

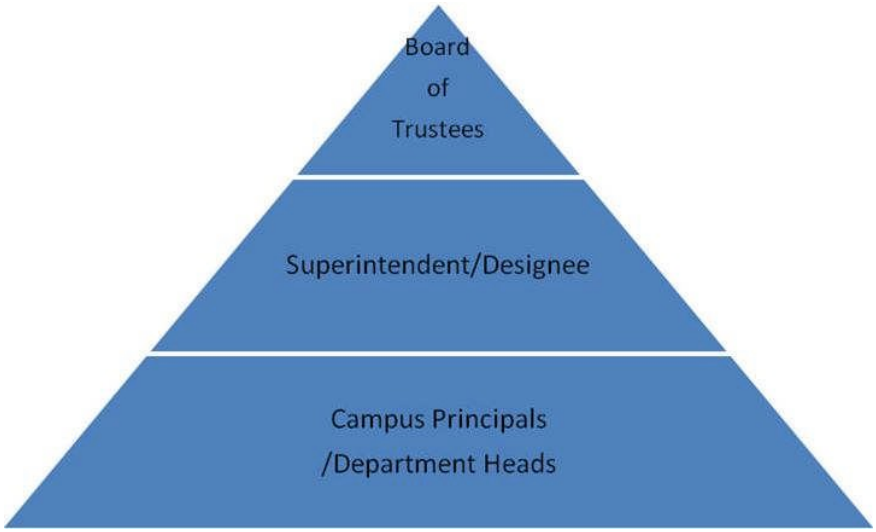
# MOUNT PLEASANT
## INDEPENDENT SCHOOL DISTRICT

# PURCHASING MANUAL

Revised
6/2026

# MT. PLEASANT ISD PURCHASING PROCEDURES

## Purchasing Organization




## Mission Statement, Goals, & Objectives

**Mission Statement**

To support the educational goals of the Mount Pleasant Independent School District by acquiring the necessary resources through prudent purchasing practices with available fiscal resources.

**Goals**

- To provide quality products, services and material to the District, at the best value, in accordance with relevant statutes and policies.
- To foster good vendor relations and a strong competitive environment.

**Objectives**

- To assist in the prudent use of District resources through efficient use of District warehouse, competitive procurement and purchase order process.
- To promote and apply ethical business practices
- To educate and train District personnel.
- To improve processes and implement the best purchasing practices.

Statutes, Regulations, and Board Policy Applicable to Purchasing

1. The Texas School Law Bulletin (primarily sections 44.031 and 44.033). An electronic version of the Texas State Education Code can be obtained at the following website address: https://statutes.capitol.texas.gov/Docs/ED/htm/ED.44.htm

2. The Texas Education Agency (TEA) Financial Accountability System Resource Guide Purchasing Module. The TEA Resource Guide can be accessed at the following website address https://tea.texas.gov/finance-and-grants/financial-compliance/financial-accountability-system-resource-guide

3. Mount Pleasant Independent School District's Board Policy. Policies BBFB, CBB, CAA, BBFA, & CHE. The MPISD Board Policy can be accessed at the following website address:
https://pol.tasb.org/PolicyOnline?key=1133

# Purchase Order Process

A. Requisitions

1. General Guidelines

a. Acquisition of requested goods and services shall be made by the issuance of an official, pre-numbered, District purchase order.

b. Any commitment to acquire goods or services from budgeted funds prior to securing a bona fide purchase order is prohibited. Anyone creating or authorizing such a commitment prior to securing a purchase order will be personally liable for payment of such agreement and/or may be liable to prosecution under the Texas Penal Code Chapter 39 Abuse of Office, Section 39.01.

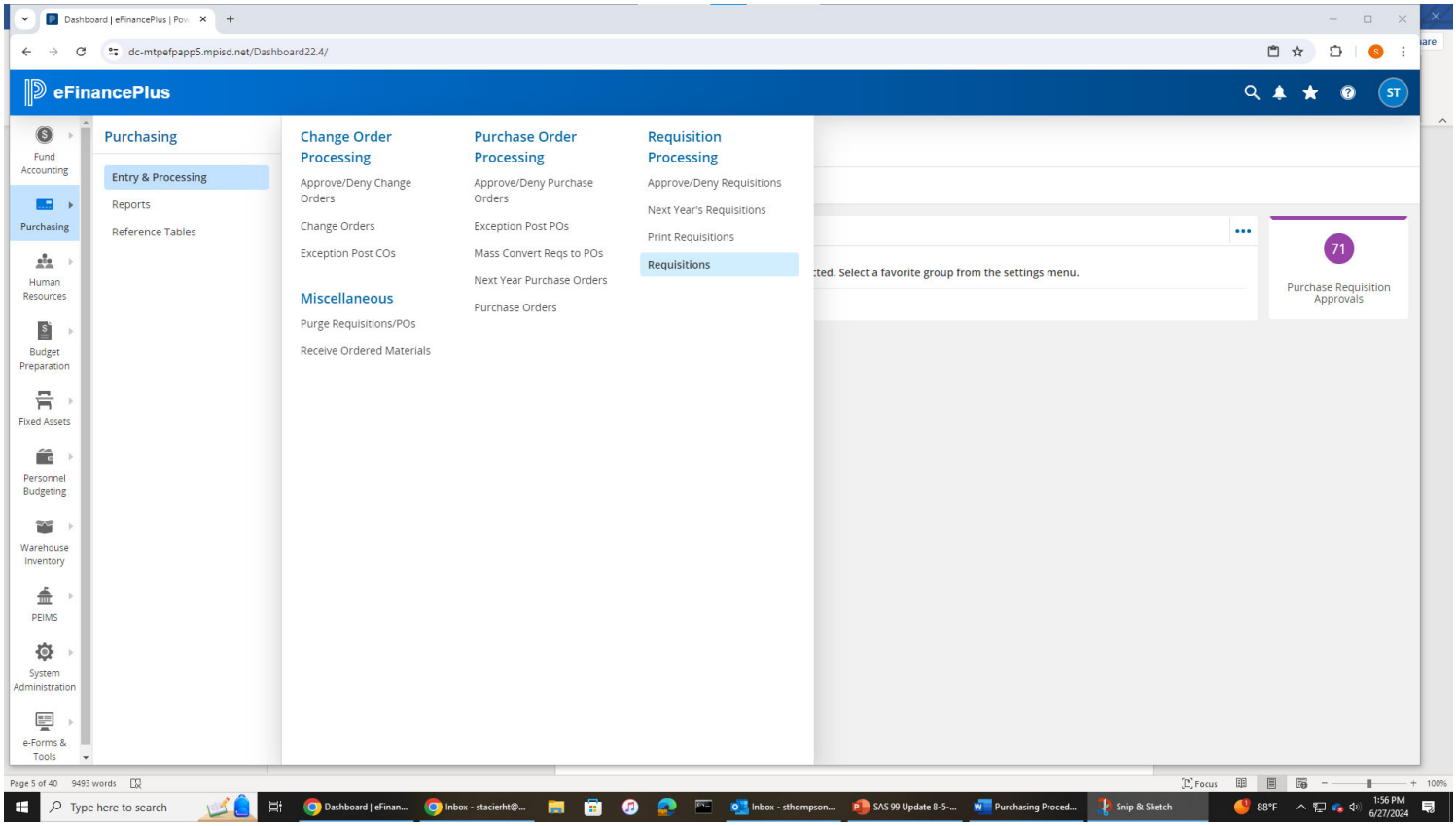
c. The necessity to plan for supply and service requirements cannot be overemphasized. The requisitions must travel from originator through approval channels to the Purchasing Coordinator. The Purchasing Coordinator then may be required to competitively procure the items. The time required for processing will vary from few days to a few months according to the nature and value of the transaction, the existing workload, and various legal requirements.

B. Requisition Process

1. Requests for purchases shall be submitted as a requisition through the PowerSchool software's online purchasing system. The steps to complete a requisition in PowerSchool follow.

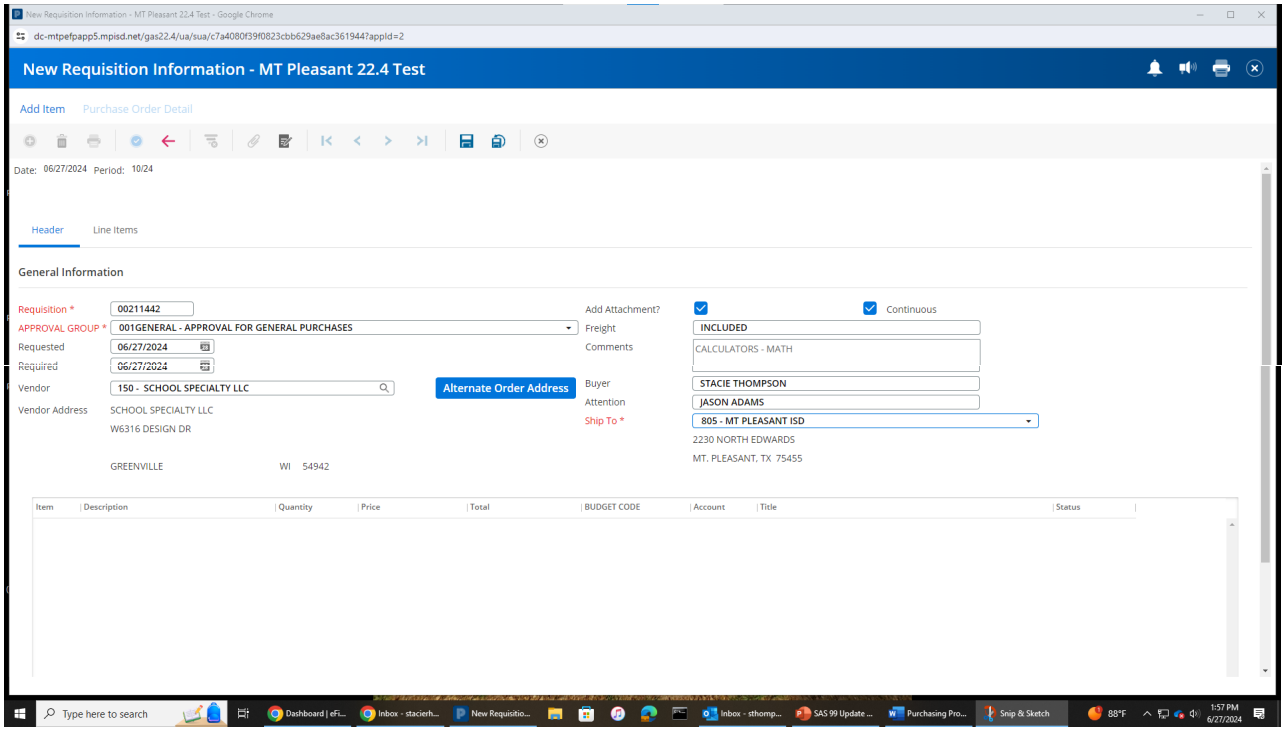
2. All Finance PowerSchool users have a user identification (ID) and password. The Technology Director assigns these. It is the responsibility of the user to secure their ID & password and to alert the Technology Director immediately if that security has been breached. Each user is then assigned rights in the PowerSchool system by the CFO (Chief Financial Officer). These rights determine what the user can and cannot do or see in the software. Users who are allowed to input requisitions may complete the following steps:

*In PowerSchool, choose Purchasing/Entry & Processing/Requisition Processing/Requisitions.*

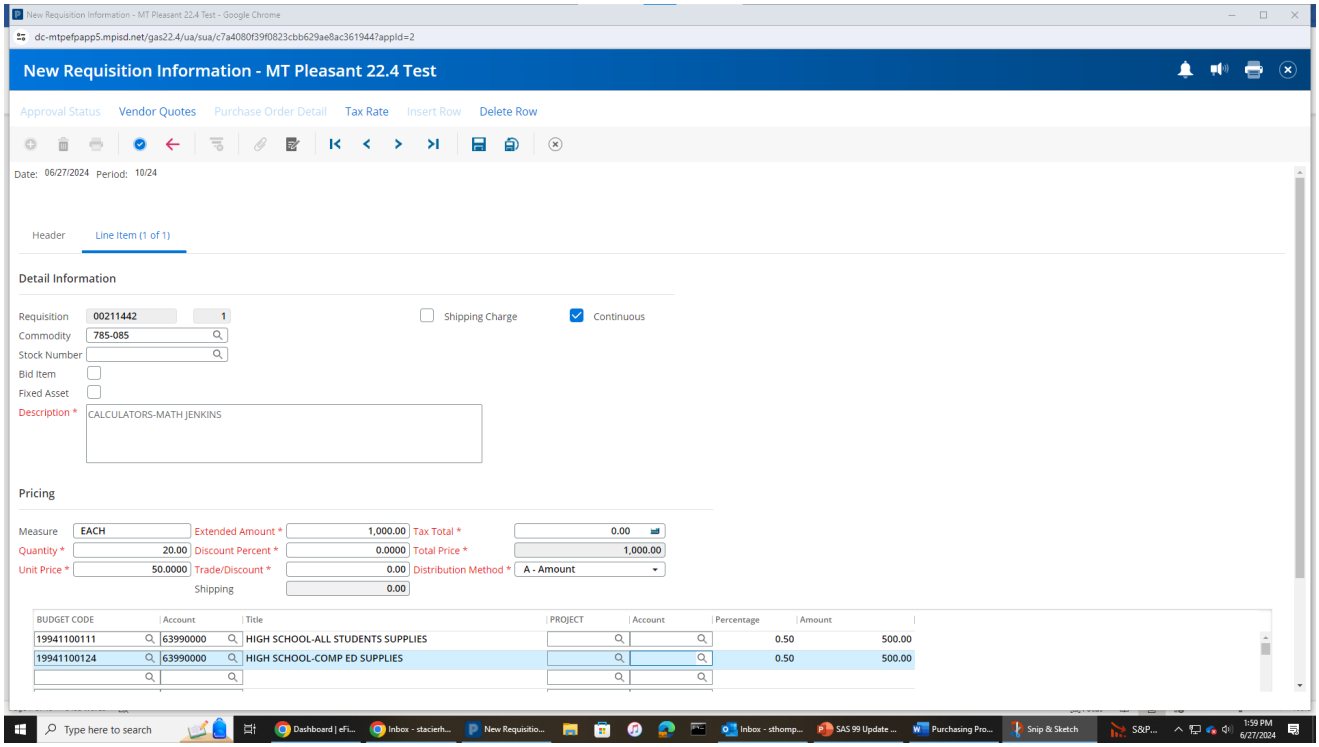


*To input a new requisition, click + in the upper left-hand corner.*

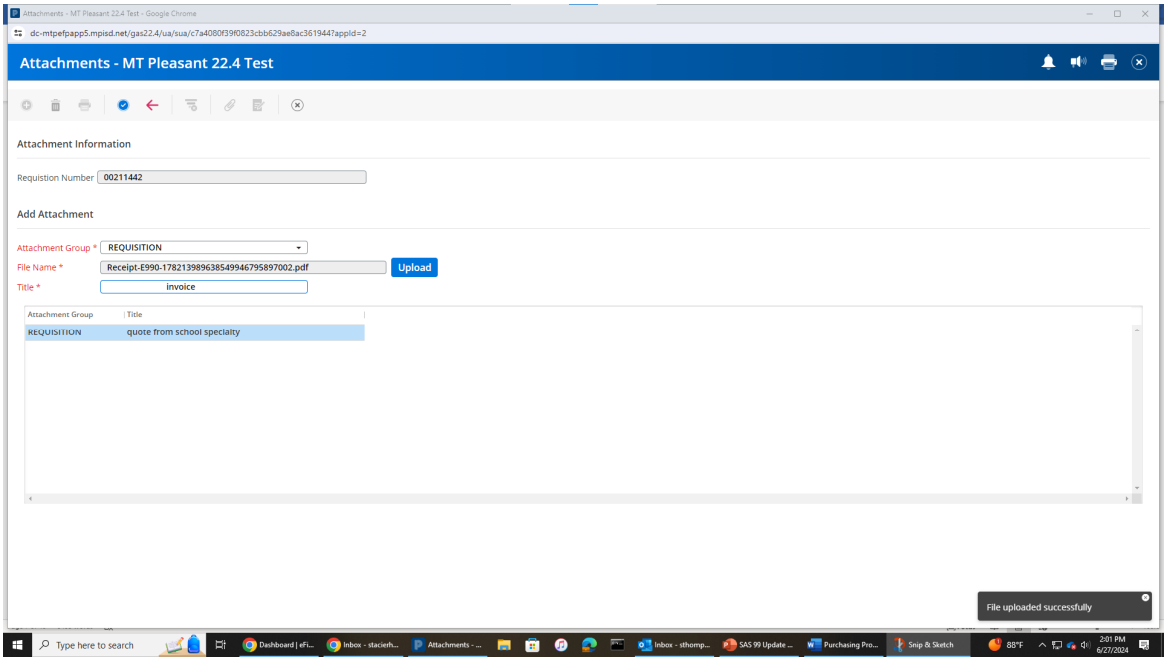
*First screen: Requisition number is pre-entered. Choose the proper approval group for your campus/department. Input date required and vendor. Check Add Attachment to add documents to the requisition such as price quotes. Add notations regarding freight. Comments: Make a brief comment about the purchase. (Note: Only the first 20 characters of the comment are visible to the approver.) Buyer is the person inputting the requisition. Attention is to whom item or services will go to. Ship to is always 805. Click OK (blue button).*



*Input items: Enter the proper commodity code. As the first item #, include a reference to the District and/or Campus Improvement Plan (DIP/CIP) goal, grant requirement or legal statute that supports the purchase. For additional items, add a clear and accurate description of the technical requirements for the material, product or service to be procured including name, product number & bid # (if applicable). Ensure the description is the first 20 characters in the description field. Input the measurement, quantity and unit price.* ***For multiple items, input the quantity of all items and the unit price for each. DO NOT input a lump sum.*** *Input the proper budget code and account number. Click OK to go the next item or click the disk icon to save or add attachment.*



*If you chose to add an attachment, after saving, a window will pop up to insert the attachment. Select the Attachment Group, find the file and title it. Click OK then Back (red arrow).*




3. Specifications

**a.** Items listed on the requisitions must be described adequately and completely including quantity, size, name of item or service, typical brand name, model number, vendor, price (including shipping and handling if applicable), bid # and other information as deemed necessary. Note: The first 20 characters of a description show on reports and screen inquiries. Make sure the first 20 characters describe the item.

**b. Approval Groups**—determine what campus principal and/or department head must approve the requisition. All campus approval groups (beginning with the campus #) must have approval of the principal. If the purchase is from state/federal funds, the grant Coordinator or state program director must approve. Travel requisitions must use an approval group containing the word TRAVEL (i.e., 001TRAVEL). Technology requisitions must be approved by the Technology Department, therefore, use an approval group containing the word TECH (i.e., 001TECH). FINAL approval of requisitions lies with the Superintendent or his designee.

**c. Vendor**—Should be a vendor approved through the competitive procurement process (see Competitive Procurement) unless the Purchasing Coordinator has granted specific exception. If a vendor contains the words "DO NOT USE" in the name, choose another vendor number. New vendors may be set up with the proper approval from the Purchasing Coordinator by sending address information and **completed** paperwork. Call extension 903-434-8518, Purchasing Coordinator, for paperwork.

**d. Comments**—Add comments as needed for approvers. NOTE: Only the first 20 characters in this field will display on the summary approval screen.

**e. Commodity Code**—Commodity codes assist the District in documenting that the amounts of particular types of items are being purchased competitively. Commodity codes can be found by clicking on the magnifying glass next to the

commodity code field. Next, enter a description with an "*" placed before and after (i.e., *furniture*) and click find. Scroll through to find the proper code and click OK.

**f. Description**—Include a complete & adequate description. "Supplies" is NOT adequate. **Ensure that the first 20 characters describe the item since these are the characters that print on all reports**.

- The first line item of any requisition should include a reference to the District and/or Campus Improvement Plan (DIP/CIP) goal, grant requirement or legal statute that supports the purchase.
- Uniforms/Apparel—Description should indicate who the apparel has been purchased for and the purpose of the apparel. Employees who regularly receive District purchased uniforms or apparel should wear them for business purposes only. Any other use may result in a taxable benefit to the employee. For apparel bought for re-sale to staff or students, sales tax will be collected at the time of sale and remitted to the State. Contact the Accounts Payable Coordinator, 903-434-8676, for more information on sales tax implications.
- Food—Description should include purpose of the food purchase. If the food is purchased for employee consumption, an agenda must accompany the request.
- Services—A tax identification number must be on file for payment to any individual or business for services. An IRS tax form 1099 will be issued to non-employees or businesses earning more than $599.99 in the calendar year. Employees cannot be paid for "services" that otherwise would be an employable job at MPISD. Such extra duty pay will be paid through the payroll system. Services paid for with grant funds should be accompanied by a signed contract.
- Technology—Technology purchases will require the approval of the Technology Director.
- Gift cards—Purchases of gift cards for employees is prohibited. Gift cards for use as student incentives are allowable but a list of gift card numbers and the corresponding receiving students' signatures must be provided to the Accounts Payable Coordinator after award.
- Gifts—Gifts of public funds are PROHIBITED under Texas Constitution Article III Sections 51-53 and the Texas Education Code Section 45.105.
- Travel —Refer to the MPISD Travel Policies & Procedures https://www.mpisd.net/wp-content/uploads/2023/01/Travel-Procedures-5-22-1.pdf

**g. Quantity & Unit Price—**Input the actual quantity and unit price. **DO NOT input a lump sum.**

**h. Budget Code & Account Number** —The PowerSchool system will check the budget code & account number for adequate funding. If the appropriation exceeds the account balance, the system will issue a warning and a budget transfer should be completed before the requisition can be completed.

4. Approvals

a. Requisitions must be approved first at the campus and/or department level.

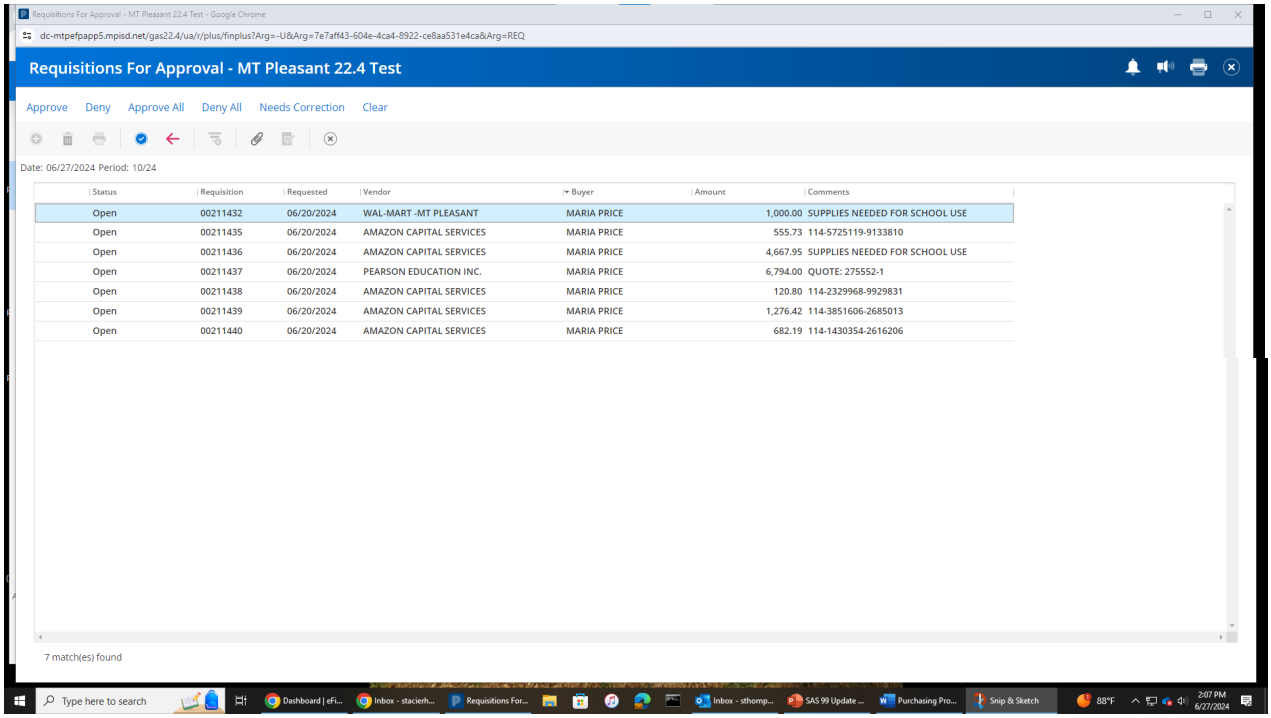
b. Requisitions will then be reviewed by the CFO or designee for proper coding, approved vendors, proper approvals, specifications, etc. If mistakes are found, a Needs Correction email will be generated to the originator.

c. The Superintendent or designee will have final approval of requisitions.
d. The Board of Trustees approves single purchases of goods or services exceeding $25,000 (CH Local).
e. The steps to approve requisitions in the PowerSchool system are as follows:

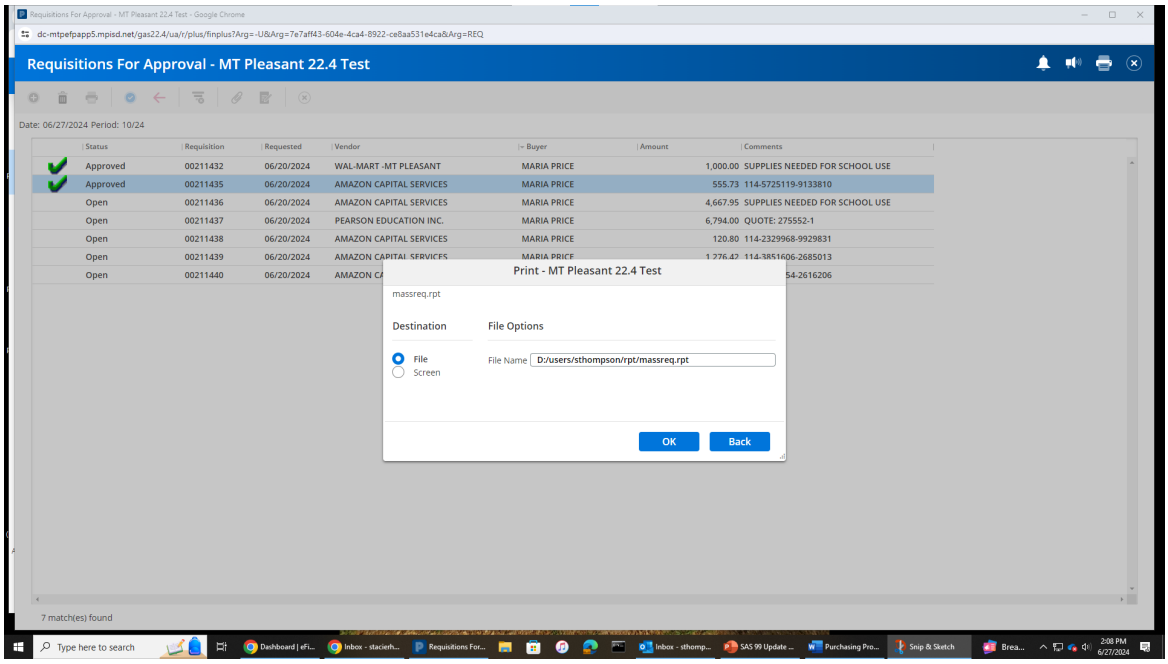
*In PowerSchool, choose Purchasing/Entry & Processing/Requisition Processing/Approve-Deny Requisitions.*

*Approval Criteria should be L-Approved at Lower Level. Place a check mark in the Required box. Click OK twice.*

*Use the buttons at the top to Approve/Deny individual requisitions or Approve All/Deny All for whole lot. Double clicking on a highlighted requisition will allow you to see more information. Once you are finished, click OK.*

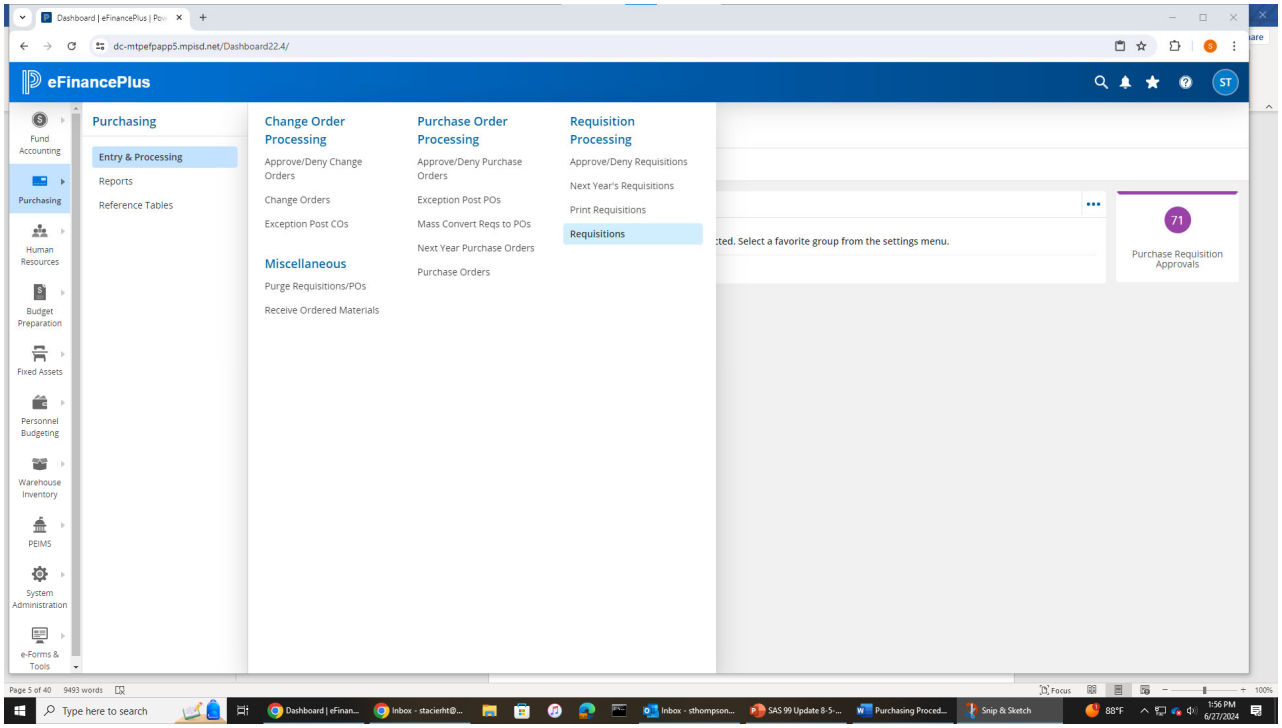


*Choose File. Click OK. This will save your approvals/denials.*

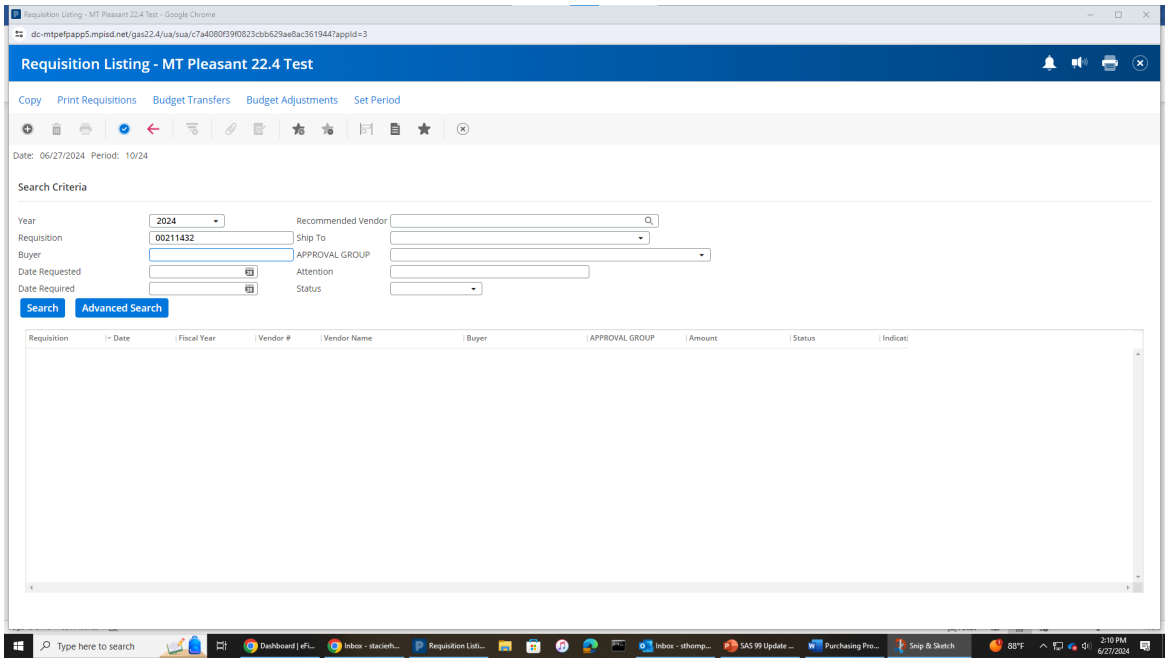



5. Deadlines
    a. May 1—All purchases for current budget year, summer school and opening of new school year.
    b. June 1—All purchases for **grants** with a June 30 year end.
    c. August 1—All purchases for **grants** with an August 31 year end.
    d. Invoices should be in the Accounts Payable Coordinator at least one week prior to the program's year-end. Even though a purchase order has been encumbered, it will not be expended without an invoice. Purchase orders outstanding at the end of the school/grant year will be paid from next year funds or closed.
6. Changing/Canceling Requisitions
    a. A *requisition* may be changed *prior* to being assigned a purchase order number even if it has been approved. To make a change to a requisition:

*Choose Purchasing/Entry & Processing/Requisition Processing/Requisitions*



*Input the requisition's number and click Search.*




*Click OK to take you into the requisition. Change the approval group to Superintendent. Click the disk icon to save. This opens up all areas of the requisition for changes. After making change, change the approval group back to the proper approval group and click the disk icon. Now the approver must go through the approval steps in B4 again.*

b. A requisition that has been denied cannot be changed. Re-input is required.

c. A requisition that has been assigned a purchase order number cannot be changed. To make changes to a purchase order, contact the Purchasing Coordinator, 903-434-8518, to close the purchase order. The originator will then have to re-input a requisition.

d. Arrangements for returning, adjusting, deleting, modifying or canceling items or conditions as listed on a purchase order that has gone out to a vendor should be made IN WRITING through the Purchasing Coordinator. Arrangements and adjustments shall conform to the requirements of legal statutes and District policy.

7. Personal Purchases—District employees shall not be permitted to purchase supplies or equipment for personal use through the District's Business Office (CH Local). District employees shall not be permitted to use the District's tax-exempt certificate to make personal purchases.

C. Federal & State Grants (refer to the MPISD Federal & State Grants Manual for more information)

1. Purchases from Federal & State grant funds will comply with OMB Uniform Guidance 2 CFR Part 200.
2. Purchases of contracted services from Federal or State grant funds should be supported by a contract, which will be kept on file.
3. If possible, for purchases from Federal or State grant funds, a line item should be added to the requisition that correlates the expenditure to the District and/or Campus Improvement Plan, grant requirement (reference schedule) or legal statute.
4. Purchases with grant funds should be made during the grant period in plenty of time to impact student instruction.

5. Construction and renovation projects and subcontracts financed with funds awarded under Federal programs are subject to the Davis-Bacon Act (40 U.S.C. 276a et seq.) and the Regulations of the Department of Labor, 29 CFR part 5. The District must receive an assurance that all laborers and mechanics employed by contractors or subcontractors in the construction or renovation of affected facilities shall be paid wages not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor.

6. 2 CFR Part 200.67 indicates for Federal programs that a micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the aggregate of which does not exceed the current micro-purchase threshold of $25,000. For purposes of the TDA (Texas Department of Agriculture), the micro-purchase threshold is $25,000.

7. Approvals

a. Principals will approve the purchase with federal funds first if applicable.

b. Grant administrators will be the second level of approval. Grant administrators are responsible for ensuring that the purchase is allowable under OMB Uniform Guidance 2 CFR Part 200.

c. Final approval will be by the Superintendent or delegate if necessary.

8. Invoices must contain sufficient, detailed evidence that it is an allowable cost for the program and signed by the approving supervisor or delegate.

D. Purchase Orders

1. Approved requisitions will be assigned a purchase order number. Assignments are made at 8:00 a.m. each workday morning.

2. Purchase orders will be forwarded to the Purchasing Coordinator. The Purchasing Coordinator will either email, fax or call-in orders or forward the purchase order to the originator for use depending on the specifications written in the requisition by the originator.

3. Distribution of the four-part order is as follows:

- Vendor
- MPISD Warehouse
- MPISD Accounts Payable
- MPISD Purchasing Coordinator

4. The Purchasing Coordinator shall not release purchase order numbers to cover charges in advance of these procedures.

5. Acquisition of goods and services shall be made by the issuance of an official, pre-numbered, District purchase order. Any commitment to acquire goods and services from budgeted funds prior to securing a purchase order is prohibited. Anyone creating or authorizing such a commitment prior to securing a purchase order will be personally liable for payment of such agreement and/or may be liable to prosecution under the Texas Penal Code Chapter 39 Abuse of Office, Section 39.01.

6. Open Purchase Orders

a. Open purchase orders will be issued ONLY upon approval of the CFO. Open purchase orders will be kept to an absolute minimum. Open purchase orders will be reviewed annually.

b. The purpose of an open purchase order is to eliminate the need for numerous individual purchase orders for small-dollar value items or services and provide a means of acquiring urgently needed items or services to make repairs ONLY.

c. User departments must return signed invoices to the Accounts Payable Coordinator.

d. ONLY approved departments and users may use an open purchase order.

e. Open purchase orders will be valid for one calendar month only. The Purchasing

Coordinator will issue a new purchase order number to vendors at the beginning of each calendar month.

E. Credit Cards: The District will *not* secure a generic credit card specifically for supply and service purchases. Some local vendors such as Wal Mart, Lowes & Home Depot require the use of a company card for purchases. In this instance, a MPISD employee may check out a company card from the Accounts Payable Coordinator or their campus secretary after securing an approved purchase order. The employee will take the card and approved purchase order to the store, make the purchase and return the card and signed receipt to the Accounts Payable Coordinator or campus secretary.

F. Online Purchasing: Since external vendor on-line purchasing generally does not have internal controls, which include verification of available budgeted funds, use of on-line purchasing will be prohibited.

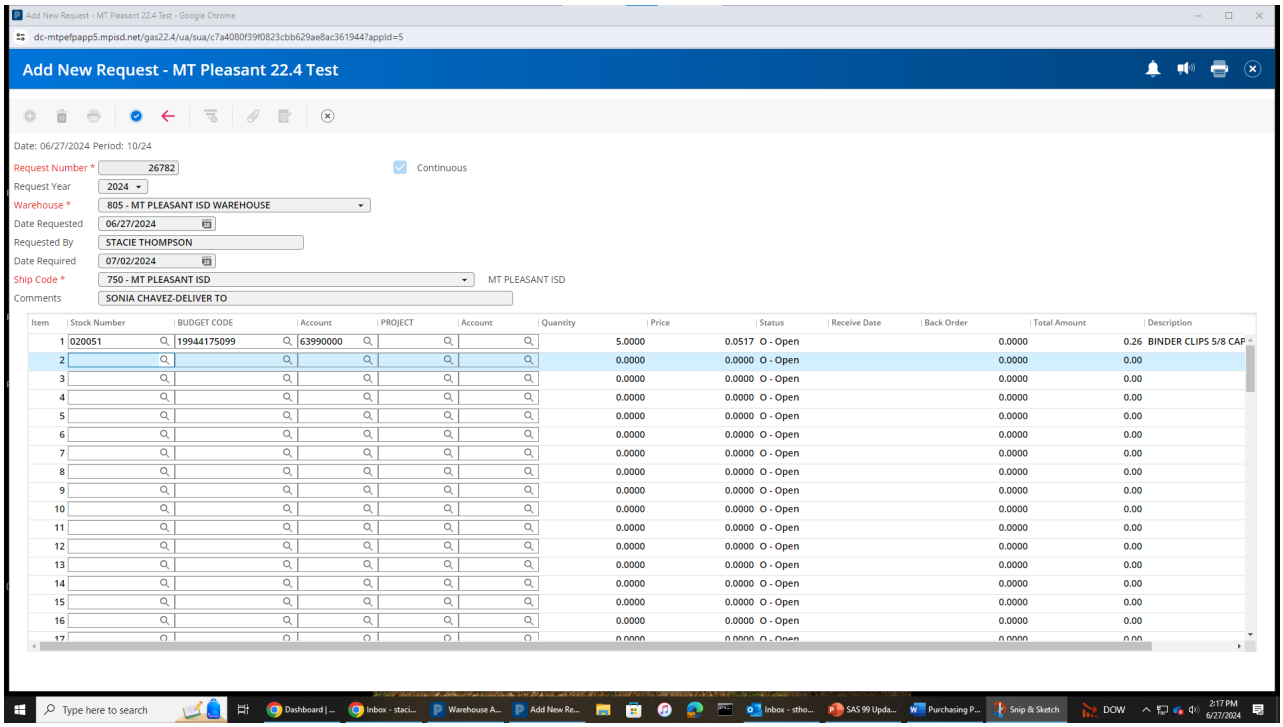
G. Reimbursements: Employees seeking reimbursement for expenses incurred out of pocket will submit detailed receipts to his/her supervisor requesting reimbursement of expenses. The supervisor or designee will then input a purchasing requisition in accordance with normal purchasing procedures. Itemized receipts must be submitted to the Accounts Payable Coordinator with the approved purchase order. Employees may be reimbursed from grant funds for allowable expenditures under OMB Uniform Guidance 2 CFR Part 200. No reimbursement shall be made from grant funds without an approved purchase order and itemized receipts.

F. Warehouse Stock

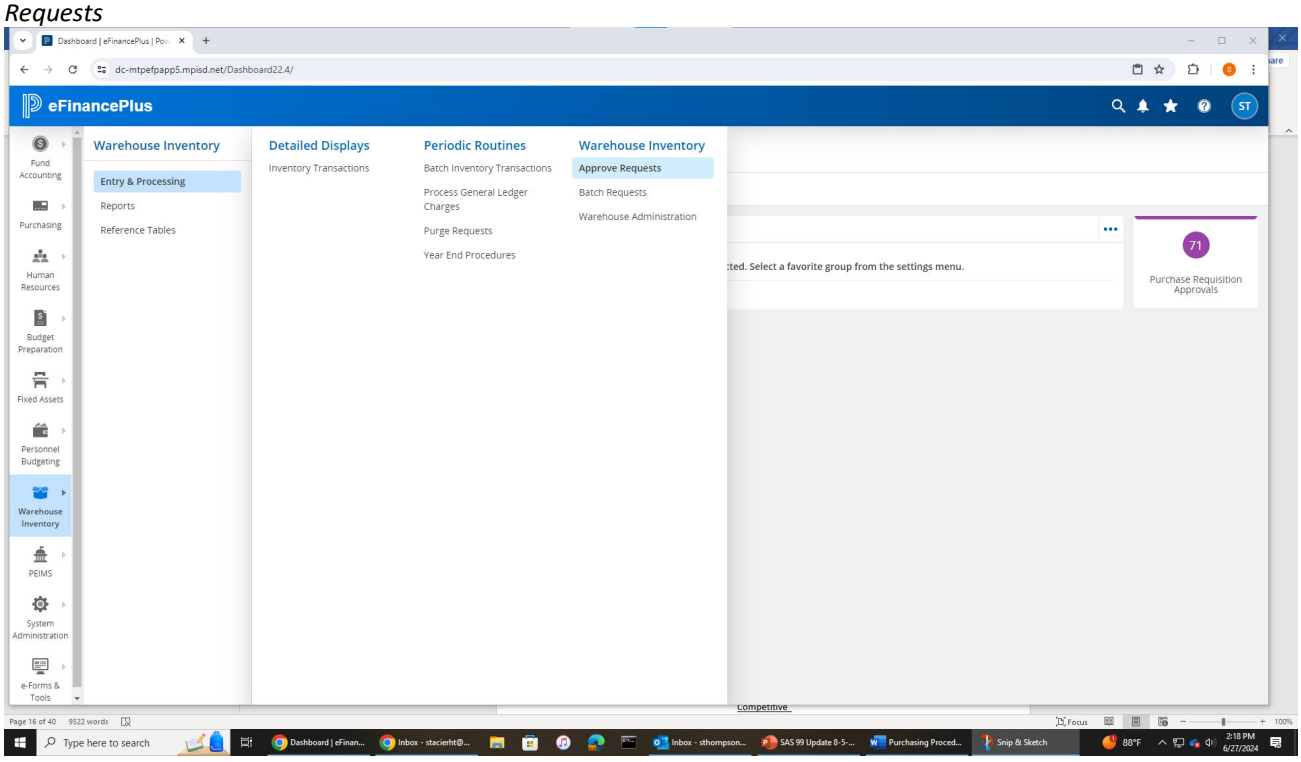
1. Selected items are purchased as warehouse inventory through the competitive procurement process and stored at the warehouse for use. Items are warehoused to reduce many small volume purchases, permit quicker delivery and reduce cost by volume purchases.
2. Items to be placed in or deleted from warehouse stock will be determined by the CFO, Purchasing Coordinator and Warehouse Coordinator. Criteria will include frequency of use, shelf life, cost, available space, distribution capabilities, need of immediate use, and savings.
3. Items will be purchased in accordance with District, State & Federal policies.
4. Items available from the warehouse should be requisitioned before attempting to purchase individually from an approved vendor. Items from the warehouse are requisitioned through the PowerSchool system as follows:

*Warehouse Inventory/Entry & Processing/Warehouse Inventory/Warehouse Administration/Requests*

*Click on + in upper left-hand corner to add.*
*Enter the Warehouse 805, Requested By, Date Required, Ship Code and Comments. The Ship Code for warehouse requisitions is the campus number or department name.* ***Do not enter 805 in the Ship Code for warehouse requisitions.*** *Enter the stock number, budget code, account code& quantity. Click OK (blue button) to save.*



*To approve: Warehouse Inventory/Entry & Processing/Warehouse Inventory/Approve Requests*




*Enter ship code. Search.*

*Use the top buttons to Approve/Deny or Approve All/Deny All. When complete, click Finish.*

## Competitive Procurement

A. Law

1. **Purchases Greater than $50,000 prior to September 1, 2025 and $100,000.00 effective September 1, 2025— (CH Legal)**

Education Code Chapter 44 Subchapter B Section 44.031. Purchasing Contracts. (a) **All school district contracts, except for contracts for the purchase of produce or fuel, valued at $50,000 prior to September 1, 2025 and $100,000 after September 1, 2025 or more in the aggregate for each 12-month period shall be made by one of the following methods that provide the best value for the District. Additionally, single purchases that costs or aggregates to a cost of $25,000 or more require Board approval before a transaction may take place (CH Local).**

- Competitive bidding
- Competitive sealed proposals
- Request for proposals
- Catalogue purchase (DIR)—Subchapter B, Chapter 2157, Government Code
- Interlocal Contract (purchasing cooperative)

2. Purchases $10,000-$50,000

District should attempt to obtain at least two written or internet quotes.

Attach quotes to the requisition. If quotes are necessary, the District may give preference to local vendor(s) if pricing is within 10% of others.

3. Exceptions (CH Legal)

a. Professional Services: Does not apply to contract for professional services rendered by an architect, attorney, or fiscal agent. A school district may contract for professional services rendered by a financial or technology consultant in the manner provided by Section 2254.003, Government Code.

b. Emergency: If school equipment or facilities are destroyed, severely damaged, or experiences a major unforeseen operational or structural failure, **AND the Board of Trustees determines that the delay posed by contract methods required by this section would prevent or substantially impair the conduct of classes or other essential school activities,** then contracts may be made by a method other than the methods required by this section. If the emergency is related to Federal funds, the administering agency shall be contacted immediately for guidance.

c. Computers: May be acquired through the Department of Information Resources (DIR) under contracts with the DIR in accordance with Government Code Chapter 2054 or 2157. Education Code 44.031(i)

d. Sole source: Vendor should have sole source affidavit on file with Purchasing Coordinator. A search will be conducted by the Purchasing Coordinator to determine if the item is undeniably a sole source. Hint: If an item can be found with multiple vendors in an internet search, it is NOT a sole source. In the event the items are to be purchased with Federal funds, the Grant Coordinator shall seek guidance and/or approval from the administering agency.

4. Sequential, Component & Separate Purchases (CH Legal): In an effort to circumvent the competitive procurement requirements, District employees may not make purchases, over a 12-month period, of items that in normal practices would be made in one purchase, may not make purchases of the component parts of an item that in normal practices would be made in one purchase, or may not make purchases separately in order to circumvent approval of items that in normal practices would be made in one purchase.

B. Procurement Options

1. **Competitive Bidding (CH Local)**

a. Definition: Made solely based on information contained in the bid and the specifications at the time of opening. Used when exact quantities are known and items are easily described. Changes in price or services are not negotiable.

b. Requirements

i. Advertisement: Notice of the time by when and place where the bids will be received and opened shall be published in the county in which the District's central administrative office is located, once a week for at least two weeks before the deadline for receiving bids (CH Legal).

ii. Bid Document: Contains notice to bidders of

- Bid name/number
- Opening Date/Time
- Location of Opening
- Mailing address & contact information
- Standard Terms & Conditions
- Specifications. Clear and accurate descriptions of the technical requirements for the material, product or service.
- Bid Acknowledgment Form
- Felony Conviction Notice

- Other forms as required by the District

iii. Vendors

- Bid documents will be sent to vendors who have requested to be put on the bid list, to vendors at the request of MPISD personnel and the Board, and known local vendors.
- Bid documents will be available from the Purchasing Coordinator for other vendors.
- The decision to deny a vendor the opportunity to receive bids shall be made by the Superintendent. A vendor may be denied opportunity due to 1) previous withdrawal of a bid, 2) failure to honor a bid, 3) unusual delays in delivery, 4) repetitive failure to respond to requests for bids, 5) unauthorized substitution of merchandise, 6) failure to perform services satisfactorily, 7) location not conducive to level of service, 8) discrimination against an employee or applicant regarding race, religion, color, sex or national origin or 9) indebtedness to the District (CH Legal).
- A person or business must give notice to the District if the person or an owner or operator of the business has been convicted of a felony (CH Legal).

iv. Bid Acceptance & Evaluation

- Bids must be submitted on the form provided. Each bid shall be placed in a separate envelope, sealed, and identified with the bid title, number, date, and time to be opened. (CH Legal)
- Bids must be received by the Purchasing Coordinator **before** the hour and date specified.
- Bids cannot be altered or amended after opening time. Any alterations made before opening time must be signed by the bidder or his agent. No bid can be withdrawn after opening time without approval of the Purchasing Coordinator based on written acceptable reason. Vendors may submit sealed alternate bids before closing time to substitute prices on their formal bid, in which case only the substitute will be considered.
- Bids will not be considered without an authorized signature.
- The user department will be responsible for making recommendations for purchase of bid items. Whenever the lowest bid price is not recommended, the user department will provide written justification for their recommendation.
- The recommendations for purchase shall include an assessment of these considerations: unit price, total price, vendor reputation, quality, delivery dates, terms, vendor location, transportation charges, good business practices and conformance to local, state, and federal ordinances, statutes and regulations.
- Construction and renovation projects and subcontracts financed with funds awarded under Federal programs are subject to the Davis-Bacon Act (40 U.S.C. 276a et seq.) and the Regulations of the Department of Labor, 29 CFR part 5. The District must receive an assurance that all laborers and mechanics employed by contractors or subcontractors in the construction or renovation of affected facilities shall be paid wages at not less than those prevailing on similar construction in the locality, as determined by the Secretary of Labor.

v. Opening

- Bids will be opened no earlier than the 15th day after the first newspaper advertisement.
- Sealed bids shall be received by the Purchasing Coordinator and opened publicly on the date and at the time specified.
- The bid committee is made up at a minimum of the Superintendent or designee, CFO, Purchasing Coordinator, and the head of the department concerned with the purchase.

- **Closing time for sealed bids is final.** Bids received after closing time will not be considered but will be returned, unopened to the vendor.
- After bids have been opened, they will be available to copy or study. They shall not be removed from the Purchasing Department.

vi. Award/Rejection

- The MPISD Board of Trustees may award/reject bids according to CH (Local).
- The Board reserves the right to reject any or all bids and to award bids to multiple vendors if such proves to be in the best interest of the District.
- If no acceptable bids are received, the proposed acquisition will be re-advertised seeking an acceptable bid if the District so desires.
- If the District receives two or more bids from responsible bidders that are identical in nature and amount as the lowest and best bids, it shall select only one bidder. If only one of the bidders is a resident of the District, that bidder shall be selected (CH Legal).
- Awarded vendor lists will be e-mailed to campuses/departments annually and will be available through the Purchasing Coordinator.

vii. Vendor Protests

- Make written request to the CFO.
- If the CFO denies the request, vendor may request to appeal the decision with the bid committee.
- If the request is further denied, the vendor may appeal the decision to the Board of Trustees. The matter shall be placed on the regular agenda for consideration as requested by the vendor.

**2. Competitive sealed proposals:** Allow modification and alteration of both content and price after offers are submitted and during the evaluation process. Used for services, construction, and when quantities and specifications are unknown.

**3. Request for Proposals**: Similar to competitive sealed proposals except the proposal is NOT sealed and negotiations may be begun upon receipt.

**4. Interlocal Contracts (Purchasing Cooperatives):** A district can contract with another local government or with the state or a state agency to purchase goods and any services. See Board Policy CH (Legal). Staff should consult with the MPISD Purchasing Coordinator to find out what cooperatives the District is a member of and the available vendors from that cooperative.

| | |
|---|---|
| TXMAS - TEXAS MULTIPLE AWARD SCHEDULE CONTRACTS | http://www.cpa.state.tx.us/procurement/prog/txmas/ |
| TASA/TASB - BUYBOARD | https://www.buyboard.com/Vendor/Proposal-Tabulation-Sheets.aspx |
| TIPS/TAPS REGION VIII | https://www.tips-usa.com/allvendors.cfm |
| OMNIA PARTNERS / PUBLIC SECTOR | https://public.omniapartners.com/contracts |
| REGION VII | https://purchasing.esc7.net/vendors/psearch |
| DIR - DEPARTMENT OF INFORMATION RESOURCES | http://www2.dir.state.tx.us |
| GSA - US GENERAL SERVICES ADMINISTRATION | http://www.gsaelibrary.gsa.gov/ElibMain/contractorList.do?contractorListFor= |
| PCA - PURCHASING COOPERATIVE OF AMERICA | https://www.pcamerica.org/contracts/vendors/items |
| NJPA - SOURCEWELL -COOPERATIVE PURCHASING | https://www.sourcewell-mn.gov/contract-search |
| 1GPA - | https://1gpa.org/current-vendors/ |

ESC 2 - GOODBUY PURCHASING COOPERATIVE https://goodbuy.esc2.net/
CHOICE PARTNERS NATIONAL PURCHASING COOP. www.choicepartners.org

5. **Catalogue Purchases as provided by Subchapter B, Chapter 2157, Government Code:** Department of Information Resources vendors may be utilized for the acquisition of computer equipment, software & services (CH Legal).

## Control Environment

**A. Approvals**: It is the responsibility of the campus principals and department heads to review and approve requisitions before they are submitted to the centralized Purchasing Coordinator for processing. Approvals should not to be designated to a secretary or other administrative assistant. The Superintendent or his designee will have **final approval** on purchase requisitions.

**B. Segregation of Duties:** The Purchasing Coordinator is independent of the shipping/receiving functions and of the accounts payable functions.

**C. Files and records**: The Purchasing Coordinator will maintain purchasing files and records for the period required by law.

**D. Gifts:** District employees shall not solicit, accept or agree to accept any gifts or benefits from a person conducting or intending to conduct business with the District.

**E. Vacation:** The Purchasing Coordinator is required to take vacations throughout the fiscal year. In her absence, the CFO or designee will handle her duties.

**F. Data Processing Security--** All Finance PowerSchool users have a user identification number (ID) and password. The Technology Director assigns these. It is the responsibility of the user to secure their ID & password and to alert the Technology Director immediately if that security has been breached. Each user is then assigned rights in the PowerSchool system by the CFO. These rights determine what the user can and cannot do or see in the software. Campus secretaries have the ability to input requisitions and run reports. Supervisors have approval abilities. Only the central Business Office has the ability to post purchase orders.

**G. Personal Purchases** —District employees shall not be permitted to purchase supplies or equipment for personal use through the District's business office (CH Local). District employees shall not be permitted to use the District's tax-exempt certificate to make personal purchases.

**H. Training—** Purchasing Coordinator and CFO will attend training annually.

**I. Arm's Length Transactions--**The purchase and sale transaction is an "Arm's Length Transaction," meaning that the transaction has been negotiated by unrelated parties, each of whom is acting in his or her own self-interest, and that the sale price is based on fair market value of the Property. Agents are acting in the best interests of their respective principal(s).

# CONTRACT MANAGEMENT

Goal: To ensure a systematic process to review and approve contracts with vendors to include purchases, services, maintenance agreements, construction, and other contracts as appropriate.

**Contract Approval Authority [Board Policy CH Local]:**

- ❑ The Superintendent or designee has been designated by the Board of Trustees to approve and execute contracts for the purchase or goods or services for single purchases that are less than $25,000.
- ❑ The Board of Trustees retains the authority to approve contracts for the purchase of goods or services for any single purchase that exceeds $25,000.

**Contract Review:**

- ❑ The requestor [campus or department] shall forward the Contract document(s) to the Chief Financial Officer (CFO) for review. The CFO may send the proposed contract to the attorney for further evaluation.
    - Contracts may be vendor-originated, or
    - Mt. Pleasant ISD's Professional Services (Consultant) Contract
- ❑ The Contract Transmittal form shall be completed by the originator and attached to the Contract documents (see appendix).
- ❑ The Contract documents shall include the vendor/contractor's contract form or the Mt. Pleasant ISD Consultant Contract.
- ❑ If the proposed vendor is new to the district, a completed Mt. Pleasant ISD Vendor Application Packet shall be included with the contract documents. Vendor packets can be obtained from the Purchasing Coordinator, 903-434-8518.
- ❑ The CFO shall review the Contract.
    - If the contract will be funded with federal grant funds, the following provisions must be included in the contract [Per TEA's Guidance and Best Practices].
        - The contract is only effective upon receipt by the sub grantee of the NOGA from the awarding agency.
        - The contract period is aligned to the grant period of availability as stated on the NOGA from the awarding agency (period of availability).
        - All services will be completed during the effective dates of the contract.
        - All services will be invoiced monthly after services are received (rather than paid lump sum at the beginning of the period of availability before services are rendered) and paid upon verification of receipt of services.
        - The regulations for procurement in 2 CFR §§200.317-327 are followed in issuing the contract.
        - All professional services provided under the contract will follow the provisions of 2 CFR 200.459 Professional service costs.

- The contract identifies the funding sources that will be charged for the services provided, including the specific amount and/or percentage of the total contract amount to be charged to each funding source.
- The contract identifies and lists only reasonable, necessary, and allocable services to be provided during the period of availability of the funding sources listed in the contract.
- The administrative costs charged to the grant in the contract must comply with any limitations for administrative costs for funding sources (if applicable).
- The contract specifies that the invoice provided by the contractor will include the list of services provided, dates of services, and location(s) where services were provided during the billing period.

- If the contract will be funded with federal grant funds, the following provisions must be included in the contract [Per EDGAR Appendix II Part 200 Contract Provisions for Non-Federal Entity Contracts Under Federal Awards].
  - Contracts over $150,000 must address administrative, contractual or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties.
  - Contract over $10,000, must address termination for cause and for convenience by the District including the manner by which it will be affected and the basis for settlement.
  - Equal Employment Opportunity clause
  - Davis-Bacon Act clause for construction contracts, including compliance with prevailing wages. [The District must place a copy of the current prevailing wage determination used by the Department of Labor with each solicitation. Vendors will be required to furnish a current wage scale for comparison.]
  - Contract Work Hours and Safety Standards Act clause related to the computation of wages of every mechanic and laborer based on a standard workweek of 40 hours.
  - Rights to Inventions Made Under a Contract or Agreement clause if the federal award meets the definition of "funding agreement"
  - Clean Air Act and Federal Water Pollution Contract Act clauses if the contract is in excess of $150,000
  - Debarment and Suspension clause, which prohibits awarding a contract to a contractor who has been debarred, suspended or otherwise, excluded from federal awards.
  - Byrd Anti-Lobbying Amendment clause, which applies to contractors, that apply or bid for an award exceeding $100,000 who must file the required certification.
  - Procurement of recovered materials (200.322) clause
  - Purchases from the School Nutrition Fund must include the Buy American provision, which requires schools to purchase domestically grown and processed food to the maximum extent practicable. For a product to meet the Buy American requirement, over 51% of the final processed product must consist of agricultural

commodities that were grown domestically (sometimes, referred to as processed *substantially* using domestic agricultural commodities). Domestic products include items from the United States territories: Guam, American Samoa, Virgin Island, Puerto Rico, and the Northern Marian Islands. Purchases made in accordance with the Buy American provision must follow the applicable procurement regulations calling for full and open competition.48 CEs must include this requirement in their contracts, requests for bids, and purchase orders with all potential contractors.

- Written verification that the entity does not discriminate against a firearm entity or trade association (SB 19) except for sole source providers or instances where no bids are from companies that cannot provide written verification.
- Written verification, for contracts $100,00 or greater, that the entity does not discriminate against energy companies (SB 13).

- ❑ If the Contract is recommended as is, the Contract will be forwarded to the Superintendent or designee and/or School Board (for contracts > $25,000) for final review and approval.
- ❑ If the Contract is not acceptable as is, the originator shall contact the contracting party to attempt to resolve the deficiency(ies).
    - Legal advice from the district's legal firm shall be obtained as necessary to remedy the contract deficiencies.
- ❑ If the Contract is not acceptable and cannot be corrected to an acceptable form, the originator shall reject the contract and notify the proposed vendor.

**Contract Letter of Intent [Per TEA's Guidance and Best Practices]:**

- ❑ The Superintendent may execute a Letter of Intent with a third party (contractor) prior to a fiscal year or state/federal grant period only if the following provision is included in the Letter of Intent:
    - The final execution of the contract is contingent upon availability of local funds or receipt of a Notice of Grant Award (NOGA) from a state/federal granting agency.

**Contract Approval:**

- ❑ The Superintendent or designee shall return the original, signed Contract to the CFO.
- ❑ If the contract also requires School Board approval, the originator shall prepare the School Board Action Item for approval at the next regularly scheduled board meeting. The Board Secretary shall return the original, signed Contract to the CFO.
- ❑ The contract originator (campus or department) shall verify that the contract document(s) have been executed and take the following steps:
    - Notify the contractor that the services cannot begin until the contractor receives the fully executed contract and Purchase Order.
    - Notify the contactor that the services cannot begin until the contractor submits any bonds, Certificate of Insurance, Criminal History, or other documentation, as appropriate.
    - Submit a requisition to encumber the funds associated with the contract.
    - Forward the original contract to the Purchasing Coordinator and copies to the CFO & Accounts Payable Coordinator for filing purposes.

- Upon receipt of the signed contract, the CFO, Purchasing & Accounts Payable Coordinators shall file the original contract according to the Contract Filing Procedures (below).
- The Purchasing Coordinator shall enter the new vendor in the PowerSchool database and file the Contract pending receipt of a requisition from the originator.

**Purchase Commitment for Contract (Purchase Order):**

- The originator shall submit a purchase requisition for the cost of the contract.
- Upon receipt of the purchase requisition, the CFO shall review and approve the requisition in accordance with the district's Purchasing Procedures.
- Upon approval of the purchase requisition, the originator shall forward a copy of the approved contract to the vendor and the Purchasing Coordinator shall forward a copy of purchase order to the vendor.

**Contract Filing Procedures:**

- Upon receipt of a fully executed Contract and Vendor Application Packet, the contract as noted below:
    - Originator scans and attaches a copy of the contract to the PowerSchool requisition
    - Purchasing Coordinator attaches the original contract to the approved Purchase Order and files
    - Accounts Payable Coordinator files a copy in the vendor file

**Contract Management:**

- The contract originator shall be directly responsible to ensure that the contracting party performs the services covered by the Contract. The contract originator shall sign the invoice to certify that the work was completed to satisfactory standards.
- Upon completion of the service(s), the vendor shall forward an invoice to the Accounts Payable Coordinator to request that payment be made to the contracting party.
- The Accounts Payable Coordinator shall make partial or final payments only upon receipt of an invoice signed by the originator. The signature of the originator is verification that the services have been performed and that the payment should be made to the contracting party.

# Warehouse: Delivery, Receipt & Inventories

Mount Pleasant ISD maintains a central warehouse that serves two purposes:

1. Receive and distribute purchased items
2. Maintain & distribute the District's stock of inventory items

A. Receiving and distribution

1. Centralized receiving—MPISD utilizes centralized receiving to better facilitate control over purchases.

2. Receiving Procedures

a. The Warehouse receives a copy of the purchase order as notification of a pending delivery.

b. Upon delivery, Warehouse staff should:

i. Compare the packing slip to the purchase order to be sure the shipment belongs to MPISD. If it does not, refuse shipment.

ii. Ensure that the items on the packing slip match the items on the purchase order; accept the items ordered and have the Purchasing Coordinator contact the vendor for instructions for handling incorrect items.

iii. Compare the number of containers delivered to the number on the carrier's packing slip. Record any discrepancy on the carrier's shipping documents.

iv. Examine the outside of the containers for damage. Record any damage to the shipping containers on the carrier's shipping document and ensure that the delivery person signs it before the shipment is accepted. Recording damages to containers provides additional documentation in the event there is concealed damage.

v. FOB destination—Items shipped to MPISD should be shipped FOB destination so that the vendor retains title and control of goods until they are delivered. The vendor selects the carrier and is responsible for the risk during transportation. This also allows MPISD to reject or accept all or part of the shipment. In the event any or all is rejected, the reason for rejection should be noted on the carrier's shipping documents and the vendor should be notified via the Purchasing Coordinator.

vi. *If possible*, open the container(s) and compare the contents with the packing slip. If the warehouse staff are unable to open and compare, the receiving campus or department will open the container(s) and compare the contents with the packing slip. If the contents do not match, have the Purchasing Coordinator contact the vendor. If necessary, refuse shipment and note refusal on the carrier's shipping documents.

vii. Finally, accept delivery by signing & dating the packing slip.

c. Receiving report

i. Receiving reports for inventoriable items should be prepared by Warehouse staff and forwarded to Purchasing Coordinator for input into the PowerSchool Warehouse module.

ii. Inspection: Receiving reports for other goods should be prepared and signed by the receiving campus/department. Receiving campus/department should:

- Compare quantity received and quantity ordered
- Compare shipment with physical description on the purchase order

- Retain copies of shipping documentation

iii. Invoice: Send signed copy of the invoice to Accounts Payable for processing only after inspection and completion of the order.

d. Discrepancies

i. Vendor: Notify the vendor within 48 hours.

ii. Document: Note correspondence with vendor in writing and follow-up telephone notifications in writing.

iii. Purchasing: Contact the Purchasing Coordinator (903)434-8518 and send copies of correspondence to the Purchasing Coordinator.

B. Warehouse Inventory

1. Warehouse Stock Items

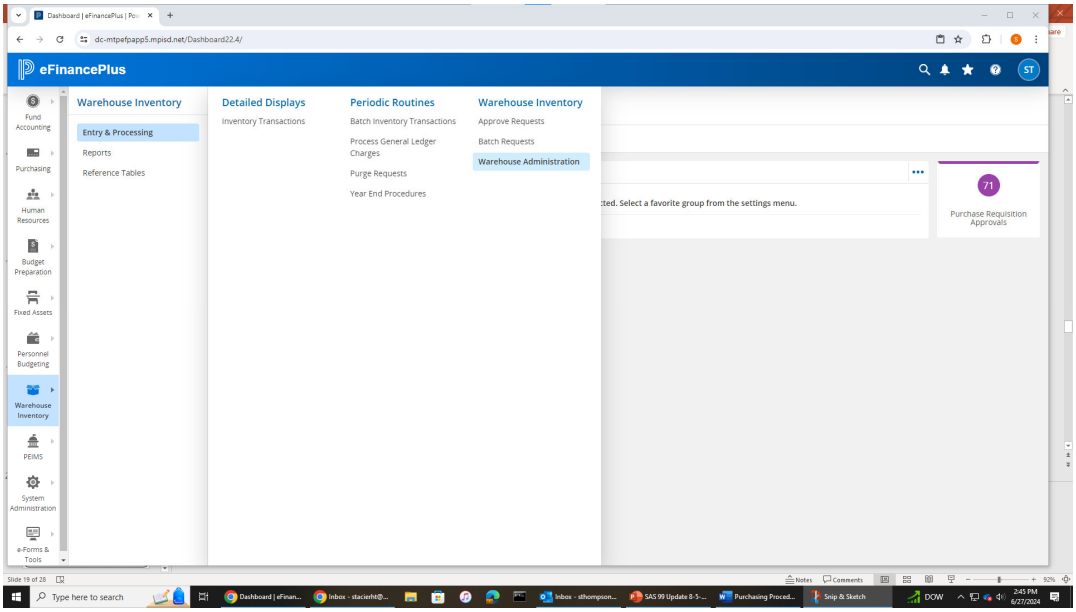
**a. Purchasing:** Items for warehouse inventory will be purchased according to the MPISD Purchasing Procedures set forth in the Purchase Order Process discussed earlier in this text.

**b. Receiving:** Stock items will be received in the same manner as discussed in Warehouse: Deliveries, Receipts & Inventories item A2. However, the Warehouse Coordinator will be responsible for signing and forwarding the invoice to Accounts Payable.

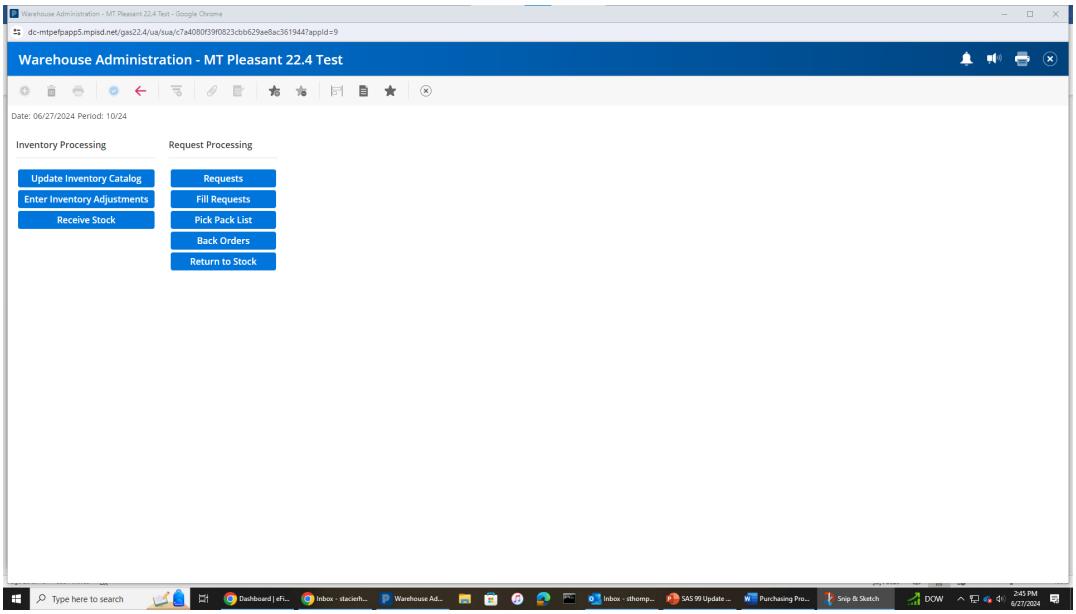
**c. Receiving Report:** Once stock items are received, the Warehouse Coordinator will prepare a report noting the items, stock number, and quantity received. The report will be forwarded to the Purchasing Coordinator.

**d. Receive Stock:** Once Accounts Payable pays the invoice, the Purchasing Coordinator will receive the stock into the PowerSchool Warehouse module with the current cost. PowerSchool will average the cost.

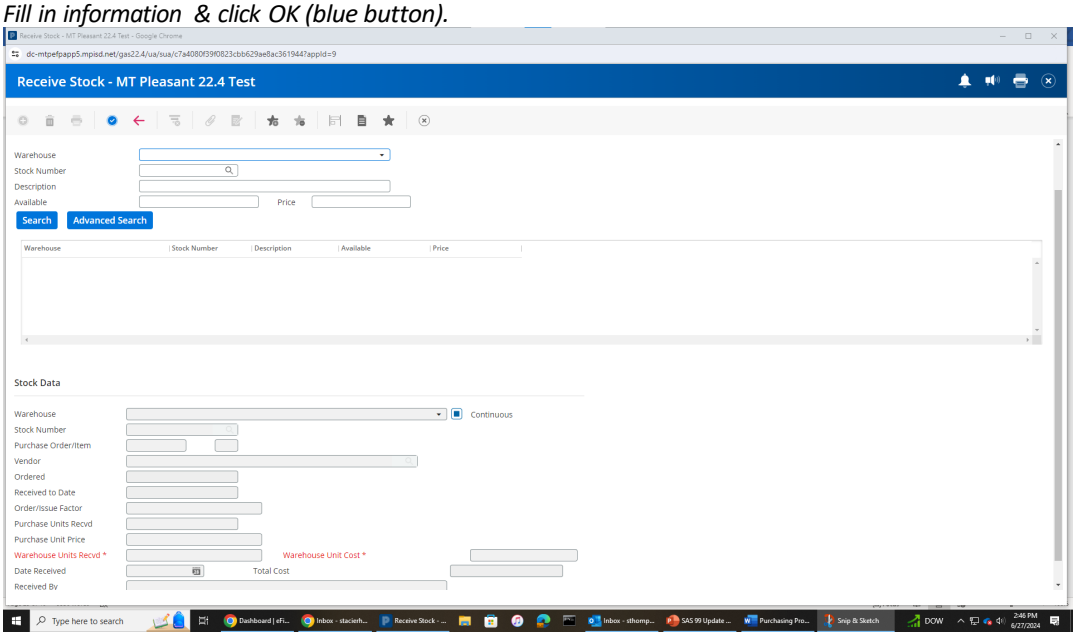
*Warehouse Inventory/Entry & Processing/Warehouse Inventory/Warehouse Administration*




*Receive Stock*

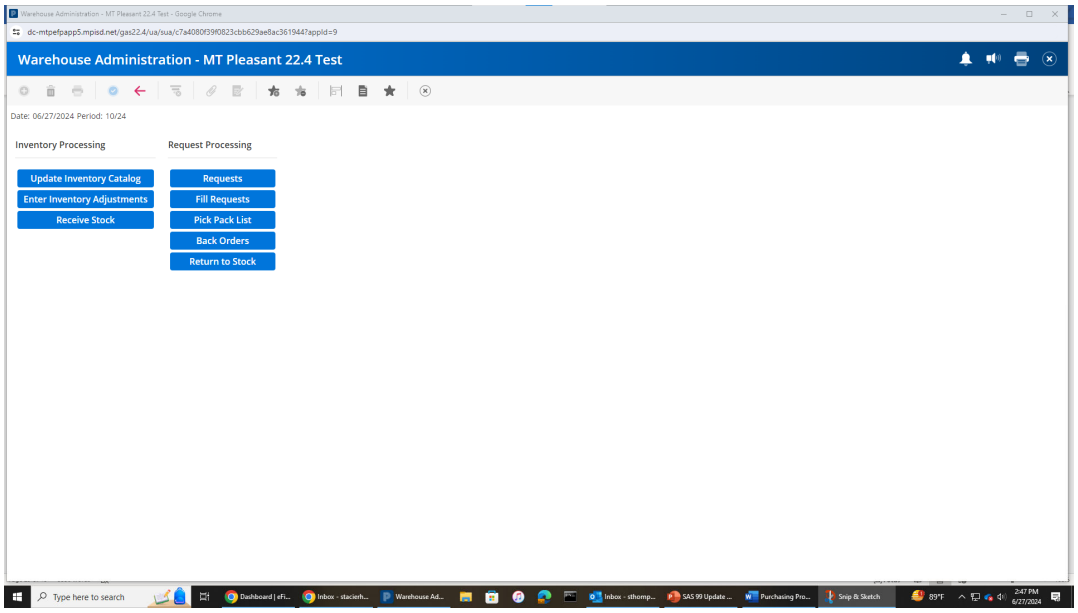


*Fill in information  & click OK (blue button).*

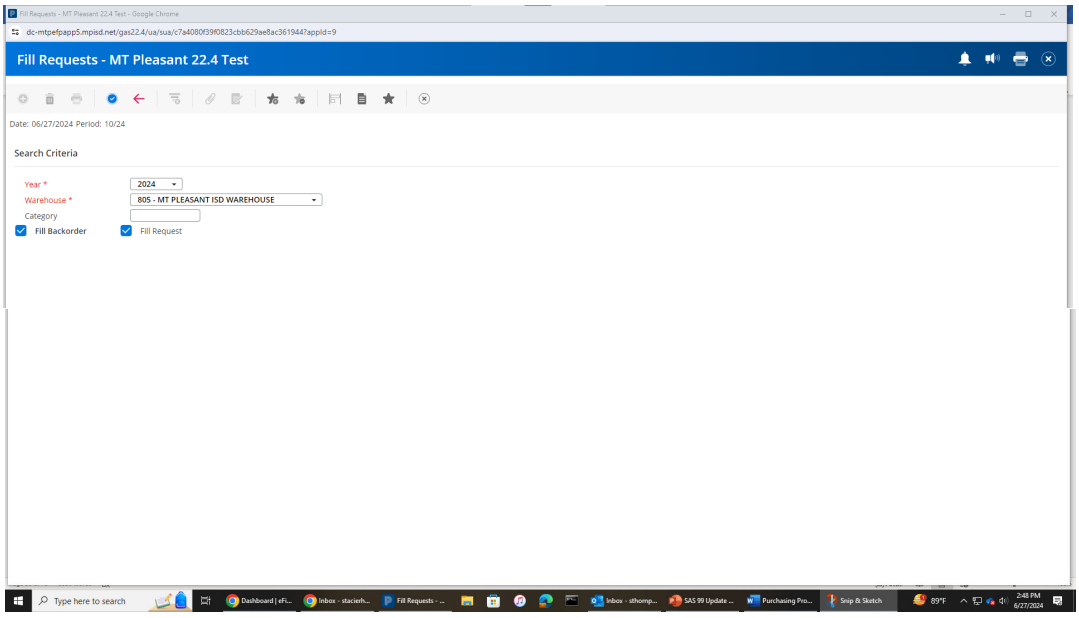



2. Warehouse Requisitions
    a. **Fill & Deliver:** Warehouse Coordinator will fill requisitions put into the PowerSchool Warehouse module.

    *Warehouse Inventory/Entry & Processing/ Warehouse Inventory/Warehouse Administration*
    *Fill Requests*



*Year—Current Year, Warehouse 805. Check Fill Request And Fill Backorders. Click OK.*

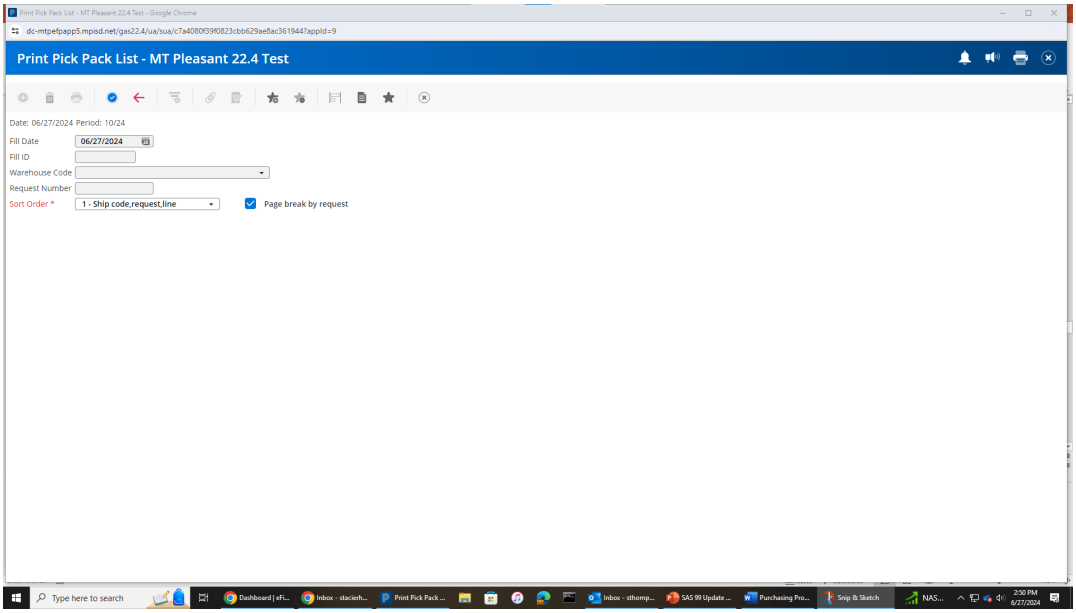



b. **Pick Pack List (Receiving Report):** Warehouse Coordinator will print a pick pack list for the filled items and the receiving campus/department will sign for the items. Reports will be filed in the Warehouse office.

*Warehouse Inventory/Entry & Processing/ Warehouse Inventory/Warehouse Administration/*

*Pick Pack List*

*Fill Date-Current Date, Fill ID—Blank, Sort Order -1, Click OK*



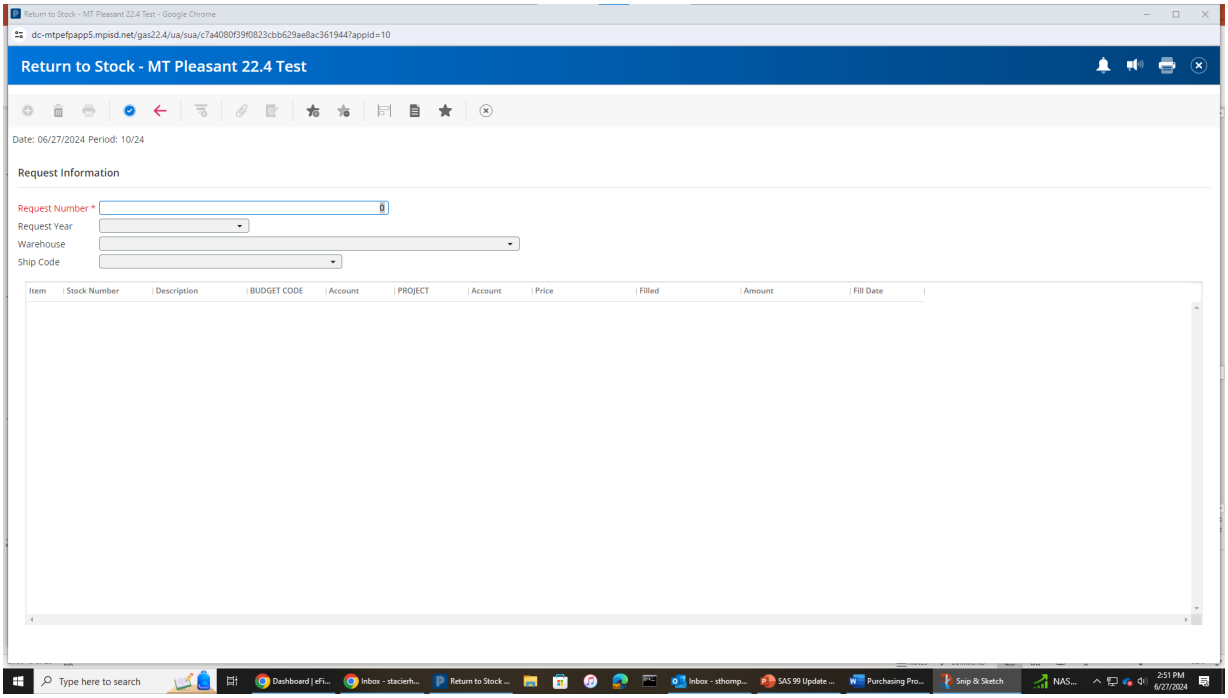

**c. Backorders:** Warehouse Coordinator will check the Backorders Report daily. If items are no longer carried in stock, he will ask the CFO to purge the backorder. If items have recently been received, he will fill the backorders. See item B2a.

**d. Return to stock:** Warehouse Coordinator will return items to stock via the PowerSchool Warehouse module if necessary.

*Warehouse Inventory/Entry & Processing/ Warehouse Inventory/Warehouse Administration*

*Return to Stock*

*Fill in Request Information, Return All or Select a Line Item, Click OK*



3. Physical Inventory

a. Performed once per year by Warehouse Staff.

b. The CFO will reconcile the physical inventory to the inventory property records maintained in the accounting software.

c. Discrepancies will be investigated by CFO, Warehouse Coordinator & Purchasing Coordinator.

4. Obsolete/Unused /Damaged Inventory—Warehouse Coordinator will notify CFO of obsolete/unused/damaged inventory.

a. Obsolete inventory will be sold at auction and subsequently removed from inventory. Items will not be re-ordered.

b. Damaged inventory will be salvaged for auction or another use in the District or purged if beyond use or repair and subsequently removed from inventory.

5. Control Environment

**a. Security**—Central Warehouse will be locked at times when Warehouse staff are not on the premises. Central Warehouse will be equipped with a proximity card reader and access will be limited to Warehouse Staff, CFO, Superintendent, and Maintenance Director.

**b. Separation of Duties**—Warehouse Staff will not have Purchasing or Accounts Payable duties.

**c. Vacation—**Warehouse Staff will be required to take vacations throughout the year. In their absence, another warehouse staff member and the Business Office will maintain the Warehouse function.

**d. Safety—**Warehouse staff are required to attend monthly safety meetings at the Maintenance department. Warehouse staff is also required to wear back braces, gloves and other safety equipment. Since warehouse staff drives a District vehicle, they will also be randomly drug tested, obey traffic laws and will maintain a current driver's license.

e. **Data Processing Security-- All** Finance PowerSchool users have a user identification number (ID) and password. The Technology Director assigns these. It is the responsibility of the user to secure their ID & password and to alert the Technology Director immediately if that security has been breached. Each user is then assigned rights in the PowerSchool system by the CFO. These rights determine what the user can and cannot do or see in the software. The Warehouse Coordinator cannot receive stock or adjust inventory. The Accounts Payable Coordinator & Purchasing Coordinator cannot fill orders.

# Accounts Payable

A. Process—An Overview

1. Invoices are mailed to the Accounts Payable Coordinator.
2. Accounts Payable matches invoice with purchase order.
3. Invoices are verified by Accounts Payable as to amount, discounts, freight, agreement with purchase order, etc. Duplicate invoices are destroyed.
4. Invoices are sent to the purchasing campus/department for signatures. Invoices will NOT be paid without a signature. The final approver's signature and date is his/her representation that the purchaser complied with local policy and procedure and state and /or federal law, rules and /or grant requirements, as applicable.
5. Invoices and purchase orders are verified by the CFO or designee. Items listed in #3 are verified once more, as are signatures, budget codes and vendor information.
6. Checks are written once per week by the Accounts Payable Coordinator through the PowerSchool system. The Coordinator verifies check sequence before and after printing. The Superintendent or CFO signs checks.
7. Void checks will be marked "VOID" and kept in sequence in the Accounts Payable Coordinator with an explanation of why the check was voided.
8. Paid invoices are stamped with the check number and payment date and filed in the Accounts Payable Coordinator.
9. Manual checks will not be used.
10. Under no circumstances are debit or gift cards permitted for the disbursement of any funds, including grants.

B. Process—Open Purchase Orders & Monthly Bills (utilities, etc.)

1. Signed receipts are forwarded daily to the Accounts Payable Coordinator.
2. Accounts Payable matches the invoices to the month end statement, if applicable.
3. Accounts Payable inputs a requisition to the PowerSchool Purchasing Module.
4. Requisition is approved by the department head and Superintendent or designee.
5. Requisition is turned to a Purchase Order.
6. Purchase order, signed invoices and statement are sent to CFO or designee for final review.
7. Checks are written once per week (Thursdays tentatively) by the Accounts Payable Coordinator through the PowerSchool system. The Coordinator verifies check sequence before and after printing. The Superintendent or CFO signs checks.
8. Void checks will be marked "VOID" and kept in sequence in the Accounts Payable Coordinator with an explanation of why the check was voided.
9. Paid statements are stamped with the check number and payment date and filed in the Accounts Payable office.

C. Deadlines

1. Checks are written once per week. In the absence of the Accounts Payable Coordinator, checks may be written less frequently.
2. Fiscal year end
    a. Signed invoices should be submitted to the Accounts Payable Coordinator two weeks prior to the end of the fiscal year. For the District, the year-end is August 31. However, grants may have differing year-ends. Grant Coordinators shall refer to their grant to determine the proper year-end.
    b. Purchase orders will be closed if not used within three (3) months. Prior to closing, the Accounts Payable Coordinator will forward a list of outstanding purchase orders to the campus/department. It is the campus/department's responsibility to either 1) obtain an invoice for payment or 2) notify the Accounts Payable Coordinator that the purchase order needs to be CLOSED.

The campus/department can also run this report in PowerSchool through Reports/Fund Accounting/Financial Statements/Encumbrance Status Report.

3. State law generally requires that the district pay invoices within 30 days to avoid penalty and interest charges, so invoices should be submitted to Accounts Payable on a timely basis for payment. Specifically, the Government Code (Section 2251.021] states:

*TIME FOR PAYMENT BY GOVERNMENTAL ENTITY. (a) Except as provided by Subsection (b), a payment by a governmental entity under a contract executed on or after September 1, 1987, is overdue on the 31st day after the later of:*

*(1) the date the governmental entity receives the goods under the contract;*

*(2) the date the performance of the service under the contract is completed; or*

*(3) the date the governmental entity receives an invoice for the goods or service.*

*(b) A payment under a contract executed on or after September 1, 1993, owed by a political subdivision whose governing body meets only once a month or less frequently is overdue on the 46th day after the later event described by Subsections (a)(1) through (3).*

4. Breaks/Holidays

a. The final check run will be at 10:00 a.m. on the last workday before these breaks.

b. Campus/Department heads should be cognizant of break and holiday schedules. It is their responsibility to provide the Accounts Payable Coordinator with invoices and purchase orders in sufficient time to have checks written prior to these non-work days.

c. Travel—It is the responsibility of the campus/department to ensure proper documentation is forwarded to the Accounts Payable Coordinator in ample time to prepare a check for travel that will occur during or immediately after a break.

D. Non-reimbursable expenditures

1. Sales tax—The District is exempt from sales tax. The District will not pay or reimburse sales tax.

2. Employee Services—Work performed by employees must be entered into the KRONOS timekeeping system for payment through payroll.

3. Gifts--Gifts of public funds are PROHIBITED under Texas Constitution Article III Sections 51-53 and the Texas Education Code Section 45.105.

4. Purchases made without a properly executed purchase order *may* not be reimbursed under Board Policy CH Local.

5. Travel—Certain travel expenditures such as internet fees and meals for day trips are not reimbursable. See the Mount Pleasant ISD Travel Policies & Procedures Manual for details.

6. Personal—Purchase of items for personal use is not reimbursable.

7. Fines, Penalties, Tickets, etc.—Fines, penalties, tickets etc. imposed on an employee that arises out of the employee's personal conduct while conducting school business is not reimbursable.

8. Inadequate documentation—No payment will be made if documentation is incomplete or inadequate.

9. Non-educational purpose—Any expenditure that does not support the educational purpose of MPISD is not reimbursable.

10. Any other expenditure that is in violation of any local, state or federal law is not reimbursable.

E. Federal Tax

1. Identification numbers—Tax identification numbers are required for individuals and non-corporate vendors.

2. 1099—IRS form 1099's will be issued to individuals and non-corporate businesses that are paid over $599 in the calendar year.

F. Control Environment

1. Accounts Payable Coordinator is independent of purchasing & receiving.

2. Bank reconciliation will be performed by the CFO monthly.

3. Accounts Payable personnel are required to take vacations. In their absence, the CFO will assume their responsibilities.

4. The PowerSchool system allows for security with respect to check writing. Only the Accounts Payable Coordinator, CFO and Assistant have security access to the check writing function. Signatures are programmed into the check writing function of the PowerSchool software therefore only those who can write checks have access to signatures.

5. Checks are kept in the vault. Only Accounts Payable staff, the CFO & Superintendent have a key to the vault.

6. Data Processing Security All Finance PowerSchool users have user identification number (ID) and password. The Technology Director assigns these. It is the responsibility of the user to secure their ID & password and to alert the Technology Director immediately if that security has been breached. Each user is then assigned rights in the PowerSchool system by the CFO. These rights determine what the user can and cannot do or see in the software.

# *Contract Transmittal Form*

***Please attach this form to your proposed contract when you submit it for approval.***

| ***Mt. Pleasant I.S.D.:*** | ***CONTRACTING PARTY:*** |
|---|---|
| Contact Person: | Organization: |
| Department: | Contact Person: |
| Phone No.: | Address: |
| | Phone No.: |

| ***PROPOSED AGENDA SUBMISSION DATE:*** *(if applicable)* | | | | |
|---|---|---|---|---|
| Will the total contract exceed $25,000?<br>If so, the contract should be approved by the School Board.<br>Proposed Agenda Submission Date: _____ | **Yes** | | **N/A** | |
| Will the contractor perform the services on-site at Mt. Pleasant ISD?<br>If so, a Certificate of Insurance with Mt. Pleasant ISD as additional insured may be required. Check with the CFO. | **Yes** | | **N/A** | |
| Have you discussed campus and building requirements (i.e., heating/air conditioning, building open on non-work day or after hours, food service requirements, security, installation of circuits, etc.) with appropriate department? | **Yes** | | **N/A** | |
| Will this contract be funded with federal grant funds?<br>If so, federal grant contract provisions should be included in the contract.<br>Budget Code: _____ | **Yes** | | **N/A** | |

| | |
|---|---|
| ***REVIEWED AND APPROVED:***<br>1. Principal/Program or Department Director: | _____ Date: _____ |
| 2. Purchasing Coordinator: | _____ Date:_____ |
| 3. CFO: | _____ Date:_____ |

# MT. PLEASANT INDEPENDENT SCHOOL DISTRICT

## CONSULTANT SERVICE CONTRACT

The Mt. Pleasant Independent School District, hereinafter referred to as "District," and independent contractor, hereinafter referred to as "Consultant," enter into a contract on this the ___day of _____ for the provision of consultant services.

1. District agrees to engage Consultant, and Consultant agrees to perform personally, in a manner satisfactory to District, the following services:

   _____

   _____ (*Describe the services to be performed in this space including the days/hours to be worked, the service to be performed and any other specific requirements of the engagement.)*

2. Unless discontinued earlier by District, the services are to be performed at the following times and places:

   _____

   _____ (*Describe the days/hours to be worked and the location where the work will take place.)*

District agrees to pay Consultant a fee of $ _____ per hour, per day, or flat fee *[circle one]* for a total fee not to exceed $ ____, as compensation for services rendered. **Consultant shall not be paid in advance.**

This agreement shall be in effect from _____to_____, unless terminated by either party at any time, with or without cause. In the event of termination by District or Consultant prior to completion of the contract, compensation shall be prorated based on hours actually worked, and Consultant shall only be entitled to receive just and equitable compensation for any satisfactory work completed and expenses incurred up to the date of termination.

Consultant may not assign this contract to a third party without the written consent of the District. Consultant must conduct a criminal background check, at the Consultant's expense, of employees employed under this contract, except District employees.

Consultant is not an employee of District, and is not entitled to fringe benefits, pension, workers compensation, retirement, etc. District shall not deduct Federal income taxes, FICA (Social Security), or any other taxes required to be deducted by an employer, as this is the responsibility of Consultant.

Consultant agrees to hold District harmless from all liability incurred by District by reason of Consultant's negligence or breach of contract, including, without limitation, damages of every kind and nature, out-of-pocket costs, and legal expenses.

IN WITNESS WHEREOF, Mt. Pleasant Independent School District and Consultant have executed this contract, effective the date first herein written.

MT. PLEASANTINDEPENDENT SCHOOL DISTRICT

By: _____
*Superintendent or designee*

Date: _____

CONSULTANT --

By: _____

Date: _____

Social Security/Federal Tax ID Number: _____

Signature of MPISD Staff Contact Person: _____

Phone Number: _____

Date of Board approval: _____
*(for contracts of $25,000 or more)*