

**THE SCHOOL DISTRICT OF
OSCEOLA COUNTY, FLORIDA**

**PURCHASING
DEPARTMENT**

**CONTRACTS PROCEDURE
MANUAL**

Revised 12-12-23



**The School District of Osceola County, Florida
Student Achievement - Our Number One Priority**

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FORWARD

This Contracts Procedures Manual has been developed by the Director of Contract Services for Purchasing and Warehouse Services in cooperation with the Superintendent and Chief Business and Finance Officer. It is intended to be a guide for all school and department employees who are directly or indirectly associated with the contracting functions of the School District.

It is an acknowledged fact that the utilization of best practices during the negotiation and contracting phase can result in substantial savings of time and funds for any activity engaged in education as well as business. The operation of the schools and the departments in the School District is a large business venture. The procedures outlined in this manual have been successfully tested and utilized in both public and private sectors throughout the nation.

It should also be acknowledged that any policy or procedure, however well planned, is only effective if properly deployed. All District personnel must cooperate and work as a team with a common goal to achieve and maintain an efficient and effective contracts services program.

MISSION & GOALS

The mission of the Purchasing Department of the School District of Osceola County, Florida, is to provide cost effective and efficient tools to District staff for the preparation, review, approval, execution, and administration of all District contractual documents.

The Purchasing Department's goals are to assist all the schools and the departments with their contracting activities and to administer the related rules, regulations and statutes established by the School Board, Department of Education, and the State of Florida.

This manual includes the basics of the District's contracts services procedures as governed by the School Board, the State Board of Education and Florida Statutes.

SECTION I – CONTRACT GUIDELINES

The Superintendent has directed that all contracts for the requirements and the operations of the District's schools and departments as well as their supporting activities, be processed through the Purchasing Department.

Therefore, the following procedures have been adopted to create an efficient and effective process for the preparation, review, approval, execution, and administration of all contractual documents for the School District.

At no time should any terms and conditions provided by a vendor on an invoice, proposal, quote, agreement, contract, or otherwise, be signed by any district personnel. This information should be sent with the contract intake form for review by the Director of Contract Services. Please inform the vendor that you cannot agree to any terms and conditions as provided in such documents received.

Fundraisers- All fundraisers require approval from the Purchasing Department before commencement. This is to determine whether a contract is needed versus utilization of just a Purchase Order. No one should complete a fundraiser before such approval has been granted. Failure to complete a contract intake form and obtain prior approval will result in your Purchase Order being denied. You will then be required to fill out a Justification Request for After the Fact Purchase Orders and Contracts form.

Generally, for purchases of services less than \$5,000, a District Purchase Order shall be utilized to reduce staff workload and streamline the purchasing process. However, a contract intake form is required for the Contract Services Secretary to determine whether a contract is still needed (i.e., liability issues). Contracts will continue to be required for all construction and related services initiated by the Facilities and Maintenance Departments, services initiated by the Grants Department and other situations where contracts are deemed essential by the Purchasing Department.

When entering a Purchase Order Requisition into TERMS, please make sure that the following information is included:

In the Item Description:

Detailed description of the required scope of services and deliverables

In Note 1 to be printed on the face of the Purchase Order:

The Purchasing Justification (i.e. bid number, bids waived, quotes)

Master Contract Number and approval date (if applicable)

Start date and end date

Name and title of District employee who will be responsible for acceptance of the completed services

Purchasing staff will verify the following information when required:

- Sunbiz Registration
- Business Tax Receipts
- Insurance Certificates
- Jessica Lunsford Act – Background Check Information

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Before requesting a service contract, check the Purchasing Department Intranet Site's "Green Book" for Term Contracts that have been approved by the School Board. The benefits of using an existing Term Contract are as follows:

- Competitive pricing has been negotiated/established
- Contract templates are in place if applicable
- Vendor is loaded into the TERMS Financial System
- Time savings
- Enter requisition into TERMS and receive the Purchase Order same day

If the services needed are not listed in the "Green Book", please complete the contract intake form and submit it to the Contract Services Secretary in Purchasing. The Contract Services Secretary will create a contract for the service needed based on the information provided on the fully completed contract intake form.

SECTION II – CONTRACT APPROVAL/SIGNATURE AUTHORITY LEVELS

All contracts will be consistent with the best interests of the School District and will provide adequate financial protection for the District. The terms of the contracts will not violate the code of ethics for public officers and employees, Chapter 112, Florida Statutes. The School Board may adopt standard contract provisions which will be circulated to principals and administrators. If a contract is not consistent with the standard contract provisions, it must be reviewed by the Director of Contract Services and/or the School Board Attorney and approved by the School Board.

Principals and District Level Administrators:

- Internal Funds Less Than \$50,000 (but over \$5,000), after approval of the Director of Contract Services
- District Funds Less Than \$5,000

Superintendent:

- District Funds \$5,000 or More and Less Than \$50,000

School Board:

- Internal Funds \$50,000 and Greater
- District Funds \$50,000 and Greater

SECTION III – CONTRACT APPROVAL PROCESS

The Contract Services Secretary will select the Master Services Agreement Template that most closely meets your contract needs.

The Contract Services Secretary will complete the Master Services Agreement Template using the below steps:

- Choose the correct agreement type by matching the title with the dollar threshold

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- Ensure that the company is in the District's TERMS financial system. If the company is not in TERMS, you will be notified to have the vendor to complete and submit the Accounts Payable Vendor Application and W-9 Form
- Input the complete legal vendor name and address
- Input the complete description of services to be delivered. Use Attachment if necessary
- Input name and title of administrator who is responsible for determining if service is acceptable
- Input when service will be considered acceptable
- Input location of where service will be performed
- Input starting and ending dates of agreement (start date cannot be earlier than the last date that the agreement is signed by both parties)
- Input the compensation and method of payment information. Use Attachment if necessary
- Obtain the following information (from the Buyer in Purchasing) before approving the agreement:
 - o Verify that the company is registered with the State of Florida by visiting <http://www.sunbiz.org>
 - o Obtain a copy of the vendor's insurance certificate and verify:
 - Appropriate levels of insurance coverage
 - School Board is named as additional insured
 - o Verify that the company has obtained the appropriate Business Tax Receipts
 - o Jessica Lunsford Act – Background Check Information
- Send completed agreement via email to the appropriate School/Department that requested the contract for review and final approval
- Determine if the School/Department is responsible for routing the contract for signature or if the Contract Services Secretary will handle

Upon receipt of the original agreement signed by the vendor, the appropriate Principal or District Level Administrator must sign the agreement then forward it to the Contract Services Secretary. If Superintendent approval is required due to the dollar threshold, the Contract Services Secretary will attach a Contract Summary Sheet signed by the Director of Contract Services and submit it to the Superintendent for signatures. If the School Board approval is required due to the dollar threshold, the Contract Services Secretary will provide the Department/School with a scanned copy of the Contract Summary Sheet signed by the Director of Contract Services to be submitted with your agenda cover sheet and signed contract for the next scheduled Board Meeting.

After the agreement is fully executed and uploaded to VendorLink, the originating Department/School will be notified via email and provided a copy of the same. If the Vendor required an original by providing two (2) signed originals at the beginning of the process, the Purchasing Department will make arrangements to provide the vendor with one of the executed originals. After receipt of the fully executed agreement the School or Department must enter a requisition into the TERMS financial system to encumber funds and issue a Purchase Order.

TIP: Start the agreement preparation process (i.e., submit the contract intake form) at least three weeks before the agenda package submission deadline to the Superintendent. If complex negotiations are required, be sure to allow for additional time. Agreements must be signed by the vendor first before they are submitted to the Superintendent or School Board for approval and signature.

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If the vendor refuses to sign one of the School Board's Standard Agreement Templates or requires the School Board to sign their vendor agreement, a longer review/approval process will be required to complete the negotiations. To expedite the process, the Contract Services Secretary will complete the following steps:

- Request the agreement in Word format with tracking turned on
- Director of Contract Services will review and, if necessary, submit agreement to School Board Attorney for review and will assist school or department with negotiations after comments are received back from the School Board Attorney

TIP: Start the non-standard agreement preparation process (i.e., submit the contract intake form) at least three to four weeks before the agenda package submission deadline to the Superintendent. If complex negotiations are required, be sure to allow for additional time. Agreements must be signed by the vendor first before they are submitted to the Superintendent or School Board for approval and signature.

SECTION IV – CONTRACTS DATABASE

The VendorLink Contracts Database contains all of the contracts that have been approved by the School Board, Superintendent and Administrators (that have been sent to the Purchasing Department after execution). It is an excellent resource with a lot of valuable information. Please follow the steps listed below to view your facility's contracts:

1. Start at District Website: <http://www.osceolaschools.net>
2. Under "District Links" click on "Bid Opportunities", which will take you to the Purchasing Department
3. Under "Contracts Information" click on "New VendorLink Contracts Database"
4. To find your contract, click on the "Search Contracts" link at the top of the screen, select the following information from the drop-down boxes and then click on the "Search Contracts" button:
 - a. Agency – Osceola School Board
 - b. Department Name
 - c. Awardee Name - Company Name
5. To view all contracts for your Department or School, leave the Awardee Name field blank and then click on the "Search Contracts" button
6. Click on the "View" button to view, save and/or print the contract
7. You can export the resulting list of contracts into Excel for additional sorting capabilities

TIP: Print out the entire list of contracts for your facility so that you are familiar with the terms, expiration dates, etc. This will help you be proactive when it is time for a renewal, cancellation, issuance of a purchase order, etc.