



# **PURCHASING MANUAL 2023-2024**

## Table of Contents

I.	Introduction.....	5
A.	Purpose of the Purchasing Manual .....	5
B.	Purchasing Overview.....	5
II.	Purchasing Procedures .....	5
A.	Purchasing Objectives and Guidelines .....	5
B.	Competitive Procurement Requirements .....	6
C.	Procurement by Noncompetitive Proposals – Sole Source – Federal and State Law .....	7
III.	Purchasing Ethics.....	8
A.	Board Policies Regarding Employees Standards of Conduct.....	8
B.	State Requirements .....	8
C.	Gratuities.....	8
D.	Kickbacks .....	9
E.	Contract Clause .....	9
F.	Conflict of Interest .....	9
G.	Federal Requirements.....	9
H.	Separate, Sequential, or Component Purchases .....	10
IV.	General Ethical Standards .....	10
A.	Personal Gain .....	10
B.	Direct or Indirect Involvement.....	10
C.	Standards of Conduct.....	11
D.	Integrity.....	12
V.	Requisition/Purchase Order Process Types of Requisitions.....	12
A.	Traditional Purchase Requisitions.....	12
B.	Payment Requisition .....	12
C.	Open “Blanket” Purchase Orders – When Approved.....	12
D.	Processing Requisitions.....	13
E.	Cancellation of a Purchase Order.....	14
F.	Invoice Dates.....	14
G.	Pre-Paid Purchases.....	14
H.	Tax Exempt Status.....	14
I.	Surplus Property.....	14
J.	Requisitions Rejected.....	15
K.	Function Codes.....	15
L.	Expenditure Codes .....	15

VI.	Incentives .....	15
A.	Staff and Student Incentive Award List .....	15
VII.	Staff Meals during Meetings/Training Session.....	17
VIII.	Contracted Services .....	18
A.	Consultant Contracts.....	18
B.	Contracted Services with a Company.....	18
C.	Contracted Services provided by an individual .....	18
D.	Contract Time Period .....	19
E.	Required Background Checks for Independent Contractors. ....	19
IX.	Purchasing and Acquisition Policies .....	19
A.	Purchasing Authority Board Policies CH (LEGAL) AND CH (LOCAL) .....	19
B.	Board Authority.....	20
C.	Delegation of Authority.....	20
X.	Purchasing Methods.....	20
A.	Competitive Bidding.....	20
B.	Competitive Sealed Proposals.....	20
C.	Electronic Bids or Proposals .....	20
D.	Purchase Commitments .....	20
XI.	Purchasing Violations .....	21
A.	Purchasing Approval .....	21
B.	Responsibility for Debts .....	21
C.	Personal Purchases .....	21
D.	Corrective Action Forms.....	21
XII.	Purchasing Process.....	21
A.	Best Value .....	21
B.	Bidding Process .....	22
C.	Specifications .....	22
D.	Purchasing Limits .....	22
E.	Competitive Procurement Categories.....	23
F.	School District Purchases Personal Property or Services Valued at \$50,000 or More in the Aggregate.....	24
G.	Emergency Purchases .....	24
H.	Emergency Damage or Destruction .....	24
XIII.	Travel.....	25
A.	Guidelines .....	25
B.	Meals.....	26

C.	Lodging.....	27
D.	Transportation .....	29
E.	Parking Charges.....	31
F.	Other .....	31
G.	District Non-Allowable Travel Expenses .....	31
XIV.	Exceptions to Competitive Procurement Requirements .....	32
A.	Produce and Fuel .....	32
XV.	Vendor Relations.....	32
A.	Gifts from Vendors.....	32
B.	Procedures for Adding New Vendors.....	32
C.	Fundraising Vendors .....	33
D.	Complaints Regarding Vendors and Evaluations .....	33
E.	On-Site or Telephone Sales Calls.....	33
XVI.	Frequently asked questions .....	34
XVII.	Legal Authorities and Helpful Resources .....	36

## **I. Introduction**

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

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

### **A. Purpose of the Purchasing Manual**

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

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

### **B. Purchasing Overview**

The primary function of the Purchasing Department is to buy goods and services of the right quality, in the right quantity, at the right price, from the right source, and at the right time.

The Business Office, Purchasing Department, along with other departments share the responsibility of expending District funds in such a manner that will meet all requirements of the State, Federal, and District procurement regulations and safeguard the public trust.

Effective purchasing is a cooperative venture between the Purchasing Department and the schools and other departments within the District. Situations will undoubtedly arise which are not fully covered by these procedures. The Purchasing Department staff is available to discuss and/or assist in any special situations or needs and will facilitate a solution in the best interest of the students and staff of Donna ISD.

## **II. Purchasing Procedures**

### **A. Purchasing Objectives and Guidelines**

Our district's objective is to purchase the best goods and services at the lowest practical prices while adhering to local, state, and federal regulations. Please follow the guidelines listed below to ensure compliance with these regulations:

According to our District policy, all purchases using local, state, or federal funds must be approved by designated personnel prior to any purchases and before services are rendered. A District employee who purchases any goods or services in the name of the District without following purchasing procedures may be held personally responsible for payment of the goods or services. (See CH (Local))

The account manager is responsible for verifying the accuracy and completeness of the information on the purchase requisition and ensuring that the request is in compliance with the District's purchasing

policies and procedures. By signing the requisition, the account manager is also certifying that the expenditure is necessary to the instructional program and/or the operation of the District.

Requisitions using state and federal funds require additional approval to ensure compliance with state and federal regulations. Please follow procedures by requesting approval from the Federal/State Programs Department when required. Please refer to the Federal Grant Policies and Procedures Manual to ensure compliance with respective regulations.

Purchasing Department will review the purchase requisition and verify that the account coding and the purchase comply with the District's Purchasing guidelines before providing final approval.

## B. Competitive Procurement Requirements

Competitive bidding is a formal process consisting of procedures that may also be referred to as competitive sealed bidding. According to the American Bar Association Model Procurement Code, "Competitive bidding...is the preferred method of procurement."

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

*Please review the following amount categories prior to making any purchases:*

Purchases	Requirements (Do Not split the purchase to get under the required quotes)
<\$500	One (1) quote is required, but comparison of pricing is suggested.
>\$501 <\$3,500	One (1) quote from a DISD awarded vendor or from a purchasing co-op; or *three (3) quotes from DISD approved vendors.
>3,501 <\$10,000	Two (2) quotes from a DISD awarded vendor or from a purchasing co-op; or *three (3) quotes from DISD approved vendors. Vendor quotes must be in writing (i.e. Vendor Quotation form; Vendor email; Internet Quote, etc.).
>\$10,001 <50,000	Three (3) written quotes on letterhead from awarded vendors or from a purchasing co-op or must go out for bids.
\$50,001 or greater	Any single, budgeted purchase of goods or services that costs \$50,000 or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place.
>\$250,001 per purchase	<b>Federal Funds:</b> Price Analysis per TEC 44.031(b)
<b>NOTE: For all purchases with federal grant funds, the district shall comply with the federal regulations, EDGAR related to the purchasing of goods and services. [2 CFR 200.317-200.326] effective July 1, 2017.</b> * Micro-Purchases up to \$10,000.00 * Small Purchases/Informal Method \$10,000.01 - \$49,999.99 * Formal Procurement Method \$50,000 and over (Formal Procurement Process (Texas Education code 44.031)) * Formal Procurement Method over \$250,000.00 (Formal Procurement Process (EDGAR))	

**\* Submit justification as to why you are requesting to purchase from an approved vendor vs an awarded vendor**

**\*\*Federal Funds: All quote(s) must be from a DISD awarded vendor or from a Purchasing Co-op\*\***

## **C. Procurement by Noncompetitive Proposals – Sole Source – Federal and State Law**

### *Federal Law*

In accordance with 2 CFR §200.320(f), 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:

- a) The item is available only from a single source.
  - b) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation.
  - c) The federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from Donna ISD; or
  - d) After solicitation of a number of sources, competition is determined inadequate.
- **Caution: Under Federal Law, Sole Source is RARELY Justified**

### *State Law*

In accordance with TEC 44.031(j), selected purchases may be exempt from competitive procurement if they meet established criteria for a sole source purchase (the item is only available from one source):

- a) Identification and confirmation that competition in providing the item or product to be purchased is precluded by the existence of a patent, copyright, secret process or monopoly;
- b) A film, manuscript, or book;
- c) A utility service, including electricity, gas, or water; and
- d) A captive replacement part or component for equipment

In accordance with TEC 44.031(k), sole source does not apply to mainframe data-processing equipment and peripheral attachments with a single item purchase price in excess of \$15,000.

It is incumbent upon DISD to obtain and retain documentation from the vendor which clearly delineates the reasons which qualify the purchase to be made on a sole source basis.

If DISD chooses to request authorization from TEA to use the noncompetitive proposal method for a certain purchase, it will submit the required TEA form accessed on the TEA website.

The Purchasing Agent will ensure adequate documentation is maintained that shows how the decision to use this method of procurement was reached, including the uniqueness of the services or goods sought, the scarcity of providers, and the specific expertise and experience of the vendor selected.

An online search for providers or a letter from the vendor stating they are the only source available is not sufficient. A claim of sole source may qualify for noncompetitive proposal if the material is copyrighted or an upgrade to an item previously purchased from the provider is being purchased. However, the best practice is to first use the competitive proposal process and only when the results are inadequate to then proceed to noncompetitive proposal.

Prior to submitting a requisition for a noncompetitive sole source proposal, a [Justification Sole Source](#) form completed by the “requestor” and a [Sole Source Affidavit](#) completed by the “vendor” or “firm” must be fully completed. After the forms are complete, send them to the Purchasing Agent for review and approval or disapproval. The Sole source affidavit must accompany the Sole Source Justification form.

**Please Note:** To be a bona fide exemption to the Texas Education Code District purchasing law requirements, there must be no other like items available for purchase that would serve the same purpose or function, and only one price for the product because of exclusive distribution or marketing rights. The fact that a particular item is covered by a patent or copyright is but one factor in determining if the purchase falls under the sole source exemption to the purchase requirements. (§44.031(j) (1), Texas Education Code).

### III. Purchasing Ethics

#### A. Board Policies Regarding Employees Standards of Conduct

DH(Legal), DH (Local) and DH (Exhibit) ( [Policies](#) )

It is the intent of DISD for all employees, officers, or agents to conduct all activities associated with procurement in compliance with the highest ethical standards, including the avoidance of any real or perceived conflict of interest. It is also the intent of the District to impose appropriate sanctions or disciplinary action, including but not limited to termination and/or prosecution, for any employees or officers who violate any of these requirements.

Ethics relating to conflicts of interest, financial interests in firms conducting business with the district, kickbacks, gratuities and improper use of a position or confidential information are clearly communicated throughout the District.

#### B. State Requirements

According to The Handbook on Purchasing for Texas Public Schools, Junior Colleges and Community Colleges (Module 3 of FASRG, Appendix 1), it is a serious breach of the public trust to subvert the public purchasing process by directing purchases to certain favored vendors, or to tamper with the purchasing process, whether it is done for kickbacks, friendship or any other reason. State law relating to violation of purchasing requirements imposes upon violators certain criminal penalties, which are found in Section 44.032, Texas Education Code, and Chapter 271.029, Local Government Code.



There are certain common standards of ethics which govern the conduct of employees involved in the purchasing function. The fundamental standards for the Donna ISD purchasing processes are as follows:

- a) It is a breach of ethics to attempt to realize personal gain through public employment with a district by any conduct inconsistent with the proper discharge of the employee's duties.
- b) It is a breach of ethics to attempt to influence any public employee of a district to breach the standards of ethical conduct set forth in this code.
- c) It is a breach of ethics for any employee of a district to participate directly or indirectly in a procurement when the employee knows:
- d) The employee of any member of the employee's immediate family has a financial interest pertaining to the procurement.
- e) A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement; or
- f) Any other person business or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

### **C. Gratuities**

It is a breach of ethics to offer, give or agree to give any employee or former employee of a school district, or for any employee or former employee of a school district to solicit, demand, accept or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a program requirement or purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefore pending before this government. Acceptance of gratuities may be construed as a criminal offense.

In addition, Texas law makes a gift (an item valued at \$50 or more, cash of any amount, or a negotiable instrument of any value) to a public employee a Class A misdemeanor if the employee is someone who exercises some influence in the purchasing process of the governmental body. (Texas Penal Code, 36.09[d] and [h]). Vendor gifts are highly discouraged. Employees which accept gifts from vendors shall file Form CIS with the Purchasing Agent as required by Texas state law in accordance to requirements listed on the Texas Ethics Commission website found at:

[https://www.ethics.state.tx.us/filinginfo/conflict\\_forms.htm](https://www.ethics.state.tx.us/filinginfo/conflict_forms.htm).

#### **D. Kickbacks**

It is a breach of ethics for any payment, gratuity or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor for any contract of a school district, or any person associated therewith, as an inducement for the award of a subcontract or order.

#### **E. Contract Clause**

The prohibition against gratuities and kickbacks prescribed above should be conspicuously set forth in every contract and solicitation therefore.

It is a breach of ethics for any employee or former employee of a school district knowingly to use confidential information for actual or anticipated personal gain, or for the actual or anticipated gain of any person. Local Government Code, Chapter 176 provides information regarding conflict of interest statements to be filed by vendors and certain school district employees. Refer to the Texas Ethics Commission website for additional information and sample forms.

#### **F. Conflict of Interest**

In accordance with Board Policy [DBD \(LEGAL\)](#), an employee who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions shall not solicit, accept, or agree to accept any benefit from a person the employee knows is interested in or likely to become interested in any such transactions of the District. Penal Code 36.08(d). A conflict of interest is defined as any circumstance that could cast doubt on an employee's ability to act with total objectivity with regard to the District's interest. Local Government Code Chapter 176 provides information regarding conflict of interest statements to be filed by vendors and certain school district employees. The Texas Conflict of Interest statutes apply to the District's officers and elected officials. There are specific rules regarding what constitutes a conflict of interest in regards to a business transaction or real property transaction. For more information, please review the information provided on the Texas Ethics Commission website, [https://www.ethics.state.tx.us/filinginfo/conflict\\_forms.htm](https://www.ethics.state.tx.us/filinginfo/conflict_forms.htm).

#### **G. Federal Requirements**

In addition to the state requirements pertaining to standards of conduct and avoiding conflict of interest, in accordance with 2 C.F.R. § 200.18(c)(1), the District's standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of federal contracts include the following federal standards.

No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents of the District may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts, unless the gift is an unsolicited item of nominal value. (See state requirements above.) "Immediate family" means a spouse, children or parent. A "Partner" is an individual engaged in a business venture with a financial interest in such business engagement.

The competitive nature of the public purchasing arena and the expenditure of significant amounts of public funds require that ethical standards be incorporated into the foundation of all purchasing functions. In order to remain in compliance, the following unethical issues should be avoided:

#### **H. Separate, Sequential, or Component Purchases**

- a) Employees, in an effort to get the job done successfully and on time, are tempted to circumvent policies, procedure and laws, or to make their own liberal legal interpretations of existing policies. Such activity, although well intentioned, will cause ethical problems.
- b) Sequential purchasing of the same items or type of items over the course of twelve (12) months may exceed the school district and/or state competitive quotation and procurement requirements.
- c) Component purchasing usually is an attempt to circumvent bid or proposal laws or other requirements by buying an item through the issuance of multiple purchase orders for the component parts of the item versus a single purchase order for the entire item. Repeated purchases of additional optional equipment or parts after an initial purchase may create the perception of component purchasing.

**NOTE: Penalties for violating purchasing laws and ethics may include criminal prosecution and loss of employment opportunities.**

### **IV. General Ethical Standards**

There are certain common standards of ethics that should govern the conduct of all district employees involved in the purchasing function:

#### **A. Personal Gain**

It is a breach of ethics to attempt to realize personal gain through public employment with the DISD by any conduct inconsistent with the proper discharge of the employee's duties. An employee shall not use institutional or professional privileges for personal gain.

#### **B. Direct or Indirect Involvement**

It is a breach of ethics for any employee of DISD to participate directly or indirectly in procurement when the employee knows that:

- a) The employee or any member of the employee's immediate family has a financial interest pertaining to the procurement;
- b) A business or organization in which the employee or any member of the employee's immediate family has a financial interest pertaining to the procurement; or
- c) Any other person, business, or organization with which the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

### C. Standards of Conduct

The District subscribes to the "Code of Ethics and Standard Practices for Texas Educators," (Board Policy, DH-Exhibit) which establishes proper conduct for District staff members. Principle I, Professional Ethical Conduct, clearly applies to those individuals engaged in the purchasing process. This principle includes the following standards:

#### *Professional Ethical Conduct, Practices, and Performance*

- a) The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.
- b) The educator shall not knowingly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.
- c) The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.
- d) The educator shall not use institutional or professional privileges for personal or partisan advantage.
- e) The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.
- f) The educator shall not falsify records, or direct or coerce others to do so.
- g) The educator shall comply with state regulations, written local school board policies, and other state and federal laws.
- h) The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.
- i) The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.
- j) The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.
- k) The educator shall not intentionally or knowingly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.
- l) The educator shall refrain from the illegal use or distribution of controlled substances and/or abuse of prescription drugs and toxic inhalants.
- m) The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.
- n) The educator shall not assist another educator, school employee, contractor, or agent in obtaining a new job as an educator or in a school, apart from the routine transmission of administrative and personnel files, if the educator knows or has probable cause to believe that such person engaged in sexual misconduct regarding a minor or student in violation of the law.
- o) All District staff members are public servants and therefore subject to Title VIII of the Penal code, regarding offenses against public administration, including bribery and corrupt influence (Chapter 36), perjury and other falsification (Chapter 37), obstructing governmental operation (Chapter 38), and abuse of office (Chapter 39). All District staff members shall perform their duties in conformity with District policy, ethical standards for professional educators, and state and federal law.

## **D. Integrity**

Fairness and impartiality in all phases of the process are an essential part of any transaction in public purchasing. Dealings with vendors and peers must be open, honest, and objective.

Like all service functions, the Purchasing Department's objective is to provide quality service for the District's schools and departments. The process cannot be both effective and self-serving; the two are incompatible.

## **V. Requisition/Purchase Order Process Types of Requisitions**

### **A. Traditional Purchase Requisitions**

Purchases of goods and services for items not available in the Warehouse require this type of a purchase requisition. District must comply with purchasing procedures when making these purchases. Purchases must be made from approved vendors only and quotes must be provided when needed.

### **B. Payment Requisition**

Payment for services where an invoice has been received and a purchase order has not been previously generated. Examples include:

- a) Utilities
- b) Phones
- c) Maintenance service contracts (non-recurring expenses)
- d) Official fees for the Athletic Department

General supplies, fixed assets or professional services must comply with the school District's purchasing requirements and be approved prior to the purchase of goods and the services rendered.

### **C. Open "Blanket" Purchase Orders – When Approved**

- A Blanket Purchase Order (BPO) is allowable only with prior approval from the Assistant Superintendent of Business & Finance or the Purchasing Agent.
- A request for a BPO must be at the purchasing department for review and approval one week before the requested covered time-frame period. For example, if you are requesting a BPO for the month of May, the request must be received on or before April 24th or the BPO will be rejected.
- Specific examples for the request of a BPO include:
  - Equipment: preventative maintenance (monthly payments)
  - Mats and Mops pick-up (department/school specific contract)
  - Bottled water service (same quantity each month)
  - Facilities: construction projects e) Rent, utilities
  - The required attachments and information submitted for requisitions are also required for a BPO, with the exception of quotes. In addition, if the service was board approved, the Memorandum of Understanding, agreement, to include the Board approved form must also be attached.

Blanket orders for merchandise will not be allowed unless authorized by the Purchasing Agent. These

Purchase orders should be limited in use and care should be strictly exercised by account managers. Blanket purchase orders cannot exceed \$500, unless prior approval is granted by the Assistant Superintendent of Business & Finance or the Purchasing Agent. All “blanket” purchase orders should include the following information or will otherwise be returned for corrections:

- a) Approved vendors
- b) Provide description of items being purchased.
- c) Use of the items – meeting (ex. Parent conference, staff development)
- d) A meeting agenda must be included
- e) Specify time frame for purchases (not to exceed one month).
- f) One open PO at the beginning of the fiscal year will be required for recurring expenses.  
Example, copiers, drinking water, maintenance agreements, etc.
- g) Open PO’s for instructional purchases, should be limited. Please request list of purchases from teachers and submit a traditional purchase requisition.

**Note: “Blanket” PO’s will be authorized for one month only unless** prior approval is granted by the Assistant Superintendent of Business & Finance or the Purchasing Agent.

#### **D. Processing Requisitions**

Quotes should be gathered to comply with purchasing procedures before creating a requisition.

Requisitions should include:

- a) Quantity
- b) Unit of measure- for example, box, each, pkg, etc.
- c) Unit price
- d) Total cost per item by extending the prices. Example, 5 boxes @ \$10 = \$50
- e) Account number
- f) A detailed description of item: The description must be more than the catalog number or abbreviated name given by vendor. The description must be detailed enough to be understood by the purchasing agent and auditors. If referencing a state contract, please state exact contract # and any other brief description of contract award on requisition.
- g) An approved vendor should be selected and their addresses verified. If the vendor is not setup in the system, a new vendor request application must be submitted to the Purchasing department.
- h) If campus/department is purchasing technology related equipment or software, approval must be obtained from the Technology Department by completing a technology hardware/software request form prior to submitting a requisition to the Purchasing Department.
- i) Software Purchases: Site licenses and single use software that has a per-unit cost of less than \$5,000 (applicable to software purchased on a CD or as a download from the internet) or web based software for a total cost of less than \$5,000 (applicable to software accessed through a single website – subscription/license) should be classify under 6395. Purchases over \$5,000 must be capitalized.
- j) If bid item (s) are purchased, the bid number must be specified on the requisition. A copy of the tabulation page(s) that correspond to those item(s) must be included with the requisition.
- k) On board approved items (i.e. consultants, out of state travel, etc.), a copy of the agenda item must be attached and board approval date must be provided on requisition.

**Note:** The purchase requisition is not a purchase order. Do not contact the vendor to place your order based on the requisition number. If you place your order, prior to the purchase order being assigned you may be held personally responsible for the payment of the merchandise, not the District.

**Important:** Purchasing alcoholic beverages or tobacco with local, state, or federal funds is not allowable under any circumstances.

#### **E. Cancellation of a Purchase Order**

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

Items obtained as federal surplus shall be managed according to federal regulations. [CI \(LOCAL\)](#)

#### **F. Invoice Dates**

Invoices shall not reflect a billing date earlier than the date printed on the purchase order.

- a) All invoices should reflect purchase order dates that are on or after Purchasing Departments' final approval print date.
- b) An instance where an invoice has been received but a purchase order has not been previously processed, would be for the processing of a payment authorization. In this case, invoice dates will be earlier than that of Purchasing Services' final approval print date. Campuses and departments can only use a payment authorization if the Purchasing Agent or the Assistant Superintendent of Business and Finance has granted them authority.

#### **G. Pre-Paid Purchases**

No pre-payment for equipment or services will be allowed. Payment to a vendor is made when goods have been received or services performed

#### **H. Tax Exempt Status**

The District is a political subdivision of the State of Texas and as such is exempt from state sales tax under Chapter 20, Title 122A, Revised Statutes of Texas. Items or services purchased for which tax exemption status is claimed must be used within the performance of the District's business. It is a criminal offense to utilize this tax exempt status for any other purpose.

#### **I. Surplus Property**

The Superintendent or designee is authorized to declare District materials, equipment, and supplies to be unnecessary and shall dispose of unnecessary materials, equipment, and supplies for fair market value. If the unnecessary property has no value, the Superintendent or designee may dispose of such property according to administrative discretion.

## J. Requisitions Rejected

Reason	Local, State, Federal Regulations	Recommendation
A traditional purchase requisition is attached to an invoice	Approval must be obtained prior to the purchase or service being rendered. District employees purchasing without prior approval may be held personally responsible for payment of the goods or services.	A written explanation on an After the Fact form and signed by principal/director as to why approval was not obtained prior to the purchase or service rendered must be submitted for auditing purposes.
Incomplete information	Provide detailed description of purchase on requisition	Describe purchase further: what, when, who. What is it? When will it be used? Who will use it?
Wrong account	Account is not being used in accordance with the Texas Education Agency - Resource Guide	Review TEA Resource Guide and correct expense object code or function as recommended.
Required quotes for amount of purchase not submitted	Written quotes from approved vendors must be submitted	Local purchasing procedure applies to the total amount on requisition.
Using an unapproved vendor	Vendor must be approved	Review approved vendors list on purchasing website

If the requisition is not approved, it will be returned to the campus/department requesting necessary changes. Updated requisitions must be resubmitted for approval. The purpose for the re-approval is to prevent any unauthorized changes to the requisition. A requisition may be rejected (not approved) by the Purchasing Department for several reasons. The information listed below represents the most common reasons requisitions are rejected.

## VI. Incentives

### Staff and Student Incentive Award List

Goal: Ensure that all staff and student incentive awards meet local, state, and federal guidelines, including the IRS Guidelines related to Taxable Fringe Benefits. “Incentive” for purposes of these guidelines refer to a “reward” for performing an activity, achieving a milestone, or some other form of recognition.

District funds: The General Fund (Fund 199) and the Campus Activity Fund (Fund 897) and Coke Fund (Fund 899) may be used only to purchase “allowable” staff and student incentives.

Non-District funds: Student Activity Funds (Fund 865) may be used to purchase any reasonable staff or student incentive. Although these funds belong to the respective student group or faculty, all purchases shall be approved by the student group treasurer, sponsor, and campus principal, as appropriate.



## Staff and Students Incentives

STAFF				
Staff Incentive Types	Description	FUNDS		
		District	State or Federal	Non-District
* Items defined as de minimus, value not to exceed \$35 per staff member	Flash drives, small trophies, ribbons, certificates, plaques, desk accessories or meal voucher for a specific food item(s), etc.	Allowable	Not Allowable	Allowable
Gifts, or items that appear to be gifts	Birthday or other holiday gifts, flowers, candy, or gift cards for personal services.	Not Allowable	Not Allowable	Allowable
Food considered as a snack	Cookies, pretzels, nachos, chips, ice cream, water, sports drinks, or snacks from the Food Service Dept.	Allowable	Not Allowable	Allowable
Food considered to be a meal as recognition such as Teacher Appreciation Week	Pizza, hot dogs, hamburgers, tacos, or other food items that could be considered a meal. <b>NOT TO EXCEED \$15 PER STAFF MEMBER</b>	Allowable	Not Allowable	Allowable
* School spirit items, not to exceed \$35 per staff member	T-shirts, caps, fitness bottles, towels, clocks, sport cups.	Allowable	Not Allowable	Allowable
Electronics	Laptop computers, printers, digital cameras, DVD players, iPod, iPad, phones or calculators	Not Allowable	Not Allowable	Allowable
STUDENTS				
Items defined as de minimus, value not to exceed \$20 per item	Flash drives, small trophies, ribbons, certificates, plaques, desk accessories or meal voucher for a specific food item(s), etc.	Allowable	Not Allowable	Allowable
Food considered as a snack	Pizza, cookies, pretzels, nachos, chips, ice cream, water, sports drinks, or snacks from the Food Service Dept.	Allowable	Not Allowable	Allowable
Food considered to be a meal as an incentive award, such as Student of the Week	Pizza, hot dogs, hamburgers, tacos, or other food items that could be considered a meal.	Allowable	Not Allowable	Allowable
School spirit items, not to exceed \$20 per item	T-shirts, caps, fitness bottles, towels, clocks, sport cups.	Allowable	Not Allowable	Allowable
Electronics	Laptop computers, printers, digital cameras, DVD players, iPod, iPad, phones or calculators	Not Allowable	Not Allowable	Allowable

\* A total of \$35 per staff member per semester with no roll over

## VII. Staff Meals during Meetings/Training Session

- Light meals during a “working lunch” for participants who are cloistered in an all-day (at least six-hour) meeting or training session. It must be documented that it was impractical for participants to obtain lunch on their own (for example, because of an isolated location or distance to eateries) and that their attendance at the meeting or training session was essential to accomplishing the objectives of the program.
- A “working meal” or “light meal” is considered to be reasonable in cost when the cost of the meal including tax does not exceed \$15 per person.

- c) To provide a working meal defined as an activity in which staff or participants are engaged in exercises or activities during the normal meal time, the following must be done:
  - Maintain an agenda that shows that no other opportunity for a meal was provided and that clearly identifies the exercise or activity the participants were engaged in.
  - Retain a representative sample of the work product, if any, that was generated as a result of the working session. No other food costs, including beverages and other refreshments, breaks, or snacks, are permitted.

## VIII. Contracted Services

All vendors providing services on school grounds must submit their general liability insurance, auto insurance, and workers' compensation (for a company with more than one employee) to the Purchasing Department to continue providing services to the District. Background checks are also required on these individuals. An example of these services include rentals for moon jumps.

**Note: Please verify with the Purchasing Department that these documents are on file for the vendor in question before creating a requisition to avoid any delays.**

### A. Consultant Contracts

A consultant is an independent contractor, not an employee that offers services to the public. A consultant usually maintains an office and usually provides the equipment and materials necessary for completing or performing a service. A consultant is paid on a fee basis for specialized services that are usually considered to be temporary or short-term in nature, normally in areas beyond the expertise of the employing entity's employees.

Consultants hired to perform a service will execute a written agreement or contract acceptable to the District, prior to the performance of the service. Administrators shall send all proposed agreements to his or her direct supervisor for approval. Once the agreement meets all necessary requirements, it will be submitted to the Superintendent for approval and signature. Original copies of all executed agreements are maintained in the Purchasing Department, and are available for review upon request.

**A copy of the signed Contract/Agreement must be attached to the purchase order being processed.**

### B. Contracted Services with a Company

When contracting services with a company, a regular purchase order or an open purchase order (if multiple payments are to be done) must be processed in TEAMS to legally encumber the funds that will be expended. These vendors must meet the district requirements of being a district approved vendor. An approved Request for Proposal (RFP), a Contract/Agreement, Conflict of Interest (CIQ) form and a W-9 form must be on file in the purchasing department for the purchase of the services.

**A copy of the signed Contract/Agreement must be attached to the purchase order being processed.**

### C. Contracted Services provided by an individual

When contracting services with an individual, the individual must adhere to procedures set forth by the district. If an individual is doing a long term contract service for the district, an open purchase order specific to the recurring event(s) can be processed to encumber the funds for multiple payments. Documents and procedures required for individual contract service vendor approval:

- d) Signed contract/agreement
- e) W-9

- f) SB-9 if they will be in the presence of students

#### **D. Contract Time Period**

Donna ISD staff may only use funds appropriated by the Board in the approved budgets. Therefore, the staff does not have the authority to commit funds in future budgets. While contracts may be issued for any time period as agreed to by the District and the vendor, if the contract extends beyond the end of the current fiscal year, it must contain a cancellation clause as defined by Local Government Code, Chapter 271.903. This clause permits the district to cancel, without penalty, any contract for which the Board does not allocate funding in the sequential year's budget.

If a competitive procurement process is utilized such as a Request for Bid (RFB) or Request for Proposal (RFP) the contract time period must be clearly defined.

#### **E. Required Background Checks for Independent Contractors**

Effective January 1, 2008, Texas Education Code Chapter 22, Subchapter C requires service contractors to school districts in Texas to obtain criminal history record information regarding covered employees and to certify to school districts that they have done so. Covered employees with disqualifying convictions are prohibited from performing services at a school district. As defined by Texas Education Code, Chapter 22, disqualifying convictions include any of the following, if at the time of the offense, the victim was under 18 or enrolled in a public school:

- a) A felony offense under Title 5, Texas Penal Code;
- b) An offense for which a defendant is required to register as a sex offender under Chapter 62, Texas code of Criminal Procedure; or
- c) An equivalent offense under federal law or the laws of another state.

Service contractors must obtain the criminal history record information on all new or existing employees who will have continuing duties relating to the contract and will have direct contact with students. Covered employees employed by a contractor before January 1, 2008, are subject to name-based criminal history reviews and contractors must obtain the criminal history record information as soon as practical. Covered employees employed by a contractor employed on or after January 1, 2008, are subject to fingerprint-based criminal history reviews and contractors must obtain the criminal history record information before or immediately after securing the services of the covered employees. Contractors must contact the Texas Department of Public Safety (DPS) directly to establish an account to obtain criminal histories. Instructions for the performance of this requirement by this contractor can be obtained from the Purchasing Department. Fingerprints are conducted through the DPS vendor, Integrated Biometric Technology. The contractor must certify to the school district that it has performed the required criminal history reviews.

## **IX. Purchasing and Acquisition Policies**

#### **A. Purchasing Authority Board Policies CH (LEGAL) AND CH (LOCAL)**

- a) The Board delegates to the Superintendent or designee the authority to make budgeted purchase for goods or services. However, any single, budgeted purchase of goods or services that costs \$50,000 or more, regardless of whether the goods or services are competitively purchased, shall require Board approval before a transaction may take place.
- b) Authorized District employees in charge of a department or school budget may purchase items included in their approved budget, in accordance with administrative procedures.
- c) All purchase commitments shall be made by the Superintendent or designee on a properly

drawn and issued purchase order, in accordance with administrative procedures.

- d) Accordingly, the District has established the Donna ISD Purchasing Department under the direction of the Superintendent to assist the Board in the procurement function, and to assure such function is within compliance of all applicable statutes, Board policies, and Administrative Regulations.

All Purchasing and Acquisition Board Policies may be viewed by clicking the following website:  
<https://pol.tasb.org/Policy/Search/633?filter=PURCHASING%20AND%20ACQUISITION>

## **B. Board Authority**

The board may adopt rules and procedures for the acquisition of goods and services. *Education Code 44.031(d)*

## **C. Delegation of Authority**

The Board may delegate its authority its authority regarding an action authorized or required to be taken by the District by Education Code Chapter 44, Subchapter B to a designated person, representative, or committee.

The Board may not delegate the authority to act regarding an action authorized or required to be taken by the Board by Education Code Chapter 44, Subchapter B.

# **X. Purchasing Methods**

The Board delegates to the Superintendent or designee the authority to determine the method of purchasing in accordance with CH (LEGAL).

## **A. Competitive Bidding**

If competitive bidding is chosen as the purchasing method, the Superintendent or designee shall prepare bid specifications. All bids shall be in accordance with administrative regulations, and the submission of any electronic bids shall also be in accordance with Board-adopted rules. All bidders shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time for opening. Bids received after the specified time shall not be considered. The District may reject any and all bids.

## **B. Competitive Sealed Proposals**

If competitive sealed proposals are chosen as the purchasing method, the Superintendent or designee shall prepare the request for proposals and/or specifications for items to be purchased. All proposals shall be in accordance with administrative regulations, and the submission of any electronic proposals shall also be in accordance with Board-adopted rules. Proposals received after the specified time shall not be considered. Proposals shall be opened at the time specified, and all proposers shall be invited to attend the proposal opening. Proposals may be withdrawn prior to the scheduled time of opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened. The District may reject any and all proposals.

## **C. Electronic Bids or Proposals**

Bids or proposals that the District has chosen to accept through electronic transmission shall be administered in accordance with Board-adopted rules. Such rules shall safeguard the integrity of the competitive procurement process; ensure the identification, security, and confidentiality of electronic bids or proposals; and ensure that the electronic bids or proposals remain effectively unopened until the proper time.

#### **D. Purchase Commitments**

All purchase commitments shall be made by the Superintendent or designee in accordance with administrative procedures, including the District's purchasing procedures.

### **XI. Purchasing Violations**

#### **A. Purchasing Approval**

A purchase for goods or services cannot be made using district funds without a purchase order. All purchase orders will originate with a requisition and must be approved by its designated administrator. The final approval will be done by the Purchasing office. All requisitions must be entered and approved through the school district financial system (TEAMS).

#### **B. Responsibility for Debts**

The Board shall assume responsibility for debts incurred in the name of the District so long as those debts are for purchases made in accordance with adopted Board policy and current administrative procedures. The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control; persons making unauthorized purchases shall assume full responsibility for all such debts.

#### **C. Personal Purchases**

District employees shall not purchase supplies or equipment for personal use with District funds. All items purchased are the property of Donna ISD. Personalized items and items not used in the performance of Donna ISD duties or responsibilities cannot be purchased with District funds

A district employee who purchases or orders any goods or services in the name of the district or who obligates the credit of the district without following the purchasing policies and procedures shall be held personally responsible for payments to the vendors or returned items.

#### **D. Corrective Action Forms**

In the event that a purchase was not previously approved by the Purchasing department, a "Corrective Action Form" will need to be submitted to indicate the reason for non-compliance, as well as corrective action plan.

### **XII. Purchasing Process**

#### **A. Best Value**

In evaluating procurement decisions, the District will always apply best business practices. In doing so, the District will always consider the Best Value criteria as listed below. When seeking a competitively procured contract, the District will state the Best Value criteria listed below as well as any additional criteria to be considered within the bid or proposal document.

Best Value criteria to be considered shall include:

- a) The purchase price
- b) The reputation of the vendor and of the vendor's goods or services;
- c) The quality of the vendor's goods and services;
- d) The extent to which the goods or services meet the district's needs;
- e) The vendor's past relationship with the district;
- f) The impact on the ability of the District to comply with laws and rules relating to historically underutilized businesses;
- g) The total long-term cost to the District to acquire the vendor's goods or services,
- h) Any other relevant factor specifically listed in the request for bids or proposals.

Schools or departments will be asked to provide evaluation on all criteria included in the bid documents. All such evaluations will be maintained in the Purchasing Department files and may be presented to the Board with the contract award recommendation. Purchases under these contracts can expedite the procurement process for District departments and schools.

## **B. Bidding Process**

The components of the proposal or bid process:

- a) Department procurement request
- b) Set timeline and Board approval date
- c) Write specifications for items/services requested
- d) Prepare vendor list to receive bid/proposal/quote packets
- e) Prepare proposal packets to include: cover sheet, authorization agreement, felony conviction notification, non-collusive bidding certificate, debarment notice, conflict of interest questionnaire, Contract Provisions for Non-Federal Entities, Historically Underutilized Business form, House Bill 89 Verification, SB 252 Chapter 2252 Certification, 1295 form, standard terms and conditions, specific terms and conditions, specifications of items and/or services, price sheets, inter local agreement, Blank W-9 form, Run Legal Notice – two consecutive weeks
- f) Hold a pre-bid conference if necessary
- g) Send out any necessary addendum
- h) Closing date of proposal/bid
- i) Analyze price offers and negotiate price if necessary
- j) Prepare recommendation/agenda form for Board approval
- k) Once Board approved, send award letter notification to vendors
- l) Contact district department of bid/proposal award
- m) Process purchase orders to awarded vendor(s)
- n) Update/maintain vendor/bid files

## **C. Specifications**

It is important for the requesting department to write specifications that correctly fulfill their needs. Specifications are the basis by which vendors prepare their bids. Specifications should be functional describing performance and design. Care should be taken not to intentionally or needlessly specify features or functions that may mislead a vendor or limit the purchase to one vendor. Departments are urged to contact the Purchasing Department if assistance is needed. The Purchasing Department staff is available to assist in this area as needed.

## **D. Purchasing Limits**

Education Code, Chapter 44 defines the methods of procurement to be utilized by school districts based on the level of expenditure during a twelve-month period. All expenditures are looked at in the aggregate, that is all locations in the District are considered as one unit.

There are different categories of purchases including personal property, services, construction, and real property. Personal property is defined as including, but not limited to, any item or thing that can be moved from one location to another or is consumable and does not include real property such as land, buildings, and repair or renovations to buildings. Services can include both professional and non-professional services. Professional services are generally defined as those for which a special qualifications or licensing is required.

In order to determine the level of expenditures, the Purchasing Department has developed a grouping of commodity categories based on those listed in Texas Education Agency Financial Accountability System Resource Guide.

These commodities include, but are not limited to:

- a) Athletic Supplies
- b) Awards
- c) Teaching and Instructional Materials
- d) Cabling Services
- e) Furniture
- f) General Merchandise and Groceries
- g) Musical Instruments
- h) Musical and Performing Arts Equipment and Supplies
- i) Police Equipment and Supplies
- j) Portable Buildings

These commodities are grouped so that contracts for the purchases of these items can be awarded in a competitively awarded process to assure that the schools and departments are receiving Best Value for their budget expenditures and are in compliance with all statutes, policies, and procedures.

District transactions are monitored within the Purchasing Department so that procurements can be grouped as needed and required under these guidelines. All procurements must be classified within a designated commodity code. Procurements not covered under current commodity groupings and competitively bid contract may be delayed in order to satisfy these requirements. Schools and departments are encouraged to purchase from established contracts to prevent such delay.

## E. Competitive Procurement Categories

Recommended procurement categories to be bid per TEA:

- a) Athletics: athletic/trainer supplies, various sports supplies, uniforms, equipment and non-consumables
- b) Custodial: chemicals/janitorial supplies/paper products/can liners, contracted services, equipment and non-consumables.
- c) Food Service: bread, dry goods, canned and frozen foods, fresh meat and poultry, milk, non-food supplies, equipment and non-consumables.
- d) Instructional/General – Capital Equipment: art equipment and supplies; audio visual equipment and supplies; band instruments; computers/hardware and software; copy machines; instructional equipment, supplies and furniture; library supplies and furniture; office supplies, equipment and furniture; playground equipment; science equipment; telephone equipment; dictionaries; duplicating paper; industrial gases; instructional teaching aids/supplies; library books, periodicals, filmstrips, videos, cassettes; maps and globes; nursing supplies; office supplies and equipment; physical education supplies; science supplies and equipment
- e) Maintenance: electrical supplies and parts; ground maintenance supplies; Freon; HVAC supplies and parts; lumber and related building materials; paint; plumbing supplies and parts; roofing supplies; equipment and non-consumables
- f) Transportation: automotive parts and supplies; lubricants and oils; buses; capital equipment; storage tanks; vehicles, trucks and vans
- g) Bank Depository
- h) Nonprofessional Services: photocopy services, personal computer services and other equipment services contracts
- i) Real Property: land and buildings
- j) Insurance

**NOTE: Due to the large amounts of purchasing taking place district wide in these categories, the majority of items being purchased will be part of a proposal, bid, quote or purchasing cooperative.**

## F. School District Purchases Personal Property or Services Valued at \$50,000 or More in the Aggregate

As directed in Texas Education Code § 44.03, Subchapter A, all school district contracts for the purchase of goods and services, with the exception of produce or vehicle fuel, all District contracts valued at \$50,000 or more in the aggregate for the 12-month period must be procured by use of one of the following methods:

- a) competitive bidding for services other than construction services;
- b) competitive sealed proposals for services other than construction services;
- c) a request for proposals, for services other than construction services;
- d) an inter-local contract;
- e) a method provided by Chapter 2269, Government Code, for construction services;
- f) the reverse auction procedure as defined by Section 2155.062(d), Government Code; or
- g) the formation of a political subdivision corporation under Section 304.001, Local Government Code.



This applies to all personal property, services, and construction contracts, with the exception of those categories listed in the following section.

### **G. Emergency Purchases**

Two types of emergency purchases are accepted. One type results from an eminent threat to the health, safety, or welfare of students. Such purchases must comply with state law and may be made only after a formal board action declaring an emergency and authorizing the purchase. An example of an emergency purchase of this type is the authorization to repair a school after a fire or a natural disaster.

Emergency purchases exceeding the dollar amount triggering competitive procurement requirements shall be made in conformance with subsection (h) Section 44.031 Texas Education Code.

The second type of emergency purchase usually is defined by local policy to provide for the acquisition of goods or services to meet an immediate need such as purchases to repair damage to a facility which may imperil students or the security of the facility. For example, if windows are broken at a school by vandals, an immediate need exists to not only secure the building, but also to protect the contents from damage by the elements. This type of emergency purchase is normally utilized after regular business hours or on weekends and holidays. After purchases of this type are made, a purchase order should be issued after the fact on the next business day. Care should be taken that emergency purchases do not result from improper planning rather than from a true emergency. It is important that the district attempts to eliminate emergency purchases for nonemergency situations as much as possible and requires that all emergency purchases be fully justified.

### **H. Emergency Damage or Destruction**

If school equipment, a school facility, or a portion of a school facility or personal property is destroyed or severely damaged or, as a result of an unforeseen catastrophe or emergency, undergoes major operational or structural failure, and the Board determines the delay posed by the methods for procurement listed School Code Chapter 44.031 would prevent or substantially impair the District's ability to conduct classes or other essential school activities, then other procurement methods may be utilized as needed.

## **XIII. Travel**

### **A. Guidelines**

The purpose of this manual is to establish in-district and out-of-district travel procedures for all employees and students. Administrative staff, principals, program administrators, directors, employees and sponsors are responsible for ensuring compliance with these procedures and board policies.

#### *School Board Policy DEE Local*

An employee shall be reimbursed for reasonable, allowable expenses incurred in carrying out District business only with the prior approval of the employee's supervisor and in accordance with administrative regulations.

For any allowable expense incurred, the employee shall submit a statement, with receipts to the extent feasible, documenting actual expenses and in accordance with administrative procedures. Accounting records shall accurately reflect that no state or federal funds were used to reimburse travel expenses beyond those authorized for state employees.

**Note: Employees cancelling travel arrangements at their personal request will be held responsible for all expenses incurred by the District.**

### *Federal Guidelines (IRS)*

All travel expenses shall be paid under an Accountable Plan

- a) travel must have a business connection
- b) the traveler shall account for all expenses
- c) excess advances, if any, shall be reimbursed to the District
- d) meal expenses shall be in conjunction with overnight travel only

The meal expenses for the day of departure and return shall be adjusted based on the time of departure and return as noted in the District travel guidelines.

Travel advances will not be provided to a traveler more than 15 days prior to the travel event.

If any travel expense fails to meet the accountable plan guidelines, the payments to (or on behalf of) the traveler shall be taxed through the normal payroll cycle.

### *Federal Guidelines (EDGAR)*

All travel expense paid with federal grants (typically funds 2XX) shall meet the new EDGAR requirements (200.474) such as:

- a) all travel costs must be reasonable and necessary
- b) all travel costs must be consistent with the district's travel policy
- c) all travel costs must be directly related to the grant award
- d) all travel cost must meet the obligation of expenses rules

In addition, all federally-funded travel expense must meet the TEA's Current Travel & Mileage Reimbursement Rates (as published in the most recent TEA Correspondence).

All out-of-state travel must be pre-approved by the granting agency (USDE) and/or the pass-through entity (TEA) prior to any travel arrangements such as registration, lodging and/or airline reservations. The TEA Request for Prior Approval for Out-of-State Travel form is posted on the TEA website at: <http://tea.texas.gov/WorkArea/DownloadAsset.aspx?id=25769821577>.

### *State Guidelines (TEA)*

All mileage, lodging, and meal reimbursement rates published by the Texas Comptroller of Public Accounts apply to all grants (federal and state, typically funds 2XX, 3XX and 4XX) funded by TEA for individuals on travel status. Refer to GSA rates for the current fiscal year at: <https://fm.x.cpa.state.tx.us/fm/travel/travelrates.php>

### *Local District Guidelines*

The local District guidelines shall apply to all travel expenses regardless of funding source for in-state and out-of-state travel. All anticipated travel cost shall be submitted on a Travel Authorization Form, approved by the immediate supervisor. All anticipated travel costs shall be encumbered to the appropriate budget account code(s) before any travel-related costs are incurred by the district or traveler.

All lodging for out-of-district travel allowable rates will follow the Federal Rate Schedule through the GSA website <http://window.state.tx.us>

## **B. Meals**

Employees traveling overnight may be paid a meal per diem amount of \$55 per day for each day the employee is eligible. No advanced check will be disbursed. A Travel Authorization/Claim Form must be submitted after the travel event to request meal reimbursement. Receipts are not required, but employee must retain and may be required to validate the actual costs with detailed receipts. Actual costs that exceed the maximum daily amount will not be reimbursed.

### *Full Meal Per Diems*

If the dates of travel are all full days and no meals are provided by the event, indicate the number of days for meals on the Travel Authorization Form. The total number of meals will be based on whether meals are provided by the event and the time of departure and/or return.

### *Adjusted Meal Per Diems*

Adjust the requested amount for meals if the conference/workshop will include any meals. If meals (except continental breakfast and receptions) are provided as part of the event, reductions should be made in accordance with Adjusted Meal Per Diem Calculations. The meal per diem will be based on the departure/return time of a traveler depending on departure/return times below:

MEAL	TIME OF DEPARTURE/RETURN	AMOUNT
Breakfast	Depart DISD at 7:00 a.m. or before	\$14.00
Lunch	Return to DISD after 1:00 p.m.	\$16.00
Dinner	Return to DISD after 7:00 p.m.	\$25.00

### *Board Members Compensation and Expenses BBG ( Local)*

#### Expense Reimbursement

An Amount for Board member travel expenses shall be approved in the budget each year. A Board member shall be reimbursed for reasonable, allowable expenses incurred in carrying out Board business only at the Board's request and for reasonable, allowable expenses incurred while attending meetings and conventions as an official representative of the Board.

#### Travel Expenses

Payment for authorized and documented travel expenses shall be made in accordance with legal requirements by either of the following two methods:

- 1) Reimbursement, not to exceed the allowable rates, for use of a personal car or commercial transportation plus parking, taxi fares, lodging, meals, and other incidental expenses.
- 2) Advancement of a set amount for use of a personal car or commercial transportation plus parking, taxi fares, lodging, meals, and other incidental expenses. Any excess over actual allowable expenses shall be refunded to the District.

Accounting records shall accurately reflect that no state or federal funds were used to reimburse travel expenses beyond those authorized for state employees.

#### Documentation Required

For any authorized expense incurred, the Board member shall submit a statement, with receipts to the extent feasible, documenting actual expenses and in accordance with procedures applicable to employee expense reimbursement.

### *Student Meals*

Attach a list of students to support the number of meals requested for co-curricular or extra-curricular events. A detailed receipt for the student meals must be submitted with the Travel Authorization/Claim form. The current rate for student meals is as follows:

MEAL	TIME OF DEPARTURE/RETURN	AMOUNT
Breakfast	Depart DISD at 7:00 a.m. or before	\$10.00
Lunch	Return to DISD after 1:00 p.m.	\$10.00
Dinner	Return to DISD after 7:00 p.m.	\$10.00

Pre-Game Meals: Players must be in class all day to qualify for meals.

**Note: Do NOT provide total amount only.**

### *Travel and Claim Request Forms*

The approved Travel and Claim Request forms with receipts for the traveler's meals should be attached to the requisition after the travel event and shall certify the "actual costs". The actual costs shall not include any meal tips or sales tax expense.

## **C. Lodging**

A district employee is entitled to be reimbursed for lodging expenses incurred on a day that the employee conducts official and required school district business outside of his or her designated headquarters.

The district may also elect to advance to the employee a travel allowance for lodging expenses in certain situations. The lodging expense may only be reimbursed, or advanced, if it is incurred at a commercial lodging establishment.

The District is exempt from paying Texas state sales taxes (note: sales taxes on out of state travel will be paid in full by the District). It is the responsibility of the district employee to present the tax exemption form at the time of payment. Requisitions for lodging are made directly to the hotel, not the district employee.

The employee may only be reimbursed for his or her actual lodging expense not to exceed the maximum lodging rate published by the GSA. If the city is not listed, but the county is listed, use the rate of the county. For areas not listed (city or county), the rate is the standard rate for that particular fiscal year.

Donna ISD will pay going rate for a Conference Host Hotel with proper documentation. A host hotel means the site where the conference will be held in or the district will pay up to the 2022-2023 GSA rate.

### *Lodging Rates - GSA*

All lodging for out-of-district travel allowable rates will follow the Federal Rate Schedule through the GSA. To access the federal rate schedule go to the U.S. General Services Administration (GSA) website (<https://www.gsa.gov/travel/plan-book/per-diem-rates>).

- a) Place your cursor over the “travel” section on the toolbar & click on the “Featured Topics: Pre Diem Rates Look-Up” section on the left-hand side of the navigation panel.
- b) On the U.S. map that opens, click on the state of your destination or enter the zip code or city on the search.
- c) Find your destination on the list and apply the maximum lodging rates for the city or area to which you are traveling.
- d) If the city you are going to is not listed, check the county list. If the county is listed, use the county rate.
- e) If the County you are traveling to is not listed, use the standard maximum rate listed for lodging.
- f) If you are traveling out of State, find the city nearest to your travel destinations and apply the applicable lodging and meal rates.
- g) All lodging requests require prior approval by the immediate supervisor through a Travel Authorization Form.

### *Travel Duration*

- a) Costs shall be allowable for travel events that require an overnight stay away from the traveler’s home. No lodging shall be allowable in the traveler’s home city at a commercial lodging establishment.
- b) The maximum nights of lodging shall be based on the start and end times of the travel event and the distance of the travel location.
- c) The traveler (or campus/department secretary on behalf of the traveler) shall make the hotel reservation and secure with their personal credit card or district credit card, as appropriate. Hotel and travel websites such as Hotels.com, Expedia, Travel city, etc. shall not be used to make hotel reservations if the website requires pre-payment of the hotel stay.
- d) The traveler may at his/her request stay with a family member or friend instead of at a hotel. If the traveler selects this option, the traveler shall not receive any payment in lieu of lodging costs.

### *Hotel Occupancy Tax Exemption*

- a) The traveler shall present a Hotel Occupancy Tax Exemption Certificate to a Texas hotel. If the traveler fails to present the certificate, the traveler will not be reimbursed for the unallowable tax expense. The Hotel Occupancy tax exemption does not apply to out-of-state travel.

### *Two or More Travelers to Same Event*

- a) When at least two (2) travelers (district employees) are traveling to the same event, they may share the lodging and each receive the maximum lodging rate on the GSA schedule. Each traveler shall submit a request for their portion of the lodging costs. District employees shall not be required to share a room with another employee, but may be encouraged to share a room to minimize the lodging costs.
- b) When traveler shares lodging with a non-district employee or district employee not in travel status, the maximum lodging costs shall be the appropriate GSA schedule rate for single occupancy.
- c) Donna ISD will pay going rate for Host Hotel. Provide information for Host Hotel.

### *Disallowed Costs*

- a) Lodging costs such as movies, gym facility, spa or other non-essential costs are not allowable for reimbursement or payment with any district funds.
- b) Lodging tips may be paid at the traveler's discretion, but will not be allowable travel costs for reimbursement or payment with any district funds.

## **D. Transportation**

A district employee is entitled to be reimbursed for transportation charges incurred while conducting official and required district business. The employee should select the most cost effective method of transportation available. Details on transportation are described in this section.

### *Mileage in Personal Vehicle*

- a) Travelers should use a district-owned vehicle as the preferred method of transportation. The driver shall be listed on the Authorized Drivers of District-Owned Vehicles. If a district-owned vehicle is not available for the travel event, the traveler shall be authorized to use their personal vehicle or request a flight, as appropriate.
- b) Mileage will be reimbursed at \$0.655 per mile. The reimbursement may not exceed the product of the actual number of miles traveled for business and the mileage reimbursement rate. The mileage rate is inclusive of all expenses associated with the employee's use of his or her vehicle.
- c) The District has chosen MapQuest mapping system to document mileage reimbursements. A MapQuest printout with the mileage from the point of origin to the point of destination shall be printed and attached to the Travel Authorization Form. Mileage costs related to personal destinations before, during or after the travel event shall not be allowable costs. In addition, mileage costs due to the traveler's error in reaching the destination, such as getting lost shall not be allowable cost.

- d) Four-Per-Car Rule: When employees travel on the same dates with the same itinerary, they must coordinate travel. When four or fewer employees travel on the same itinerary, only one may be reimbursed for mileage. When more than four employees travel on same itinerary, only one out of every four may be reimbursed for mileage.
- e) The district will reimburse an employee for parking expenses incurred while traveling in a personally owned or leased vehicle, rental vehicle, or district-owned vehicle.
- f) The district will reimburse an employee for tolls paid when the employee travels in a personally owned or leased vehicle, rental vehicle, or district-owned or leased vehicle when the toll charges occur on the approved point-to-point mileage documentation.

### *Rental Car*

- a) A district employee is entitled to reimbursement for the cost of renting a vehicle to conduct official and required school business.
- b) A district employee will be required to use the vendors approved on the Texas Comptroller of Public Accounts rental car contract when requesting authorization for a rental car. Currently, the State of Texas Comptroller's Office has contracted with Avis Budget Group, Inc., Enterprise Rent-A-Car/National Car Rental and The Hertz Corporation. Reservations will be made by contacting the company directly; however, when making the reservation be sure to provide the State of Texas-Comptroller's Co-Op contract rate identifier number TXS6080. Be sure to verify the rates when you get a confirmation number. If the rental is not booked on the state contract rate, you will not be covered under the contract provisions or with the appropriate insurance coverage. For rates in the state of Texas, out of state rates and contract exceptions, please visit the following link: <https://comptroller.texas.gov/purchasing/programs/travel-management/rental/>
- c) Size of Vehicle: Employees will use the following standard to determine the size of vehicle:
  - Four or less district employees use standard car
  - Five or six district employees use minivan
- d) Allowed Rental Car Costs: Costs shall include all applicable taxes and mandatory charges. Cost may also include a charge for collision damage waiver or a loss of damage waiver if not already included in the contracted rate for the rental.
- e) Disallowed Rental Car Costs: Charges for liability insurance supplement, personal accident insurance, safe trip insurance or personal effects insurance are not allowable costs.
- f) For a district employee to be reimbursed for a rental expense, the employee must provide proof that the expense was incurred. A complete receipt issued by the rental company serves this purpose. The receipt must include all of the following:
  - The name of the rental company,
  - The name of the employee renting the vehicle,
  - The starting and ending date(s) of the rental,
  - An itemization of expenses incurred, and
  - Proof of payment.

- g) If the receipt does not include all of the above listed items, the rental contract may also be included to provide that information.
- h) A receipt that has been altered by any person other than the entity issuing the receipt is unacceptable. A receipt to which additional information is added is considered unaltered if the information does not conflict with the original information on the receipt.
- i) Charges for additional drivers may only be reimbursed if incurred for a business reason such as both drivers are district employees.
- j) Rental car cost associated with deviations from the required travel plans, such as pre or post personal days shall be paid by the traveler. For example, if the required travel dates are Sunday through Wednesday, but the traveler opts to depart on Friday to spend personal days at the travel destination, the additional cost, if any, for the additional days shall be paid by the traveler.

### *Flights*

- a) Flight costs shall be allowable for travel events that require travel away from the traveler's home.
- b) The departure and return dates of the flight shall be based on the start and end times of the travel event and the distance of the travel locations.
- c) The actual cost of commercial air transportation (lowest coach fare) to accommodate the required travel dates of the travel event shall be allowable costs.
- d) Travelers should travel to their destination location by the most economical means, i.e. either flight or mileage; however, travelers may opt to travel to their event destination via district/personal vehicle in lieu of flying to the event for medical or personal reasons. If the traveler opts to travel to an out-of-state destination, the costs/reimbursement for transportation shall be limited to the lesser of the mileage or estimated flight cost.
- e) For all flights, luggage charges, if any, shall be limited to two (2) bags, up to 50 pounds per bag.
- f) A rental car at the event location shall be allowable if it is the most economical method to access the event location.
- g) All flight costs associated with deviations from the required travel plans, such as pre or post personal days shall be paid by the traveler. For example, if the required travel dates are Sunday through Wednesday, but the traveler opts to depart on Friday to spend personal days at the travel destination, the additional cost, if any, to fly on Friday shall be paid by the traveler.

### **E. Parking Charges**

- a) Parking charges shall be allowable for all travel events within Hidalgo County, in-state and out-of-state, as appropriate, if the traveler is traveling in a rental car, district-owned vehicle, or personal car while on travel status.
- b) Parking at the airport at the traveler's home location shall be allowable, as appropriate, for all required travel dates. Additional parking days, at the traveler's option due to pre or post travel days shall not be allowable costs with district funds.
- c) Parking receipts must be submitted by the traveler with the Travel Authorization Form within 10 days after travel event.



### *Toll Charges*

- a) Toll charges shall be allowable for all in-state travel events, as applicable, if the traveler is traveling in a rental car, district-owned vehicle, or personal car while on travel status.
- b) Toll receipts, as appropriate, must be submitted by the traveler with the Travel Authorization Form within 10 days after the travel event. Toll charges while in a district-owned vehicle are forwarded to the district by the toll authority.

### *Taxi, Shuttle*

- a) Taxi and shuttle cost shall be allowable for all in-state and out-of-state travel events, as applicable, if the traveler is on travel status.
- b) Taxi and shuttle tips may be paid at the traveler's discretion, but will not be allowable travel costs for reimbursement or payment with any district funds.

## **F. Other**

### *Registration Fees*

- a) Registration fees for a conference, workshop, or other training event as supported by a registration form are allowable costs. Fee-based optional events such as a speaker or award luncheon shall be approved on a case-by-case basis if the event fee is reasonable and the traveler would derive a work-related benefit from attending the event. Fee-based optional events such as socials, excursions, tours, or other purely entertainment events are not allowable costs.
- b) The authorized travel expenses shall be supported by the registration form and Schedule of Events. The documentation shall include the start and end dates of the event, event location and registration fee.
- c) A copy of the registration form and schedule of events shall be submitted with the Travel Authorization Form.

## **G. District Non-Allowable Travel Expenses**

- a) Alcoholic drinks or beverages
- b) Entertainment expenses, such as in-room movies, fee-based hotel amenities such as gyms, spas, etc.
- c) Expenses for spouses or other non-district employees
- d) Expenses due to the traveler's failure to cancel a registration or travel arrangement (except for extenuating circumstances)
- e) Hotel internet charges
- f) Parking fines or penalties
- g) Non-substantiated or fraudulent travel reimbursement requests shall be non-allowable travel expenses. Travelers who submit fraudulent travel reimbursement request shall be subject to

## **XIV. Exceptions to Competitive Procurement Requirements**

### **A. Produce and Fuel**

There is an exception for produce and fuel that allows the District to use any method listed above or those in School Code, 44.034 for these purchases.

The requisition will not be processed until written documentation of quotes are provided. The Purchasing Department maintains lists of vendors who have expressed interest in doing business with the District. All are recommended to seek assistance from the Purchasing Department in obtaining information on potential vendors.

## **XV. Vendor Relations**

Donna ISD is committed to maintaining an open and equitable opportunity to all interested vendors. Donna ISD will seek to competitively procure goods and services whenever possible or as required by policies or statutes. Vendors awarded contracts by Donna ISD are placed on the awarded vendor list maintained by the Purchasing Department. This list includes the names and contact information for all vendors with currently active Donna ISD contract.

Additionally, Donna ISD will maintain a potential vendor list of all interested vendors. Vendors will be solicited for quotes as well as formal bids or proposals in their area of interest as opportunities are developed. Although encouraged to utilize vendors within the system, new vendors may be entered as needed.

Donna ISD does not discriminate on the basis of sex, race, disability, color or national origin in its business practices.

### **A. Gifts from Vendors**

Vendors are prohibited from offering gifts or favors that could influence, or that could be perceived to influence, purchases utilizing District funds. Any such offers should be refused by the employee and immediately reported to their principal or department director. The principal or department director should then report such activity directly to the Purchasing Department.

Such gifts could include meals, trips, tickets for entertainment, or electronics. Employees should note that acceptance of such gifts can be a violation of state statutes, and a basis for criminal prosecution.

### **B. Procedures for Adding New Vendors**

Follow the [Vendor Management Procedures](#) located on the purchasing website.

Before a new vendor can be added, a complete vendor application packet must be completed. Forward your new vendor request to the purchasing department via TEAMS in a timely manner. Please allow between 24-48 hours for your request to be processed.

A new vendor application request should be forwarded by the requestor to the Purchasing Department via TEAMS.

### **C. Fundraising Vendors**

The Purchasing Department has the responsibility of reviewing and approving all fundraising vendors used by the schools and departments. Fundraising vendors are those who provide a product(s) directly to the students, parents, or patrons, through a catalog or order form sale. Vendors are paid directly for the goods and the schools receive or organizations receive a commission from the sales.

Vendors interested in providing this type of program to be used by the schools or organizations for fundraising activities must submit an application with background information for the District's review. Once approved, the vendor is placed on the Fundraising Vendor List for the current fiscal year. All applications must be renewed annually.

### **D. Complaints Regarding Vendors and Evaluations**

Evaluation of vendor performance is an important aspect of purchasing. Problems encountered by a particular school or department can be avoided by other District entities when these occurrences are communicated to the Purchasing Department. Factors to consider when dealing with vendors:

- a) Timeliness of deliveries
- b) Service availability
- c) Completeness and accuracy of the order
- d) Quality of products or services received

Whenever problems are encountered with a vendor, (i.e., a vendor fails to deliver certain items or delivery does not meet specifications) it is important to document the problem, noting the date and an accurate description of the problem. In addition to contacting the Purchasing Department, the vendor should be contacted. Keep a record of all phone calls, including the dates and what was discussed and send a copy to the Purchasing Department preferably by email. This information about vendor performance is very important in the evaluation of the vendor and whether or not the district should contract with this vendor in the future.

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

If significant problems are encountered with the vendor, the school district, via the Purchasing Department, should consult with legal counsel concerning the removal of the vendor from the approved vendor list and discontinuing any business with the vendor. Finally, the school district should try to develop an open and professional relationship with each vendor while still maintaining total independence and objectivity.

### **E. On-Site or Telephone Sales Calls**

Vendors and their representatives are strictly prohibited from contacting, either in person or by telephone, instructional or support personnel during instructional periods, without the prior approval of the principal or department director.

All vendors calling on school buildings are required to follow the proper check-in procedures for each location. This includes the presentation of a picture identification card. Vendors cleared for entry into the school will receive a visitor's badge which must be worn while on the premises.

Vendors may make appointments with the Purchasing Department to discuss opportunities with Donna ISD.

## XVI. Legal Authorities and Helpful Resources

The following documents contain relevant grants management requirements. Staff should be familiar with these materials and consult them when making decisions related to the federal grant.

- **Education Department General Administrative Regulations (EDGAR)**  
<http://www2.ed.gov/policy/fund/reg/edgarReg/edgar.html>
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- **Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (2 CFR Part 200)**
- <http://www.ecfr.gov/cgi-bin/text-idx?SID=ccccf77e01c9e6d4b3a377815f411704&node=pt2.1.200&rgn=div5>
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- **USDE's Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards (2 CFR Part 3474)**
- [http://www.ecfr.gov/cgi-bin/text-idx?SID=ccccf77e01c9e6d4b3a377815f411704&tpl=/ecfrbrowse/Title02/2cfr3474\\_main\\_02.tpl](http://www.ecfr.gov/cgi-bin/text-idx?SID=ccccf77e01c9e6d4b3a377815f411704&tpl=/ecfrbrowse/Title02/2cfr3474_main_02.tpl)
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- **Federal program statutes, regulations, and guidance**
- <http://www.ed.gov/>
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- **State regulations, rules, and policies**
- [http://tea.texas.gov/Finance\\_and\\_Grants/Grants/Federal\\_Fiscal\\_Compliance\\_and\\_Reporting/Compliance\\_and\\_Reporting/](http://tea.texas.gov/Finance_and_Grants/Grants/Federal_Fiscal_Compliance_and_Reporting/Compliance_and_Reporting/)
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- **TEA's Financial Accountability System Resource Guide (FASRG), Module 3 Purchasing Guide**
- [http://tea.texas.gov/Finance\\_and\\_Grants/State\\_Funding/Additional\\_Finance\\_Resources/AdditionalFinance\\_Resources/](http://tea.texas.gov/Finance_and_Grants/State_Funding/Additional_Finance_Resources/AdditionalFinance_Resources/)
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- **TEA's New EDGAR Regulations Frequently Asked Questions**
- [https://tea.texas.gov/Finance\\_and\\_Grants/Grants/EDGAR\\_Materials\\_and\\_Resources/](https://tea.texas.gov/Finance_and_Grants/Grants/EDGAR_Materials_and_Resources/)
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- **DISD Policy On-Line**
- [www.donnaisd.net](http://www.donnaisd.net) About Us >School Board >DISD Policy On-Line