

LAKE HAVASU UNIFIED SCHOOL DISTRICT #1

AGENDA ACTION ITEM

TOPIC: SECOND PRESENTATION/REVIEW OF REVISED POLICIES DIE AUDITS/
FINANCIAL MONITORING AND DJE BIDDING/PURCHASING PROCEDURES

SUBMITTED BY: Michael Murray, Director of Business Services

DATE FOR BOARD CONSIDERATION: June 20, 2017

RECOMMENDATION:

It is recommended that the Board approve the second presentation of revised Policies DIE Audits/Financial Monitoring and DJE Bidding/Purchasing Procedures.

RATIONALE:

Per Arizona School Boards Association Policy Services Advisories, dated February 2017 (received March 15), the following policy revisions are being presented:

Policy Advisory No. 569 Policy DIE—Audits/Financial Monitoring

An addition to this policy references the Office of Management and Budget Compliance Supplement of June, 2016.

Policy Advisory No. 570 Policy DJE—Bidding/Purchasing Procedures

Policy DJE has been modified in response to recent district audit questions pertaining to compliance in contracting with small and minority businesses, women's business enterprises, and labor surplus area firms. A reference to 2 C.F.R. 200.321 (contracting with small and minority businesses, women's business enterprises, and labor surplus area firms) has been added to the legal references.

There have been no changes to these policies since the first reading on May 9, 2017.

Approved for Transmittal to Governing Board



Superintendent

DIE ©
AUDITS / FINANCIAL MONITORING

The Governing Board directs the Superintendent to implement procedures that assure District compliance with all state and federal requirements for financial monitoring and audits. Contingent upon prescribed qualifying criteria, such requirements may include, but are not limited to, procedural reviews by the Office of the Auditor General and the federal Single Audit Act Amendments ~~of 2003~~ and OMB Compliance Supplement June 2016.

The procurement of the necessary services shall be consistent with the District's policy on bidding and purchasing procedures. Any allocation of costs for the services shall conform to the requirements of the Uniform System of Financial Records (USFR).

A final report of each separate fiscal management review shall be presented to the Board for examination and discussion. After a report has been presented to the Board, it will become a matter of public record, and its distribution will not be limited. Copies of a final report shall be filed with appropriate state and other authorities.

Adopted: ~~date of Manual adoption~~ June 20, 2017

LEGAL REF.:

A.R.S.

15-239

15-914

15-2111

41-1279.04

41-1279.05

41-1279.07

41-1279.21

41-1279.22

A.A.C.

R7-2-902

USFR - Audit Requirements

2 CFR Part 200 Appendix XI, Compliance Supplement

DJE ©
BIDDING / PURCHASING PROCEDURES

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

The Superintendent shall ensure that all aspects of bidding and purchasing procedures conform to federal and state laws, rules and regulations. ~~prepare Administrative~~ regulations shall be established to assure the District ~~conforms to proper procedures and practices~~ is in full compliance, including contracting with small and minority businesses, women's business enterprises, and labor surplus area firms. (2 C.F.R. 200.321)

Purchases Not Requiring Bidding

Purchases of **twenty-five thousand dollars (\$25,000)** may be made at the discretion of the Superintendent. Such procurements are ~~not~~ subject to competitive purchasing requirements; however, reasonable judgment should be used to ensure the purchases are advantageous to the District.

Verbal price quotations will be requested from at least three (3) vendors for transactions of at least ten thousand dollars (\$10,000) but less than fifty thousand dollars (\$50,000). The price quotations should be shown on, or attached to, the related requisition form. If three (3) verbal quotations cannot be obtained, documentation showing the vendors contacted that did not offer price quotations, or explaining why price quotations were not obtained, shall be maintained on file in the District office.

Written price quotations will be requested from at least three (3) vendors for transactions of at least fifty thousand dollars (\$50,000) but not more than one hundred thousand dollars (\$100,000). If three (3) written price quotations cannot be obtained, documentation showing the vendors contacted that did not offer written price quotations, or explaining why written price quotations were not obtained, shall be maintained on file in the District office.

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

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

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

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

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

Unless otherwise provided by law, contracts for materials or services and contracts for job-order-contracting construction services may be entered into if the duration of the contract and the conditions of renewal or extension, if any, are included in the invitation for bids or the request for proposals and if monies are available for the first fiscal period at the time the contract is executed. The duration of contracts for materials or services and contracts for job-order-contracting construction services shall be limited to no more than five (5) years unless the Board determines that a contract of longer duration would be advantageous to the District. Once determined, the decision should be memorialized in meeting minutes and in the contract/bid file. Payment and performance obligations for succeeding fiscal periods are subject to the availability and appropriation of monies. The maximum dollar amount of an individual job order for a job-order-contracting construction service shall be one million dollars (\$1,000,000) or as determined by the Board.

Online Bidding

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

Purchases Requiring Bidding

Sealed bids and proposals shall be requested for transactions to purchase construction, materials, or services costing more than one hundred thousand dollars (\$100,000). All transactions must comply with the requirements of the Arizona Administrative Code and the Uniform System of Financial Records.

Registered Sex Offender Prohibition

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

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

Adopted: ~~date of Manual adoption~~ June 20, 2017

LEGAL REF.:

A.R.S. 11-952
15-213
15-213.01
15-213.02
15-239
15-323
15-342
15-382
15-765
15-910.02
23-214
34-101 *et seq.*
35-391 *et seq.*
35-393 *et seq.*
38-503
38-511
39-121
41-2632
41-2636
41-4401
A.A.C.
R7-2-1001 *et seq.* A.G.O.
I83-136 I87-035 I06-002
USFR: VI-G-8 *et seq.*
2 C.F.R. 200.321

CROSS REF.:

BCB - Board Member Conflict of Interest
DJG - Vendor/Contractor Relations
GBEAA - Staff Conflict of Interest
JLIF - Sex Offender Notification