

CHARTER SCHOOL BOARD POLICY MANUAL POLICY GROUP 5 – FISCAL MANAGEMENT  
PURCHASING AND CONTRACTING (GENERAL) PG-5.10

**Sec. 5.10 Compliance Required; Consequence for Violation.**

All School employees must adhere to the requirements set forth in this Policy PG-5.10 and any administrative procedures adopted by the Superintendent or designee to implement this Policy. If a School employee fails to follow the requirements established in PG-5.10, including obtaining an approved purchase order prior to the purchase of any goods and/or services, the employee shall be financially responsible for the purchase. A School employee failing to adhere to this Policy may request that the Superintendent or designee review a non-compliant purchase for payment from School funds. In this regard, the Superintendent's or designee's decision is final and may not be appealed to the Board. As deemed appropriate, the Superintendent or designee shall take appropriate disciplinary action, including termination.

**Sec. 5.10.1. Applicability of Procurement Laws.**

The Board of Directors ("Board") and Superintendent of JUBILEE ACADEMIC CENTER ("School") shall endeavor to maximize the use of School funds to purchase goods and services to further the School's mission and facilitate the implementation of the charter program.

**Sec. 5.10.2. Applicability of Policy.**

This policy pertains to the purchase of goods and services generally and does not apply:

- (a) To the purchase of goods and services for the construction, renovation, or repair of a structure, road, highway, or other improvement or addition to real property; or
- (b) To the procurement of professional and contracted services.

**Sec. 5.10.3. Authority to Procure Goods and Services.**

The Board authorizes the Superintendent, Chief Financial Officer and/or their designee(s) to procure goods and services pursuant to the budget adopted and amended by the Board.

**Sec. 5.10.4. Contract Required.**

The Superintendent shall procure or cause the procurement of goods and/or services with a cost exceeding \$50,000 through an executed contract.

**Sec. 5.10.4.1. Signature Authority.**

Only the Superintendent, the Chief Financial Officer and/or their designee(s) shall be authorized to execute contractual agreements that obligate the School to disburse funds for the receipt of goods and/or services. The Superintendent, Chief Financial Officer and the Director of Purchasing shall delegate specific signature authority to any designee in writing through an administrative procedure, job description or internal memorandum.

**CHARTER SCHOOL BOARD POLICY MANUAL POLICY**  
**GROUP 5 – FISCAL MANAGEMENT PURCHASING AND CONTRACTING**  
**(GENERAL) PG-5.10**

**Sec. 5.10.5. Centralized Purchasing Function.**

The Superintendent shall procure or cause the procurement of goods and/or services through a centralized purchasing function.

**Sec. 5.10.5.1. Contract Administration.**

The Superintendent or designee shall establish and maintain a contract administration system. The contract administration system must enable the School to maintain original, fully executed legal agreements that include contractual provisions required by prudent business practice and applicable law and rule.

**Sec. 5.10.5.2. Purchase Order System.**

The Superintendent or designee shall establish and maintain a purchase order system. The purchase order shall serve as the formal method for procuring goods and/or services from a vendor and shall have the effect of obligating the School to remit payment to the vendor upon receipt of the goods and/or services and of the related invoice.

**Sec. 5.10.5.2.1. Required Approvals.**

Only the Superintendent, the Chief Financial Officer and/or their designee(s) shall be authorized to approve purchase orders. The Superintendent and Chief Financial Officer shall delegate specific signature authority to any designee in writing through an administrative procedure, job description or internal memorandum.

**Sec. 5.10.5.2.2. Issuance Prohibited.**

School employees shall not issue a purchase order to a vendor unless it has been approved pursuant to Subsection 5.10.5.2.1.

**Sec. 5.10.5.2.3. Failure to Issue.**

If a School employee purchases goods and/or services from a vendor without an approved purchase order, as established in Subsection 5.10.5.2.1 above, the employee shall be financially responsible for the purchase. At his sole discretion, the Superintendent or designee may refuse to issue payment to the vendor, in which event the employee shall be responsible for said payment. In the event that the Superintendent or designee approve a payment to the vendor, the Superintendent or designee shall issue written notice to the vendor of the School's purchasing requirements and may require the employee to reimburse the School the unauthorized invoice cost.

**CHARTER SCHOOL BOARD POLICY MANUAL POLICY**  
**GROUP 5 – FISCAL MANAGEMENT PURCHASING AND CONTRACTING**  
**(GENERAL) PG-5.10**

**Sec. 5.10.5.2.4. Exception.**

The Superintendent or designee may opt to not require a purchase order for the purchase of goods and services with local funds and with state funds for individual purchases not exceeding a cost or value of \$500.00. The Superintendent or designee must implement a written administrative procedure addressing the policy statement set forth in this subsection; otherwise, this policy statement is null and void.

**Sec. 5.10.5.3. Corporate Card Program**

The Superintendent may establish a corporate charge or credit card program to permit authorized School employees to purchase goods and/or services. The Superintendent may only use and may only allow the use of the corporate card program for official School business and shall prohibit the use of corporate card program for personal benefit. Any employee authorized to participate in the corporate card program shall be required to sign a usage agreement. In addition to other pertinent requirements, the usage agreement shall require the employee to pay for any unsubstantiated charges or for the purchase of non-business related goods and/or services.

**Sec. 5.10.5.3.1. Failure to Document.**

If an employee fails to provide the required records pursuant to Subsection 5.10.5.3., the employee shall be financially liable for the costs charged to the corporate card

**Sec. 5.10.5.4. Purchasing Officer.**

The Superintendent may delegate the purchasing function to an employee designated as the purchasing officer.

**Sec. 5.10.5.5. Campus Principal Responsible.**

Each School campus principal shall be responsible for all the expenditures from the budget approved for their campus. Each campus principal must work with the purchasing officer to purchase goods and/or services pursuant to this policy. Alternatively, the campus principal may use the corporate card program to purchase goods and/or services.

**Sec. 5.10.5.6. Employee Purchases Prohibited.**

School employees are prohibited from conducting any transaction that results in the purchase of services and/or equipment, furniture, supplies or other materials and that obligates School funds and otherwise results in the expenditure of School funds. To acquire supplies, materials, equipment, furniture and/or services, School employees must follow this and other related policies.

**CHARTER SCHOOL BOARD POLICY MANUAL POLICY  
GROUP 5 – FISCAL MANAGEMENT PURCHASING AND CONTRACTING  
(GENERAL) PG-5.10**

**Sec. 5.10.5.7. Authorized Vendors.**

The Superintendent or designee shall require the procurement of goods and/or services from authorized vendors. The Superintendent or designee shall select or cause the selection of vendors based upon an application submitted by each vendor that includes the following considerations:

- (a) The vendor's record of providing satisfactory goods and/or services that conform to the buyer's specifications, if any.
- (b) The vendor's record of providing goods and/or services within a stated time schedule.
- (c) The vendor's ability and capacity to meet the needs and demands of the School based upon its existing personnel, equipment and other resources.
- (d) The vendor's available financial resources to enable it to perform the work or provide the goods requested by the School.

**Sec. 5.10.6. Authorized Procurement Methods.**

The Superintendent or designee shall procure or cause the procurement of goods and/or services through the following methods for the amounts indicated.

**Sec. 5.10.6.1. Purchases with Local Funds.**

The Superintendent, Chief Financial Officer and/or their designee(s) may procure goods and/or services from local funds through the most expedient manner available.

**Sec. 5.10.6.2. Purchases with State Funds.**

**Sec. 5.10.6.2.1. No Method Required.**

From state funds, the Superintendent, Chief Financial Officer and/or their designee(s) may procure goods and/or services that have a cost or value of less than \$50,000 through the most expedient manner available.

**Sec. 5.10.6.2.2. Quotes.**

From state funds and with the exception of contracts for professional services and public works or construction services, the Superintendent, Chief Financial Officer and/or their designee(s) may procure goods and/or services that have a cost or value between \$50,000 but less than \$250,000 through the solicitation of written quotes from authorized vendors.

**CHARTER SCHOOL BOARD POLICY MANUAL POLICY**  
**GROUP 5 – FISCAL MANAGEMENT PURCHASING AND CONTRACTING**  
**(GENERAL) PG-5.10**

**Sec. 5.10.6.2.3. Competitive Bids or Proposals.**

The Superintendent, Chief Financial Officer and/or their designee(s) may procure goods and/ or services that have a cost or value of \$250,000 or more through the solicitation for competitive bids or proposals, whichever method is deemed appropriate and will yield best value.

**Sec. 5.10.6.3. Purchases with Federal Funds.**

**Sec. 5.10.6.3.1. Micro-Purchases.**

- (a) The Superintendent or designee may procure supplies<sup>1</sup> and services, other than professional services, that have a cost or value of less than \$10,000 through the most expedient manner available. However, to the extent practicable, the Superintendent or designee must distribute micro-purchases equitably among authorized vendors. Additionally, if a purchase is made without soliciting competitive quotes, the Superintendent or designee must document that the price was reasonable based on research, experience, purchase history or other information and documents on file. To comply with applicable requirements promulgated by the Texas Education Agency (TEA), the Superintendent or designee may only utilize this procurement method provided that purchases under this method do not exceed \$10,000 in the aggregate throughout the fiscal year for all the federal grants received by Jubilee Academies. Consistent with TEA policy directives, the Superintendent or designee may adopt an administrative procedure relating to “like-types of items” to provide staff greater flexibility under this procurement method.
- (b) District employees may make micro-purchases through corporate charge and credit accounts pursuant to the administrative procedures adopted by the Superintendent or designee under Sec. 5.10.5.3 and Sec. 5.10.7 of this policy.
- (c) Each year prior to the start of the fiscal year, the Superintendent or designee may recommend to the Board that the micro-purchase threshold of \$10,000 under Sec. 5.10.6.3.1 of this policy be increased to an amount not to exceed \$49,999.99. In the resolution to the Board, the Superintendent or designee must provide a justification for the request, specify the amount to which the micro-purchase threshold should be increased and provide documentary evidence that one of the following requirements has been met:
- (i) The District qualified as a low-risk auditee, as disclosed on the most recently filed annual financial and compliance report; or
  - (ii) The District’s plan prepared in response to the findings disclosed on an annual internal institutional risk assessment to identify, mitigate and manage financial risks.

---

<sup>1</sup> Code of Federal Regulations, Title 2 (“2 CFR”), §200.94  
DATE AMENDED: AUGUST 6, 2021

**CHARTER SCHOOL BOARD POLICY MANUAL POLICY**  
**GROUP 5 – FISCAL MANAGEMENT PURCHASING AND CONTRACTING**  
**(GENERAL) PG-5.10**

- (d) The Superintendent or designee shall ensure that the Texas Education Agency is appropriately notified or approves of any increase in the micro-purchase threshold approved by the Board under Sec. 5.10.6.3.1 (c) of this policy.

**Sec. 5.10.6.3.2. Small Purchases.**

The Superintendent or designee shall procure supplies,<sup>1</sup> other personal property<sup>2</sup> and services, other than professional services, that have a cost or value of no less than \$10,000 and no more than \$50,000 for funds administered by the Texas Department of Agriculture or \$250,000 for other federal funds through the solicitation of three (3) or more written competitive quotes from authorized vendors.

**Sec. 5.10.6.3.3. Sealed Bids.**

The Superintendent or designee shall procure goods and services that have a cost or value exceeding \$50,000 for funds administered by the Texas Department of Agriculture or \$250,000 for other federal funds through the public solicitation of sealed bids if the conditions established under the applicable federal procurement standard apply.

**Sec. 5.10.6.3.4. Competitive Proposals.**

If conditions are not appropriate for the use of sealed bids, the Superintendent or designee shall procure goods and services that have a cost or value exceeding \$50,000 for funds administered by the Texas Department of Agriculture or \$250,000 for other federal funds through competitive proposals if the requirements of the applicable federal procurement standard are met.

**Sec. 5.10.6.3.5. Noncompetitive Proposals.**

The Superintendent or designee may procure goods through the solicitation of a proposal from only one source only when one or more of the circumstances established under the applicable federal procurement standard apply.

**Sec. 5.10.6.3.6. Federal Procurement Standards.**

The Superintendent or designee shall ensure compliance with the federal procurement standards and other applicable requirements when procuring goods and services with federal funds.

---

<sup>1</sup> Code of Federal Regulations, Title 2 (“2 CFR”), §200.94

<sup>2</sup> 2 CFR §200.78; Texas Administrative Code, Title 19, §100.1001(6)

**CHARTER SCHOOL BOARD POLICY MANUAL POLICY**  
**GROUP 5 – FISCAL MANAGEMENT PURCHASING AND CONTRACTING**  
**(GENERAL) PG-5.10**

**Sec. 5.10.6.4. Board Approval Required.**

Prior to executing a contract for the procurement of goods and/or services with a cost of \$250,000 (or \$50,000 for TDA and for public works (construction services)) or more per contract or aggregate, the Board shall approve the contract.

**Sec. 5.10.6.5. Bid Specifications.**

The Superintendent, Chief Financial Officer and/or their designee(s) shall prepare bid specifications for each requested competitive bid. The Superintendent, Chief Financial Officer and/or their designee(s) shall not accept any bid that does not conform to the bid specifications or that is received after the deadline for submitting a bid.

**Sec. 5.10.6.5.1. Withdrawal by Bidder.**

The bidder may withdraw a bid at any time prior to the scheduled time for the bid opening.

**Sec. 5.10.6.5.2. Bid Opening.**

The Superintendent, Chief Financial Officer and/or their designee(s) shall invite the public and all bidders to attend the bid opening.

**Sec. 5.10.6.5.3. Rejection of Bids.**

The Board, Superintendent, Chief Financial Officer and/or their designee(s) may reject any and all bids.

**Sec. 5.10.6.5.4. Recommendation to Board.**

The Superintendent shall recommend to the Board the vendor with lowest conforming bid that provides the best value to the School. In making a recommendation, the Superintendent shall consider:

- (a) The total cost of the goods and/or services;
- (b) The reputation of the vendor and of the vendor's goods and services;
- (c) The quality of the vendor's goods and/or services;
- (d) The extent to which the goods and/or services meet the School's need(s);
- (e) The vendor's past relationship with the School;
- (f) The total long-term cost to the School to acquire the vendor's goods and/or services; and
- (g) Any other factor specifically listed in the request for bids.

**CHARTER SCHOOL BOARD POLICY MANUAL POLICY**  
**GROUP 5 – FISCAL MANAGEMENT PURCHASING AND CONTRACTING**  
**(GENERAL) PG-5.10**

**Sec. 5.10.6.6. Sole Source.**

The Superintendent is not required to follow Subsection 5.10.6 for purchases that are only available from a single vendor.

**Sec. 5.10.7. Administrative Procedures.**

The Superintendent shall prepare administrative procedures as required to implement this policy.