The Contract Analyst will determine which agreement documents to use once the REAF reaches the Contract Analyst location.
 - i. The typical approval path for a REAF is as follows:

Object Code 5810	Object Code 5840
i. Requestor	i. Requestor
ii. Site Supervisor	ii. Site Supervisor
iii. Fiscal Analyst (confirm funds)	iii. Fiscal Analyst (confirm funds)
iv. Support Service Provider	iv. Support Service Provider
v. Lead Innov./Business Agent	v. Technology Services (compatibilit
vi. Contract Analyst	vi. Academic Technology (SDPA)
vii. Buyer	vii. Lead Innov./Business Agent
viii. Purchasing Agent	viii. Contract Analyst
ix. PO Creator	ix. Buyer
	x. Purchasing Agent
	xi. PO Creator

5. The Contract Analyst will draft the contract or collect the required documents. Once the contract is received the item will be placed on the Board Agenda for approval (if applicable), and the signed contract will be uploaded to Financial 2000 and the District's Contract Management Module and moved forward to Purchasing for a Purchase Order.
6. Purchasing will issue a PO and a copy of the contract, or other documents, to the vendor to start services.

Responsibility of the requesting site and approvers:

- i. Verify the vendor is approved by Purchasing Services
- ii. Submit a Requisition and attach a completed REAF and, if applicable, a draft Board item

Responsibility of the contract analyst:

- i. Check REAF for completeness
- ii. Determined proper contract documents
- iii. Notify proper Service Area to ensure a Board Item is completed, if applicable
- iv. Develop contracts for consultants
- v. Work with consultants on any contract issues
- vi. Upload copies of the contract to Financial 2000 and PlanetBids

Responsibility of the consultant/contractor/vendor:

- i. Register on PlanetBids
- ii. Work with Contract Analyst to provide all necessary documents
- iii. Sign and return all requested documents to Business Services
- iv. Ensure an Agreement and Purchase Order are issued before starting any services

Additional information regarding the R.E.A.F. process is available on the Districts purchasing website.

PROHIBITED EXPENDITURES

- Purchase of alcohol (this includes hotel stays when traveling)
- Room service fees/charges
- Expenses paid on behalf of someone other than an authorized employee or Board Member, unless prior Board approval is given
- Meal purchases, if meals are included in the conference registration fees
- Personal phone calls or data usage charges
- Personal services (hotel gym, movies, dry cleaning, etc.)
- Equipment with dollar value over the limit of \$500.00. (All equipment purchases must have prior written approval from the Approving Official)
- Facility Improvements (ex. M & O)
- Lease/purchase agreements
- Printing services, as the District has a Print Shop
- Personal items
- Personal services
- Rental agreements
- Service agreements
- Items available through e-procurement
- Items available from the Warehouse