

## Procurement

No person shall be authorized to commit Stargate Charter School to a purchase contract or purchase unless expressly authorized by the Executive Director or his or her designee. Only authorized representatives of a school will issue a purchase order number, obligate a school for the purchase of goods and services, and revise or cancel a purchase order.

For purchases using or being reimbursed with federal funds, the below requirements apply:

Except in case of an emergency, purchases shall be handled as follows:

- A purchase for goods and services up to \$9,999 may be made through direct check, procurement card, or by purchase order. While competitive quotes may be obtained, they are not required.
- A purchase for goods and services between \$10,000 and \$249,999 requires an informal written competitive bid from a minimum of two qualified sources.
- A purchase for goods and services \$250,000 and above requires a formal request for proposal (RFP) process to solicit competitive bids. The Governing Board must approve the purchase before the award is granted.

For purchases not involving federal funds, the below requirements apply:

Except in case of an emergency, purchases shall be handled as follows:

- A purchase for goods and services up to \$19,999 may be made through direct check, procurement card, or by purchase order. While competitive quotes may be obtained, they are not required.
- A purchase for goods and services between \$20,000 and \$49,999 may be made through direct check, procurement card or purchase order and requires an informal written competitive bid from a minimum of two qualified sources. Three bids are preferred. The purchase must be approved by signature of the Executive Director on the chosen bid.
- A purchase for goods and services between \$50,000 and \$249,999 may be made through direct check, procurement card or purchase order and requires an informal written competitive bid from a minimum of two qualified sources. Three bids are preferred. The purchase must be approved by signature of the Board President or Board Treasurer on the chosen bid.
- A purchase for goods and services \$250,000 and above may be made through direct check, procurement card or purchase order and requires a formal request for proposal (RFP) process to solicit competitive bids. The Governing Board must approve the purchase before the award is granted.

Procedures shall be established which assure that purchases are appropriate and that funds are available before purchases are authorized.

Other exceptions may be made by the Executive Director in cases of emergencies, which shall be reported to the Board no later than its next regular meeting.

When making purchases, consideration will be given to the price and such other factors as the school at its sole discretion deems to be appropriate, including without limitation, the reliability and responsibility of vendors, timely delivery, extent of warranties offered and quality of materials or services proposed to be used.

### **Budgetary Expenditure Authorization**

Expenditures from any school fund must be approved or authorized in accordance with all board policies and require the following signatures (which may be electronic or hard copy) to be effective as expenditures against budget:

1. Up to \$50,000: Executive Director and Authorized Administrator
2. Greater than \$50,000 up to \$250,000: Executive Director and Board President or Treasurer
3. Greater than \$250,000: must be approved by the Governing Board and executed by the designee unless the expenditure is approved in a contract or agreement approved by the Governing Board, such as a lease payment.

The Executive Director may delegate, within his or her authority permitted by this policy, the ability to authorize expenditures.

### **Unauthorized Purchases**

Purchases that do not comply with the provisions of this policy are unauthorized purchases.

Stargate Charter School is not liable for payment of any unauthorized purchases. Individuals who make unauthorized purchases may be held personally responsible for payment.

### **Contracts**

Any written contract shall include a provision requiring a criminal background check for any person providing direct services to students under the contract, including any subcontractor or other agent of the contractor, including but not limited to transportation, instruction or food services as required by law. Background checks are only required for persons who have regular, not incidental, contact with students at least once a month. A school campus reserves the right to require criminal background checks on other contracts at the school's discretion. A contractor may be responsible for the cost of completing a background check.

Written contracts with third parties shall also include indemnification language whereby the third party (whether it be a vendor, purchaser, or service provider) agrees to indemnify and save harmless Stargate, its agents and assigns, from all losses suffered or incurred by Stargate as a result of or arising directly or indirectly out of or in connection with the goods or services being provided under the contract. Stargate may, at its discretion, require that the school be named as Additional Insured on the contractor's liability insurance policy.

Contracts documenting purchases made with federal funds shall contain the provisions mandated by the [Federal Uniform Grant Guidance](#) (UGG).