

Policy © 3-109 Procurement

The District shall ensure that all aspects of bidding and purchasing procedures conform to federal and state laws, rules and regulations. In connection with the District's procurement of goods, services, or construction, the District shall comply with the [Arizona Constitution](#), [A.R.S. § 38-501 et seq.](#), [A.R.S. § 15-213 et seq.](#), the State Board of Education's procurement code for school districts (School Procurement Code), and the Auditor General's Uniform System of Financial Records (USFR).

The Superintendent shall be responsible for all purchasing, contracting, competitive bidding, and receiving and processing of all bid protests in accordance with state and federal law. Competitive procurement is required for every expenditure of public monies in excess of the limits specified in [A.R.S. § 41-2535](#).

Governing Board Approval

The Governing Board shall approve all procurements of \$100,000 or more. The Board delegates authority to the Superintendent to approve all procurements under the \$100,000 threshold.

Delegation of Procurement Authority

Pursuant to [Arizona Administrative Code R7-2-1007](#), the Board delegates procurement authority to the Superintendent, who shall serve as the District representative in procurement matters. The Board may separately delegate procurement responsibilities to other employees and permits the Superintendent to delegate authority to other employees according to the process outlined in the School Procurement Code.

Multi-Year Purchases

Subject to Board approval, the District may enter into purchase contracts for up to five (5) years if a multiyear agreement is in the District's best interest. The District shall include requisite findings in the procurement file regarding availability of funding and benefit to the District.

Public Inspection

The District shall make available for public inspection all information, bids, proposals, **and** qualifications **submitted**, findings and other information considered in issuing procurement.

Conflict of Interest

In connection with the District's purchase of goods, services, or construction, Board members and District employees shall annually disclose conflicts of interest as required by state and federal law.

Board members and District staff shall file the disclosure of any conflict of interest. If a Board member or District employees or their relatives have a conflict of interest in any procurement of services, equipment, or construction, the Board member or District employee shall refrain from participating in any way in the procurement, including but not limited to making recommendations, giving advice or communicating with anyone involved in the procurement process.

Vendor Relations

District employees who supervise or participate in contracts, purchases, payments, claims, or other financial transactions or who supervise or participate in the planning, recommending, selecting, or contracting for materials, services, goods, construction, or construction services for the District shall not solicit or accept any personal gift or benefit, except as permitted below and by law.

A gift or benefit means a payment, distribution, expenditure, advance, deposit or monies, any intangible personal property, or any kind of tangible personal or real property. ~~A gift or benefit does not include food or beverage, expenses or sponsorships related to a special event or function related to individuals identified in this Policy, nor does this include an item of nominal value such as a greeting card, T-shirt, mug or pen, food or beverage, or expenses or sponsorships relating to a special event or function to which individuals involved in procurement are invited.~~ A gift or benefit does not include an item of nominal value, such as a greeting card, T-shirt, mug, or pen; food or beverages; or expenses or sponsorships relating to a special event or function involving individuals identified in this Policy or to which individuals involved in procurement are invited. Board members and District employees may accept gifts or benefits of nominal value from a vendor as permitted by statute.

Purchase from District Employees or Board Members

The District must use competitive bidding when purchasing any equipment, material, supplies, or services from District employees regardless of dollar amount. This applies to any purchase using District monies, including extracurricular activities fees tax credit, student activities monies, gifts, and/or donations.

The Board authorizes purchases from Board members as authorized pursuant to [A.R.S. § 15-323](#). The District must follow all procurement requirements with respect to any purchase from a Board member. Each purchase must be specifically approved by the Board after the appropriate procurement process. The minutes of the Board meeting shall reflect the amount of the purchase. Unless otherwise permitted by statute, the District shall not exceed \$300 for any single transaction with a Board member and the total purchases from any Board member within any twelve (12) month period shall not exceed \$1000.

Insurance

If the District operates a self-insurance program pursuant to A.R.S. § 15-382 to: (1) purchase disability or health benefit plans insurance; (2) pool the retention of risk of losses for health or accident claims; or (3) provide health and medical services, and if the District employs at least three hundred (300) employees, the Board shall obtain quotes for coverage and services from authorized service providers at least once every four (4) year period. The District shall not renew coverage or services from any person that fails to provide timely, accurate and complete information as required by law.

Job Order Contracting

The maximum dollar amount of an individual job order for a job-order-contracting construction service shall be \$1,000,000 unless otherwise specifically authorized by the Board.

Adopted:

Legal Authority:

[Ariz. Const. Art. IX, § 7](#)

[A.R.S. § 11-952](#)

[A.R.S. § 15-213](#) *et seq.*

[**A.R.S. §15-271**](#)

[A.R.S. § 15-323](#)

[A.R.S. § 15-382](#)

[A.R.S. § 15-765](#)

[A.R.S. § 38-501](#) *et seq.*

[A.R.S. § 35-393](#) *et seq.*

[A.R.S. § 41-2535](#)

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

Uniform System of Financial Records