

## ***DeSoto Independent School District Professional Services Consultant Contract Procedures***

**Contracts 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, the CFO, and the Director of Purchasing has been designated by the Board of Trustees to approve and execute all contracts for the purchase of goods or services for all single purchases that are less than \$25,000. The Board of Trustees retains the authority to approve all contracts for the purchase of goods or services for any single purchase that exceeds \$25,000.

### **Contract Review & Approval Procedures:**

- The requestor [campus or department] shall forward the Contract document(s) to the Director of Purchasing for review. Contracts may be vendor-originated but must include DeSoto ISD's Professional Services Consultant Contract Packet
- The Contract documents shall include the vendor/contractor's contract form or the DeSoto ISD Contracted Services Contract, Representations and Certifications form, New Vendor/New Address Information Request form, and W-9. If this contract is funded through federal & state grants including entitlement funds, the Addendum Contract Provisions for Contracts Under Federal Awards form must be included also.
- The Director of Purchasing shall review the Contract after approved and signed off on from the originating campus or departmental administrator, the appropriate Cabinet member, any other appropriate administrator directly involved with the contract (staff development, state and federal programs, grant administrator, etc)
  - If the contract will be funded with federal grant funds, the Addendum Contract Provisions for Contracts Under Federal Awards form must be included with the contract and the following provisions must be addressed [Per TEA's Guidance and Best Practices]:
  - The contract is only effective upon receipt by the subgrantee 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 §§200.318-323 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 Desoto ISD Contract Packet identifies the budget codes 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 budget code.
  - 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).

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- 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.
  - Contracts 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.
  - Debarment and Suspension clause which prohibits awarding a contract to a contractor who has been debarred, suspended or otherwise excluded from federal awards.
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- If the Contract is recommended as is, the Contract will be forwarded to Chief Financial Officer (and possibly legal counsel) for final review and approval (signature).
  - The CFO is limited to approving contracts with a total value of \$24,999.99 or less. Contracts in excess of \$25,000 should be brought to the Board for approval by Originator or the Director of Purchasing. The Superintendent and the CFO can approve all contracts below the \$25,000 threshold.
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- ***If the Contract is not acceptable as is, the Director of Purchasing shall contact the contracting party to attempt to resolve the deficiency(ies).***
  - ***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 CFO shall return the original, signed Contract to the originator.

- The campus/department originator shall verify that the contract document(s) have been executed and take the following steps:
  - Ensure that both parties (District and Contractor) have executed the contract. Notify the contractor by email and/or phone call, as appropriate, that the contract has been approved, but is pending encumbrance of funds. Notify the contractor that the services cannot begin until the contractor receives the fully executed contract and Purchase Order.
  - Notify the contractor that the services cannot begin until the contractor submits any bonds, Certificate of Insurance, Criminal History, etc. documentation, as appropriate.
  - Upon receipt of the original, signed contract, the originator shall file the original contract and email a copy to the Purchasing Director.
  - The Purchasing Specialist shall enter the new vendor in the TEAMS database upon receipt of the New Vendor/New Address Information Request form and a properly executed W-9 form.
  - Originator will enter purchase requisition in TEAMS and attach copy of approved signed contract.
  - Upon receipt of the approved purchase requisition, the Purchasing Specialist shall review and approve the requisition in accordance with the district's Purchasing Procedures. The Purchasing

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Specialist shall ensure that a copy of the approved contract is attached to the purchase requisition.

- 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 with purchase requisition number noted on invoice(s) to the Accounts Payable Department via email at [financeinvoice@desotoisd.org](mailto:financeinvoice@desotoisd.org) to request that payment be made to the contracting party.