

BOARD OF TRUSTEES AGENDA

<input type="checkbox"/>	Workshop	<input type="checkbox"/>	Regular	<input type="checkbox"/>	Special
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- (A) **Report Only** **Recognition**

Presenter(s): ISMAEL MIJARES, DEPUTY SUPERINTENDENT FOR BUSINESS AND FINANCE
LUIS VELEZ, PURCHASING DIRECTOR

Briefly describe the subject of the report or recognition presentation.

REPORT ON MANAGEMENT FEES FOR STATE PURCHASE CONTRACTS, INTERLOCAL AGREEMENTS AND PURCHASING COOPERATIVES.

- (B) **Action Item**

Presenter(s):

Briefly describe the action required.

- (C) **Funding source: Identify the source of funds if any are required.**

- (D) **Clarification: Explain any question or issues that might be raised regarding this item.**



Marked for Excellence

MEMORANDUM

To: Ismael Mijares, Deputy Superintendent for Business and Finance
From: Luis Vélez, Purchasing Director  Luis A. Vélez
Date: June 29, 2017 2017.06.26 18:06:46
Subject: Report on management fees for state purchase contracts, interlocal agreements and purchasing cooperative for 2015-2016 -05'00'

Section 44.0331 of the Texas Education Code requires that the district annually document and present a written report as an agenda item in an open meeting to the board of trustees regarding management fees for state purchase contracts, interlocal agreements, and purchasing cooperatives.

Please note that by participating in these agreements, the list of available resources from which to procure from is not only expanded, but also ensures compliance with competitive bidding requirements at greatly reduced costs.

Please contact me at the Department of Purchasing should you need any further information regarding this matter.

is convicted of an offense under this section is considered to have committed official misconduct for purposes of Chapter 87, Local Government Code, and is subject to removal as provided by that chapter and Section 24, Article V, Texas Constitution. For four years after the date of the final conviction, the removed person is ineligible to be a candidate for or to be appointed or elected to a public office in this state, is ineligible to be employed by or act as an agent for the state or a political subdivision of the state, and is ineligible to receive any compensation through a contract with the state or a political subdivision of the state. This subsection does not prohibit the payment of retirement benefits to the removed person or the payment of workers' compensation benefits to the removed person for an injury that occurred before the commission of the offense for which the person was removed. This subsection does not make a person ineligible for an office for which the federal or state constitution prescribes exclusive eligibility requirements.

(f) A court may enjoin performance of a contract made in violation of this subchapter. A county attorney, a district attorney, a criminal district attorney, a citizen of the county in which the school district is located, or any interested party may bring an action for an injunction. A party who prevails in an action brought under this subsection is entitled to reasonable attorney's fees as approved by the court.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 1999, 76th Leg., ch. 1225, Sec. 3, eff. Sept. 1, 1999.

Sec. 44.0331. MANAGEMENT FEES UNDER CERTAIN COOPERATIVE PURCHASING CONTRACTS. (a) A school district that enters into a purchasing contract valued at \$25,000 or more under Section 44.031(a)(5), under Subchapter F, Chapter 271, Local Government Code, or under any other cooperative purchasing program authorized for school districts by law shall document any contract-related fee, including any management fee, and the purpose of each fee under the contract.

(b) The amount, purpose, and disposition of any fee described by Subsection (a) must be presented in a written report and submitted annually in an open meeting of the board of trustees of the school district. The written report must appear as an agenda item.

(c) The commissioner may audit the written report described by Subsection (b).

Added by Acts 2007, 80th Leg., R.S., Ch. 449 (H.B. 273), Sec. 5, eff. June 16, 2007.

MANAGEMENT FEES REPORT - 2015-2016

<u>Description of fees paid by District</u>		<u>Fee paid:</u>
1	Interlocal Agreement - Houston-Galveston Area Council Cooperative (HGAC) No fee paid.	\$ -
2	Interlocal Agreement - Texas Department of Information Resources (DIR) No fee paid.	\$ -
3	Interlocal Agreement - The Cooperative Purchasing Network (TCPN) No fee paid.	\$ -
4	Interlocal Agreement - U.S. Communities Government Purchasing Alliance No fee paid.	\$ -
5	Interlocal Agreement - Purchasing Association of Cooperative Entities (PACE) No fee paid.	\$ -
6	Interlocal Agreement - The Interlocal Purchasing System (TIPS) No fee paid.	\$ -
7	Interlocal Agreement - Education Service Center Region 20 Fee of \$3,247.00 compensates the cooperative for the services and functions performed under the cooperative.	\$ 3,247.00
8	Interlocal Agreement - TASB Local Government Purchasing Cooperative (Buyboard) Fee of \$24,647.38 enables the cooperative to pay the administrative, endorsement, licensing, marketing, and other expenses involved in operating the cooperative program.	\$ 24,647.38
9	Interlocal Agreement - Texas Association of School Boards – Energy Cooperative Fee of \$16,902.94 compensates the cooperative for the services and functions performed under the interlocal participation agreement and enable the cooperative to pay the administrative, endorsement, licensing, marketing, and other expenses involved in operating the cooperative program. The cooperative fee is \$0.00087/MWh.	\$ 16,902.94
10	State of Texas Cooperative Purchasing Program Membership fee of \$100.00 to the State of Texas Cooperative Purchasing Program covers governmental costs associated with the cooperative program.	\$ 100.00
Total management fees paid:		\$ 44,897.32

<u>Description of refunds received by District</u>		<u>Refund received:</u>
1	Interlocal Agreement - TASB Local Government Purchasing Cooperative (Buyboard) By participating in the TASB Buyboard cooperative, Eagle Pass I.S.D. is eligible to receive a rebate on annual purchases made through this cooperative. For this period, the district received a check in the amount of \$9,649.57.	\$ 9,649.57
Total refunds received under cooperatives:		\$ 9,649.57

Total management fees paid:	\$ 44,897.32
Total refunds received under cooperatives:	\$ (9,649.57)
Net expense to EPISD for 2015-2016:	\$ 35,247.75



P.O. Box 400, Austin, Texas 78767-0400
800.695.2919 • Fax: 800.211.5454 • buyboard.com



December 14, 2016

RE: Report of Management Fees September 2015 – August 2016

Dear Administrator,

The Local Government Purchasing Cooperative (the "Cooperative") is providing the following report on fees received by the Cooperative from vendors for purchases your district made through the BuyBoard® during the last fiscal year. The Cooperative is providing this information in order for your district to determine its compliance requirements under Section 44.0331 of the Education Code, which states:

Sec. 44.0331. MANAGEMENT FEES UNDER CERTAIN COOPERATIVE PURCHASING CONTRACTS.

- (a) A school district that enters into a purchasing contract valued at \$25,000 or more under Section 44.031(a)(5), under Subchapter F, Chapter 271, Local Government Code, or under any other cooperative purchasing program authorized for school districts by law shall document any contract-related fee, including any management fee, and the purpose of each fee under the contract.
- (b) The amount, purpose, and disposition of any fee described by Subsection (a) must be presented in a written report and submitted annually in an open meeting of the board of trustees of the school district. The written report must appear as an agenda item.
- (c) The commissioner may audit the written report described by Subsection (b).

The Interlocal Participation Agreement executed by your district allows the Cooperative to collect a vendor fee up to 2% of the purchase price paid by a Cooperative member or a flat fee amount for vehicles that is set by the Cooperative Board of Trustees. These vendor fees compensate the Cooperative for the services and functions performed under the Interlocal Participation Agreement and enable the Cooperative to pay the administrative, endorsement, licensing, marketing, and other expenses involved in successfully operating a program of electronic commerce for Cooperative members. **These fees are collected from vendors, not Cooperative or BuyBoard members.**

This report is based on purchase orders processed through the BuyBoard and paid by the vendor as of August 31, 2016. Vendor fees that are reflected are based on those contracts or purchase orders valued at \$25,000 or more and all other fees collected for those orders valued at less than \$25,000—in essence, all purchase activity by your district. The vendor fees reflect the amount invoiced and actually collected by the Cooperative. Please note that if your district made a purchase during the last fiscal year but the vendor had not yet sent its fee to the Cooperative, it is not reflected on this report.

The amazing growth of the Cooperative over the last couple of years has resulted in the Cooperative actually generating more in vendor service fees than it needs to cover its annual expenditures. As a result, the Cooperative Board approved a distribution of up to \$6.9 million to be rebated to 994 members, with each entity's rebate based on the amount of excess vendor service fees generated by its purchases. The rebate is reflective of your participation in the Cooperative for the 2015-16 fiscal year. If you received a rebate, it is indicated on the management fee report that follows.

If you have any questions please call us at 800-695-2919. Thank you for past support of the Cooperative and we look forward to providing you continued service in the upcoming year.

Respectfully,

Sharon McAfee
BuyBoard Program Director





Cooperative Management Fee Report: 9/1/2015 - 8/31/2016

Eagle Pass ISD

	PO Amount	Vendor Fees
Total for all other contracts or purchase orders	\$306,624.95	\$5,959.11
Total of all purchases orders processed	\$3,227,876.45	\$24,647.38
Rebate Paid		\$(9,650.00)
Net Amount of Fees Collected		\$14,997.38
Percentage of Vendor Service Fee Collected		0.46%



Cooperative Management Fee Report: 9/1/2015 - 8/31/2016

Eagle Pass ISD

Contracts or Purchase Orders at \$25,000 or more

Vendor	Date	PO Number	PO Amount	Vendor Fees
Athletic Supply, Inc.	9/14/2015	273198	\$27,695.00	\$553.90
Caldwell Country Ford	12/28/2015	275723	\$79,944.00	\$400.00
Caldwell Country Ford	1/26/2016	275946	\$41,310.00	\$400.00
Caldwell Country Ford	6/17/2016	279639	\$25,117.00	\$400.00
Fruhauf Uniforms, Inc.	1/11/2016	274769	\$153,763.00	\$3,075.26
IDN-Acme, Inc.	2/10/2016	276002	\$54,855.00	\$1,097.10
IDN-Acme, Inc.	2/10/2016	276003	\$43,884.00	\$877.68
Longhorn Bus Sales LLC	10/19/2015	270940	\$370,744.00	\$800.00
Longhorn Bus Sales LLC	4/11/2016	273472	\$92,301.00	\$800.00
Longhorn Bus Sales LLC	4/11/2016	274501	\$92,581.00	\$800.00
Longhorn Bus Sales LLC	5/9/2016	275382	\$276,089.00	\$800.00
Longhorn Bus Sales LLC	5/9/2016	275383	\$1,268,752.00	\$800.00
Longhorn Bus Sales LLC	8/22/2016	277982	\$60,769.50	\$1,215.39
National Signs	5/9/2016	275610	\$26,500.00	\$530.00
Quality Hardwood Floors, Inc.	1/11/2016	274401	\$29,400.00	\$588.00
Southwest Sound and Electronics, Inc	3/23/2016	274916	\$44,370.00	\$887.40
Specialty Supply and Installation, LLC	3/8/2016	275531	\$34,726.00	\$694.52
Specialty Supply and Installation, LLC	7/27/2016	275532	\$40,051.00	\$801.02
Stanbury Uniforms, Inc.	3/4/2016	276942	\$158,400.00	\$3,168.00
Total for contracts at \$25,000 or more			\$2,921,251.50	\$18,688.27



P.O. Box 400, Austin, Texas 78767-0400
800.695.2919 • Fax: 800.211.5454 • buyboard.com



December 5, 2016

RE: Rebate Check

Dear BuyBoard member:

We are pleased to present your organization with the enclosed rebate check.

Because of your participation and confidence in The Local Government Purchasing Cooperative and BuyBoard®, the program has continued to grow over the last few years. The purchasing volume exceeded \$1 billion for the 2015-16 fiscal years, and membership has grown to over 4,900 governmental and non-profit members throughout the state.

As a result of the continued growth, the Coop is sending rebate checks to eligible members. The rebate is reflective of the Coop collecting more in vendor service fees than it needed to cover its annual expenditures. As a result, the Cooperative Board approved a distribution of \$6.9 million to be rebated to 994 members, based on each entities contribution to the Cooperative's excess revenue. The enclosed check results from your participation in the Cooperative for the 2015-16 fiscal years.

Our goal is to continue to offer high-quality products at competitive prices from top-performing vendors so that you always find value in the Cooperative and BuyBoard.

Thank you for your participation in the Cooperative, and we look forward to serving you even better in the future.

Sincerely,

Mr. Matthew J. Rivera
Chair
The Local Government Purchasing Cooperative

Endorsed by



The Local Government Purchasing Cooperative
P.O. Box 400
Austin, Texas 78767-0400
(800) 695-2919

JPMorgan Chase Bank, N.A., Dallas, TX
Controlled Disbursement

88-88/1113 00014299

11/30/2016

Vendor No. 1159901

NINE THOUSAND SIX HUNDRED FORTY NINE AND 57/100*****

\$*****9,649.57

VOID IF NOT CASHED IN 90 DAYS

PAY TO THE ORDER OF EAGLE PASS ISD
1420 EIDSON RD
EAGLE PASS TX 78852-5410

Jim Olsen
VOID IF OVER \$9649.57

⑈00014299 ⑆111300880⑆ 734240047⑈

THE FACE OF THIS CHECK IS BROWN ON WHITE PAPER AND AN ARTIFICIAL WATERMARK APPEARS ON BACK OF CHECK.

The Local Government Purchasing Cooperative
P.O. Box 400
Austin, Texas 78767-0400
(800) 695-2919

Net Amount: \$*****9,649.57
Payee Name: EAGLE PASS ISD

00014299
11/30/2016

Invoice Number	Invoice Date	Description	Gross	Discount	Amount Paid
113016	11/30/2016	2015-16 COOP BUYBOARD REBA	9,649.57		9,649.57
TOTAL			9,649.57		9,649.57

Eagle Pass ISD**Purchase Orders Paid by Vendor for 9/1/2015 to 8/31/2016**

Vendor	PO Number	PO Date	PO Total	Rebate Total
Longhorn Bus Sales LLC	270940	4/5/2015	\$370,744.00	\$313.22
John Deere	271231	5/27/2015	\$8,068.83	\$63.18
Athletic Supply, Inc.	273198	8/7/2015	\$27,695.00	\$216.86
Texas Multi-Chem, Inc.	273492	8/31/2015	\$1,732.50	\$13.57
Athletic Supply, Inc.	273505	9/2/2015	\$13,847.50	\$108.43
Longhorn Bus Sales LLC	273472	9/4/2015	\$92,301.00	\$313.22
Athletic Supply, Inc.	273565	9/4/2015	\$5,214.99	\$40.84
Athletic Supply, Inc.	273563	9/4/2015	\$10,050.00	\$78.70
Caldwell Country Chevrolet	273752	9/10/2015	\$24,306.00	\$156.61
Pasadena Sporting Goods	274063	9/23/2015	\$19,969.95	\$156.37
Quality Hardwood Floors, Inc.	274401	10/5/2015	\$29,400.00	\$230.21
Caldwell Country Chevrolet	274488	10/6/2015	\$20,919.00	\$156.61
Caldwell Country Chevrolet	274489	10/6/2015	\$20,919.00	\$156.61
Longhorn Bus Sales LLC	274501	10/7/2015	\$92,581.00	\$313.22
Grainger	273141 - INV #9818796873 - JULY-SEPT 2015V	10/14/2015	\$446.19	\$3.49
Grainger	274037 - INV #9847997906 - JULY-SEPT 2015V	10/14/2015	\$2,009.70	\$15.74
Grainger	274037 - INV #9852525048 - JULY-SEPT 2015V	10/14/2015	\$2,805.30	\$21.97
Grainger	274340 - INV #9855887833 - JULY-SEPT 2015V	10/14/2015	\$29.31	\$0.23
Grainger	274340 - INV #9855887841 - JULY-SEPT 2015V	10/14/2015	\$1,499.51	\$11.74
Fruhauf Uniforms, Inc.	274769	10/14/2015	\$153,763.00	\$1,204.03
Southwest Sound and Electronics, Inc	274915	10/20/2015	\$11,883.00	\$93.05
Southwest Sound and Electronics, Inc	274914	10/20/2015	\$15,555.00	\$121.80
Southwest Sound and Electronics, Inc	274913	10/20/2015	\$15,555.00	\$121.80
Southwest Sound and Electronics, Inc	274916	10/20/2015	\$44,370.00	\$347.44
Caldwell Country Chevrolet	274937	10/21/2015	\$22,370.00	\$156.61
Texas Multi-Chem, Inc.	275250	11/3/2015	\$4,401.45	\$34.47
Specialty Supply and Installation, LLC	275531	11/12/2015	\$34,726.00	\$271.92
Specialty Supply and Installation, LLC	275532	11/12/2015	\$40,051.00	\$313.62
Longhorn Bus Sales LLC	275382	11/13/2015	\$276,089.00	\$313.22
Longhorn Bus Sales LLC	275383	11/13/2015	\$1,268,752.00	\$313.22
National Signs	275610	11/17/2015	\$26,500.00	\$207.51
Caldwell Country Ford	275723	11/20/2015	\$79,944.00	\$156.61
Petroleum Traders Corporation	275712	11/20/2015	\$21,015.25	\$41.14
WESCO Chemicals	INV# 1501326	11/24/2015	\$561.75	\$4.40
UniFirst Corporation	INV #2526549 - SEPT 2015V	11/25/2015	\$236.87	\$1.86

Eagle Pass ISD

Purchase Orders Paid by Vendor for 9/1/2015 to 8/31/2016

Vendor	PO Number	PO Date	PO Total	Rebate Total
UniFirst Corporation	INV #2522433 - SEPT 2015V	11/25/2015	\$239.85	\$1.88
UniFirst Corporation	INV #2523455 - SEPT 2015V	11/25/2015	\$248.10	\$1.94
UniFirst Corporation	INV #2524480 - SEPT 2015V	11/25/2015	\$248.10	\$1.94
UniFirst Corporation	INV #2525513 - SEPT 2015V	11/25/2015	\$273.61	\$2.14
Caldwell Country Ford	275946	12/8/2015	\$41,310.00	\$156.61
IDN-Acme, Inc.	276003	12/9/2015	\$43,884.00	\$343.63
IDN-Acme, Inc.	276002	12/9/2015	\$54,855.00	\$429.54
WESCO Chemicals	276096	12/11/2015	\$561.75	\$4.40
WESCO Chemicals	INV. # 1501429/PO275376	12/15/2015	\$561.75	\$4.40
Texas Multi-Chem, Inc.	276641	1/15/2016	\$2,772.50	\$21.71
WESCO Chemicals	276568	1/15/2016	\$561.75	\$4.40
Wenger Corporation	276916	1/21/2016	\$7,260.00	\$56.85
Stanbury Uniforms, Inc.	276942	1/26/2016	\$158,400.00	\$1,240.34
Grainger	274340 INV #9858694194-OCT-NOV-DEC 2015V	1/26/2016	\$51.93	\$0.41
Grainger	274340 INV #9859613995-OCT-NOV-DEC 2015V	1/26/2016	\$7.28	\$0.06
Grainger	275639 INV #9896114106-OCT-NOV-DEC 2015V	1/26/2016	\$370.55	\$2.90
WESCO Chemicals	277115	2/4/2016	\$561.75	\$4.40
1st Choice Restaurant Equipment and Supply LLC	277325	2/9/2016	\$11,944.96	\$93.53
Schaeffer Manufacturing	inv# ZG2161-INV1	2/19/2016	\$809.60	\$6.34
Perfection Learning Corporation	277672	2/29/2016	\$5,275.80	\$41.31
WESCO Chemicals	277825	2/29/2016	\$561.75	\$4.40
Longhorn Bus Sales LLC	277982	3/4/2016	\$60,769.50	\$475.85
EAI Education	278122	3/21/2016	\$119.40	\$0.94
WESCO Chemicals	278284	3/22/2016	\$561.75	\$4.40
Pitney Bowes	PO# Gilberto Gonzalez	4/6/2016	\$16,399.00	\$128.41
Pitney Bowes	PO# Gilberto Gonzalez (2)	4/8/2016	\$16,399.00	\$128.41
Petroleum Traders Corporation (Nat'l Coop)	275712	4/11/2016	\$(21,015.25)	\$(41.14)
Pitney Bowes	PO# Gilberto Gonzalez (3)	4/15/2016	\$16,399.00	\$128.41
Grainger	276489 - INV #9936976894 - JAN-MAR 2016V	4/21/2016	\$423.25	\$3.32
Grainger	276565 - INV #9937422633 - JAN-MAR 2016V	4/21/2016	\$39.51	\$0.31
WESCO Chemicals	279364	5/5/2016	\$561.75	\$4.40
Caldwell Country Ford	279639	5/12/2016	\$25,117.00	\$156.61

Eagle Pass ISD**Purchase Orders Paid by Vendor for 9/1/2015 to 8/31/2016**

Vendor	PO Number	PO Date	PO Total	Rebate Total
Texas Multi-Chem, Inc.	279532	5/12/2016	\$3,235.75	\$25.34
Texas Multi-Chem, Inc.	279768	5/20/2016	\$1,225.00	\$9.59
Texas Multi-Chem, Inc.	279756	5/20/2016	\$11,506.00	\$90.10
Texas Multi-Chem, Inc.	279769	5/20/2016	\$1,775.00	\$13.90
WESCO Chemicals	279842	5/26/2016	\$561.75	\$4.40
1st Choice Restaurant Equipment and Supply LLC	277325	5/27/2016	\$(0.50)	\$0.00
1st Choice Restaurant Equipment and Supply LLC	277325	5/27/2016	\$0.50	\$0.00
WESCO Chemicals	INV 1600563 / PO#	6/7/2016	\$1,761.00	\$13.79
WESCO Chemicals	INV 1600593 / PO# 279201	6/7/2016	\$450.90	\$3.53
G & K Services	RENTAL JAN-MAR 2016V	6/24/2016	\$243.96	\$1.91
Texas Multi-Chem, Inc.	279532	6/27/2016	\$(450.00)	\$(3.52)
WESCO Chemicals	280226	7/5/2016	\$561.75	\$4.40
Totals:			\$3,227,717.15	\$9,649.99

October 2, 2016

Eagle Pass Independent School Distr
ggonzalez@eaglepassisd.net

RE: Report of Aggregation Fees September 2015 – August 2016

The TASB Energy Cooperative (the “Cooperative”) is providing the following report of fees received by your district or entity during the last fiscal year. **THIS IS NOT A BILL OR AN INVOICE.** The Cooperative is providing this information on prior fees paid to assist your district with its compliance with Section 44.0331 of the Education Code, which states:

A school district that enters into a purchasing contract valued at \$25,000 or more under Section 44.031(a)(5), under Subchapter F, Chapter 271, Local Government Code, or under any other cooperative purchasing program authorized for school districts by law shall document any contract-related fee, including any management fee, and the purpose of each fee under the contract.

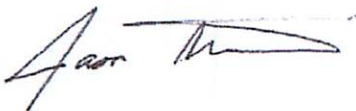
The Interlocal Participation Agreement executed by your district allows the Cooperative to collect an aggregation fee. The fees are stated in the agreements associated with each service and compensate the Cooperative for the services and functions performed under the Interlocal Participation Agreement and enable the Cooperative to pay the administrative, endorsement, licensing, marketing, and other expenses involved in successfully operating a cooperative program.

FEE PAID SUMMARY FOR SEPTEMBER 2015 – AUGUST 2016

Eagle Pass Independent School Distr
Total Usage (KWh): 18753445
Total Aggregation Fees Paid: 16902.94

If you have any questions please call us at 512-505-2471. Thank you for past support of the Cooperative and we look forward to providing you continued service in the upcoming year.

Respectfully,



Jason Turner
Director, Business Services