In accordance with the District’s Supplier Diversity Program Affirmative Action Policy adopted on October 21, 1988, all purchases shall follow the guidelines specified in the Business Assistance Plan for Houston ISD document. The goal level for minority/ and women business enterprises (M/WBE) shall be set at 20 percent for purchases, non-professional services, and construction services of material, supplies, and equipment and at 15 percent for construction-related projects. For professional service contracts, the goal level shall be set by the using department and the Business Development and Assistance Department in the range of at 35 percent of all contracts over $1 million. A copy of the Special Conditions for Minority/Women Business Enterprises—Purchasing or Construction shall be included in all purchasing bid documents for bids over $10,000 and greater than $25,000 for construction and professional services.

The Procurement Purchasing Services and Business Development and Business Assistance Departments shall actively foster relationships with minority/ and women-owned business enterprises to improve the business climate and the quality of life in the community as well as sound procurement.

[See the Finance Procedures Manual for additional information regarding purchasing and acquisition.]

The Superintendent or designee shall have the authority to determine the method of purchasing to be used, in accordance with CH(LEGAL) or CBB(LEGAL), as appropriate, and to make budgeted purchases unless:

1. State law requires the Board to make or approve a purchase, or

2. The purchase is associated with a board-approved cooperative agreement or intergovernmental agreement “interlocal”.

No employee other than the Superintendent or designee shall be authorized to sign contracts that obligate the District. Specific authority delegated to any designee shall be in accordance with administrative regulation CH(REGULATION).

The Superintendent and/or his or her designee shall furnish a quarterly report to the board of all District solicitation purchase costs or aggregates between $250,000 and $1,000,000.
Emergency Purchases
The Board delegates to the Superintendent authority for approving emergency purchases and/or repairs, provided that any such items are presented to the Board at its next regular scheduled meeting for ratification. [See also CH(LEGAL), CV(LOCAL)]

Purchases Valued at or Above $50,000
All District contracts valued at $50,000 or more shall be made in accordance with the methods permitted by Education Code 44.031(a). [See CH(LEGAL)]

Competitive Bidding
If competitive bidding is chosen as the purchasing method, the Superintendent or designee shall prepare bid specifications. The bid shall be advertised in accordance with Education Code 44.031(g). [See CH(LEGAL)] All bids shall be submitted in sealed envelopes, plainly marked with the name of the bidder and the time of opening. 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 in accordance with state or federal law, as applicable.

Competitive Sealed Proposals
If competitive sealed proposals are chosen as the procurement method, the Superintendent or designee shall prepare the request for proposals and/or specifications for items to be purchased. The proposal shall be advertised in accordance with Education Code 44.031(g). All proposals other than those submitted and sealed electronically shall be submitted in sealed envelopes, plainly marked with the name of the proposer and the time of opening. 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 for 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 in accordance with state or federal law, as applicable.

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 as set forth in Board resolution established rules and criteria for accepting electronic bids or proposals. 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.

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.

**Purchase Commitments**

All purchase commitments shall be made by the Superintendent or designee on a properly drawn and issued purchase order in accordance with administrative regulations.

**Personal Purchases**

District employees shall not be permitted to purchase supplies or equipment for personal use through the District's business process.

**Change Orders and Amendments**

A change order allowance or amendment for any contract requires prior Board approval and in no case shall not exceed the cumulative total change order allowance(s) exceed thresholds established by state law.

**Sole Source Contracts**

Prior to entering into sole source negotiations, the Superintendent or designee shall make a determination that sole source goods or services procurement is necessary in accordance with Education Code 44. [See CBB(LEGAL) and CH(LEGAL)]

For sole source purchases greater than $50,000 $500,000 notice of the intent to enter into negotiations with the sole source vendor shall be noticed publicly, such as publishing on the District’s website and on bid notification forums used by the District for advertising competitive bids, at least seven days prior to presenting the item for Board of Education approval. The notice shall include the title and brief description of the goods or services procured, the name of the proposed vendor, and a summary of the sole source determination.

**Effective Date**

This policy shall be effective as of the adoption date, September 16, 2019.