

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

**PURCHASING  
DEPARTMENT**

**CONTRACTS PROCEDURES  
MANUAL**

Revised 9-22-11



**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 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 in order 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 of 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.

For purchases of services less than \$50,000, a District Purchase Order shall be utilized in order to reduce staff workload and streamline the purchasing process. 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:

Bid or 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

Before entering into 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", utilize the appropriate Master Services Agreement posted to the Purchasing Department Intranet site. The following template agreements have been provided by the School Board Attorney:

- Grant Master Services Agreement

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- Master Services Agreement \$3,000 or Less
- Master Services Agreement Over \$3,000 and Less Than \$50,000
- Master Services Agreement \$50,000 and Over
- Master Services Agreement – Internal Accounts Less Than \$50,000
- Master Services Agreement – Fundraisers/Internal Accounts Less Than \$50,000
- Master Services Agreement – District-Wide - Scholastic Book Fair
- Master First Amendment to Services Agreement
- Snack Time Vending Machine Services Agreement
- Master Services Agreement for Pictures, Yearbooks, Graduation Items, etc. – District Wide Contracts are Available
- Continuing Services Master Agreement – Facilities Division Only
- Construction Manager Master Agreement – Facilities Division Only
- A Master Services Agreement – Facilities Division Only

All of the following contracts and subcontracts entered into by the School board shall contain a “right to audit” clause which shall provide the School Board Auditor access at a reasonable time and under reasonable conditions to the contractor’s employees’ financial and performance related records, property, and equipment purchased in whole or in part with funds paid by the School Board:

- a. Contracts for construction and design professional services;
- b. Contracts funded in whole or in part by federal or state grants;
- c. Contracts in which contractor’s performance involves the administration of School District funds or the payment of claims; and
- d. Contracts in which expenses are paid by the District, compensation is on a “time and materials” basis, or the contract price is not fixed but is derived from the cost of goods or services sold or rendered by third parties to the contractor.

### **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 School Board Attorney and approved by the School Board (if \$50,000 or greater).

Principals and District Level Administrators:

- Internal Funds Less Than \$50,000
- District Funds Less Than \$3,000

Superintendent:

- District Funds \$3,000 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**

Select the Master Services Agreement Template that most closely meets your contract needs. If you have any questions or concerns, please contact the Purchasing Department.

Complete the Master Services Agreement Template:

- Choose the correct agreement type by matching the title with the dollar threshold
- Ensure that the company is in the District's TERMS financial system. If the company is not in TERMS, require 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
- Do not change any standard terms and conditions
- Send completed agreement via email to the appropriate Buyer in the Purchasing Department for review and approval before sending it to the vendor for signature

The Buyer in Purchasing will obtain the following information before approving the agreement:

- Verify that the company is registered with the State of Florida by visiting <http://www.sunbiz.org>
- Obtain a copy of the vendor's insurance certificate and verify:
  - o Appropriate levels of insurance coverage
  - o School Board is named as additional insured
- Verify that the company has obtained the appropriate Business Tax Receipts
- Jessica Lunsford Act – Background Check Information

Send two original completed agreements to the vendor for signature. To expedite the process, convert the completed agreement to pdf format and send it to the vendor for signature. Request that the vendor sign two original agreements and forward both back to you for execution.

Upon receipt of the two original agreements signed by the vendor, forward both originals to the appropriate Principal or District Level Administrator for signature. If Superintendent or School Board approval is required due to dollar threshold, send both originals to the appropriate Buyer in the Purchasing Department for processing and submit a copy of the signed agreement with the School Board Agenda Cover Sheet for the next scheduled School Board Meeting.

After the agreement is fully executed, one original agreement will be sent back to the originating department for transmittal to the vendor and the other original will be scanned into the VendorLink Contracts Database and filed for records retention. After receipt of the fully

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executed agreement the School or Department must enter a requisition into the TERMS financial system in order to encumber funds and issue a Purchase Order.

TIP: Start the standard agreement preparation process at least two 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.

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, complete the following steps:

- Request the agreement in Word format with tracking turned on
- Forward the agreement to the appropriate Buyer in the Purchasing Department
- Director of Purchasing will 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

Upon receipt of the two original agreements signed by the vendor, forward both originals to the appropriate Principal or District Level Administrator for signature. If Superintendent or School Board approval is required due to dollar threshold, send both originals to the appropriate Buyer in the Purchasing Department for processing and submit a copy of the signed agreement with the School Board Agenda Cover Sheet for the next scheduled School Board Meeting.

After the agreement is fully executed, one original agreement will be sent back to the originating department for transmittal to the vendor and the other original will be scanned into the VendorLink Contracts Database and filed for records retention. After receipt of the fully executed agreement the School or Department must enter a requisition into the TERMS financial system in order to encumber funds and issue a Purchase Order.

TIP: Start the non-standard agreement preparation process 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.osceola.k12.fl.us>
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.