



## Governing Board Agenda Item

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Meeting Date: December 11, 2025

From: Thomas Bogart, Chief Financial Officer

Subject: Policy Consideration

Priority: To support informed, engaged, and empowered stakeholders

Consent ☐ Action ☒ Discussion ☐

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### Background:

The following policy is being revised as a result of an Arizona School Boards Association Policy Advisory.

### Policy DJE, Bidding/Purchasing Procedures

Policy language previously duplicated in both the *Bidding* and *Purchases Not Requiring Bidding* sections has been consolidated. The statutory exceptions to competitive bidding have been retained in the *Bidding* section and removed from the *Purchases Not Requiring Bidding*. The change streamlines the policy without altering its intent or requirements.

### Recommended Motion:

I move that the Governing Board approve revisions to Policy DJE, Bidding/Purchasing Procedures, as presented.

Approved for transmittal to the Governing Board:

A handwritten signature in black ink, appearing to read 'D. Streeter', written over a horizontal line.

Dr. Daniel Streeter, Superintendent

*Questions should be directed to: Thomas Bogart, Chief Financial Officer*  
*Phone: (520) 682-4749*

## **DJE**

### **BIDDING / PURCHASING PROCEDURES**

The Superintendent shall be responsible for all purchasing, contracting, competitive bidding, and receiving and processing of all bid protests, in accordance with the Arizona school district procurement rules, including A.A.C. [R7-2-1141](#) *et seq.* A contract shall not be awarded to an entity that does not verify employment eligibility of each employee through the E-verify program in compliance with A.R.S. [23-214](#) subsection A. Each contract shall contain the warranties required by A.R.S. [41-4401](#) relative to the E-verify requirements. District purchases shall also be in accordance with 2 C.F.R. 200 (Code of Federal Regulations Title 2).

The Superintendent shall ensure that all aspects of bidding and purchasing procedures conform to federal and state laws, rules and regulations, including A.R.S. [38-503](#)(C). The Superintendent shall establish administrative regulations to ensure the District is in full compliance, including contracting with small and minority businesses, women's business enterprises, veteran-owned businesses, and labor surplus area firms. (2 C.F.R. 200.321).

#### **Bidding**

The District is not required to engage in competitive bidding in order to place a student in a private school that provides special education services if such placement is prescribed in the student's individualized education program and the private school has been approved by the Department of Education Division of Special Education pursuant to A.R.S. [15-765](#). The placement is not subject to rules adopted by the State Board of Education before November 24, 2009 pursuant to A.R.S. [15-213](#).

The District may, without competitive bidding, purchase or contract for any products, materials and services directly from Arizona Industries for the Blind, certified nonprofit agencies that serve individuals with disabilities and Arizona Correctional Industries if the delivery and quality of the goods, materials or services meet the District's reasonable requirements.

Intergovernmental agreements and contracts between school districts or between the District and other governing bodies as provided in A.R.S. [11-952](#) are exempt from competitive bidding under the procurement rules adopted by the State Board of Education pursuant to A.R.S. [15-213](#).

The District is not required to engage in competitive bidding to make a decision to participate in insurance programs authorized by A.R.S. [15-382](#).

The District is not required to obtain bid security for the construction-manager-at-risk method of project delivery.

#### ***Online Bidding***

Until such time as the State Board of Education adopts rules for the procurement of goods and information services by school districts and charter schools using electronic, online bidding, the District may procure goods and information services pursuant to A.R.S. [41-2671](#) through [2673](#)

using the rules adopted by the Department of Administration in implementing [41-2671](#) through [2673](#).

Except as otherwise provided below, only purchases of ten thousand dollars (\$10,000) or more are subject to competitive bidding requirements.

## **Purchasing**

### ***Purchases from District Employees***

Districts are required to follow the School District Procurement Rules for all purchases of goods or services from District employees regardless of dollar amount. A.R.S. [38-503](#)(C) prohibits public employees from providing their employers with any equipment, material, supplies, or services unless provided under an award or contract let after public competitive bidding. Districts must follow the School District Procurement Rules, regardless of the expenditure amount, when purchasing goods or services from District employees. This applies to any purchase using District monies, including extracurricular activities fees tax credit contributions and monies held in trust by the District, such as student activities monies. Although the School District Procurement Rules exempt expenditures of student activities monies from the Rules, that exemption does not apply to purchases in which a District employee acts as a vendor.

### ***Purchases from District Board Members***

Districts are required to follow the School District Procurement Rules for all purchases of services from District Board members regardless of dollar amount. A.R.S. [38-503](#)(C) prohibits governing board members from providing their district with any services, unless provided under an award or contract let after public competitive bidding. However, for purchases of supplies, materials, and equipment from district board members, districts are required to follow the School District Procurement Rules only if the purchase exceeds one hundred thousand dollars (\$100,000). Purchases below the one hundred thousand dollar (\$100,000) threshold must comply with the guidelines for written quotes. For districts with three thousand (3,000) or more students, statutes limit purchases of supplies, materials, and equipment from Board members to three hundred dollars (\$300) per transaction and one thousand dollars (\$1,000) total within any twelve (12)-month period and require that the Governing Board adopt a policy authorizing such purchases within the preceding twelve (12) months.

### ***Purchases Requiring Bidding***

For transactions of at least ten thousand dollars (\$10,000) and less than one hundred thousand dollars (\$100,000), written price quotations will be requested from at least three (3) vendors. If three (3) written price quotations cannot be obtained, documentation showing the vendors contacted that did not offer written price quotations, or explaining why written price quotations were not obtained, shall be maintained on file in the District office.

For transactions to purchase construction, materials, or services costing more than one hundred thousand dollars (\$100,000), sealed bids and proposals shall be requested.

All transactions must comply with the applicable requirements of the Arizona Revised Statutes, the Arizona Administrative Code and the Uniform System of Financial Records.

### ***Purchases Not Requiring Bidding***

Except as otherwise provided above, purchases of less than ten thousand dollars (\$10,000) may be made at the discretion of the Superintendent. Such procurements are not subject to competitive purchasing requirements; however, reasonable judgment should be used to ensure the purchases are advantageous to the District.

~~The District is not required to engage in competitive bidding in order to place a student in a private school that provides special education services if such placement is prescribed in the student's individualized education program and the private school has been approved by the Department of Education Division of Special Education pursuant to A.R.S. 15-765. The placement is not subject to rules adopted by the State Board of Education before November 24, 2009 pursuant to A.R.S. 15-213.~~

~~The District may, without competitive bidding, purchase or contract for any products, materials and services directly from Arizona Industries for the Blind, certified nonprofit agencies that serve individuals with disabilities and Arizona Correctional Industries if the delivery and quality of the goods, materials or services meet the District's reasonable requirements.~~

~~Intergovernmental agreements and contracts between school districts or between the District and other governing bodies as provided in A.R.S. 11-952 are exempt from competitive bidding under the procurement rules adopted by the State Board of Education pursuant to A.R.S. 15-213 (A.A.C. R7-2-1002(C)(2)).~~

~~The District is not required to engage in competitive bidding to make a decision to participate in insurance programs authorized by A.R.S. 15-382.~~

### **Contract Requirements** ***Contract Duration***

Unless otherwise provided by law, contracts for materials or services and contracts for job-order-contracting construction services may be entered into if the duration of the contract and the conditions of renewal or extension, if any, are included in the invitation for bids or the request for proposals and if monies are available for the first fiscal period at the time the contract is executed. The duration of contracts for materials or services and contracts for job-order-contracting construction services shall be limited to no more than five (5) years unless the Board determines that a contract of longer duration would be advantageous to the District. Once determined, the decision should be memorialized in meeting minutes and in the contract/bid file. Payment and performance obligations for succeeding fiscal periods are subject to the availability and appropriation of monies. The maximum dollar amount of an individual job order for a job-order-contracting construction service shall be two million dollars (\$2,000,000) or as determined by the Board.

### ***Public Inspection and Rationale for Awarding a Contract***

The Governing Board shall make available, for public inspection, all information, all bids, proposals and qualifications submitted, and all findings and other information considered in determining whose bid conforms to the District's invitation for bids. The documentation provided will include information regarding the most advantageous, with respect to price, conformity to the specifications, and other factors, or whose proposal for qualifications are to be used to select and award the bid. Included in this information will be the rationale for awarding a contract for any specified professional services, construction, construction service or materials to an entity selected from a qualified select bidders list or through a school purchasing cooperative. The invitation for bids, request for proposals or request for qualifications shall include a notice that all information and bids, proposals and qualifications submitted will be made available for public inspection.

### **Requirement: Registered Sex Offender Prohibition**

All purchase orders, agreements to purchase, and contracts for services to be provided by personnel other than District employees must include the following statement on the document:

***Registered Sex Offender Restriction.*** Pursuant to this order, the named vendor agrees by acceptance of this order that no employee or subcontractor of the vendor, who is required to register as a sex offender, pursuant to A.R.S. [13-3821](#), will perform work on District premises or equipment at any time when District students are, or are reasonably expected to be, present. The vendor further agrees by acceptance of this order that a violation of this condition shall be considered a material breach and may result in a cancellation of the order at the District's discretion.

Adopted: ~~September 11, 2025~~ December 11, 2025

LEGAL REF.:

A.R.S.

[11-952](#)

[15-213](#)

[15-213.01](#)

[15-213.02](#)

[15-239](#)

[15-323](#)

[15-342](#)

[15-382](#)

[15-765](#)

[15-910.02](#)

[23-214](#)

[34-101](#) et seq.

[35-391](#) et seq.

[35-393](#) *et seq.*

[38-503](#)

[38-511](#)

[39-121](#)

[41-2632](#)

[41-2636](#)

[41-4401](#)

A.A.C.

[R7-2-1001](#) *et seq.*

[R7-2-1023](#)

[R7-2-1029](#)

A.G.O.

I83-136

I87-035

I06-002

Uniform System of Financial Records: VI-G-8 *et seq.*

2 C.F.R. 200

2 C.F.R. 200.321

CROSS REF.:

[BCB](#) - Board Member Conflict of Interest

[DJ](#) - Purchasing Ethics

[DJG](#) - Vendor/Contractor Relations and Sales Calls Requirements

[GBEAA](#) - Staff Conflict of Interest

[JLIF](#) - Sex Offender Notification