

PROCUREMENT AND SIGNATURE AUTHORITY

- 1.0 **General.** The Board has designated the Superintendent as an agent of the Board of Education to sign purchase orders and contracts with vendors, including negotiated or sole and single source contracts. The Superintendent hereby designates specific employees with procurement authority the ability to sign purchase orders and contracts on behalf of the District as provided in this policy.
 - 1.1 Procurement is defined as purchasing, contracting, leasing, or otherwise acquiring any goods or services. Procurement includes all functions that pertain to the obtaining of any goods or services, including description of requirements, scope of services, bidding, requests for proposals, selection of sources, preparation and award of contracts, and all phases of contract administration.
 - 1.2 Signature authority is defined as the delegated ability to sign binding contracts on behalf of the District.
 - 1.3 Persons without the required signature authority shall not sign contracts on behalf of the District.
- 2.0 **PROCUREMENT Procedures.** Staff with delegated signature authority who sign contracts shall be accountable for the following:
 - 2.1 Adhering to all procurement policies, related policies and applicable procedures manuals.
 - 2.2 Ensuring that adequate planning and scheduling occurs at the unit level to enable Purchasing staff to perform the procurement function within time lines prescribed in the procedures manual.
 - 2.3 Reporting poor vendor performance to Purchasing staff for corrective action in a timely manner.
 - 2.4 Collaborating with the Chief Financial Officer or his/her designee in contract negotiations and contract execution resulting in expenditures greater than \$5,000 or term contracts exceeding one fiscal year in length, and requiring a solicitation in accordance with Superintendent Policy 3320.
 - 2.5 Obtaining review of proposed contractual terms by legal counsel, or consulting with legal counsel, when the contract expenditure exceeds \$100,000 or when the proposed contract includes terms for indemnification, hold harmless, application of state law other than Colorado, arbitration, mediation, alternative dispute resolution, and/or contract terms which the authorized signer does not understand.
 - 2.6 Following the current procedure for electronic submission and approval of all contracts.
- 3.0 **Signature Authority.** The approval authority amounts set forth below apply to a single contract or to the total dollar amount of a series of contracts with the same vendor during the course of a single fiscal year. Purchasing staff, Chief Financial Officer and the Superintendent are authorized to execute TABOR-compliant multiple fiscal year contracts for goods or services regardless of the amount of the contract. The Chief Human Resources Officer may also approve TABOR-compliant multiple year retirement stipend contracts with qualified retirees.
 - 3.1 Principals, Assistant Principals, Managers, Directors, Assistant Directors, Executive Directors, the General Counsel, and department Chiefs may contract for goods and services in an amount not to exceed \$5,000.

- 3.1.1 Any requirement for goods and services with a total in excess of \$5,000 must be approved by the appropriate Executive Director for submission to the Purchasing Department to be solicited in accordance with District Policy 3320.
- 3.2 Purchasing staff in the Financial Services Department have delegated signature authority, as follows:
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| 3.2.1 | Assistant Buyer | \$15,000 |
| 3.2.2 | Buyer | \$25,000 |
| 3.2.3 | Senior Buyer | \$50,000 |
| 3.2.4 | Contract Administrator | \$50,000 |
| 3.2.5 | Purchasing Manager | \$100,000 |
- 3.3 The Chief Financial Officer (CFO) is authorized to contract for goods and services in any amount, provided the CFO shall notify the Superintendent in writing prior to contracting for goods or services in excess of \$500,000.
- 3.4 The Chief Human Resources Officer (CHRO) is authorized to contract for health care and benefits services in any amount, provided the CHRO shall notify the Superintendent in writing prior to contracting for goods or services in excess of \$500,000.
- 3.5 Signature authority for Capital Construction Change Orders is set forth below:
- 3.5.1 Definition. Change Order means a written order to the vendor signed by the District or its authorized agent issued after the execution of a contract, authorizing a) a change in the construction services to be provided; b) an adjustment in the pricing; c) an adjustment in the contract amount; and/or d) an adjustment to the contract time schedule.
- 3.5.2 Change Orders of up to \$50,000 must be authorized in writing by both the Project Manager and the Director or Assistant Director of Facilities, with budget verification from the Bond Accountant.
- 3.5.3 Change Orders over \$50,000 and less than \$100,000 must be authorized in writing by the Director or Assistant Director of Facilities, with budget verification from the Bond Accountant and notice to the Chief Operating Officer (COO).
- 3.5.4 Change Orders over \$100,000 and less than \$350,000 must be authorized in writing by the Purchasing Manager, with budget verification from the Bond Accountant, and notice to the CFO, COO and Deputy Superintendent.
- 3.5.5 Change Orders over \$350,000 must be authorized in writing by the Chief Financial Officer, with budget verification from the Bond Accountant, and notice to the COO and Deputy Superintendent.
- 3.5.6 Change Orders involving adjustments to contract time schedules require written authorization by both the Project Manager and the Director or Assistant Director of Facilities.
- 3.5.7 The Chief Financial Officer, in consultation with the Purchasing Manager, Deputy Superintendent, Chief Operating Officer, and General Counsel, shall adopt processes and procedures for handling all aspects of Change Orders.
- 3.5.8 Proposed Change Orders, regardless of the dollar amount involved that would increase the cost of the original contract by greater than 50% require written authorization of the chief Financial Officer, who may classify the proposed Change Order as a new project requiring a new bidding and contracting process.

- 3.5.9 Change Orders issued by Facilities personnel must be provided to the Purchasing Manager within three (3) business days of award.
- 4.0 **Invoices.** The staff member, or designee, responsible for requesting a Purchase Order or contract shall have authority to approve the related invoice(s) for properly contracted goods and services. Invoices for non-Purchase Order or Contract related invoices shall be signed in accordance with the \$5,000 limit set forth in Section 3.1 above.
- 5.0 **Notice.** The Superintendent shall inform the Board of Education about awarded Contracts and Purchase Orders which exceed \$2.5 million within a reasonable time of the award.
- 6.0 **Personal Liability.** Employees may be personally responsible for any contract signed that exceeds the employee's signature authority.
- 7.0 **Settlement Authority.** The Superintendent has authority to sign any settlement agreement relating to a legal claim or other dispute involving the District. Other employees may sign a settlement agreement only as specifically designated and authorized by the Superintendent and as approved by the District's General Counsel.

CROSS REFERENCE:

Code: 3320