



Responsible Office: Office of Business and Financial Services

**BOARD POLICY 3321
CONTRACT REVIEW AND APPROVAL**

PURPOSE

The Board of Trustees (Board), governing body of Washoe County School District (District), is committed to responsible financial stewardship. The Board finds necessary to have effective administration and oversight of the District's contract review and approval process, which shall be managed in accordance with Nevada law and administrative code and District administrative regulations and administrative procedures.

DEFINITIONS

1. An "automatic" contract renewal means the District is contractually obligated to renew the contract.
2. "Bid" is a complete sealed solicitation (submitted in competition with other bidders in response to a Request for Bid) to execute specified job(s) within prescribed time that usually includes labor, equipment, services, and/or materials. The bid-receiving party may reject or accept the bid. Once accepted, the bid may turn into a binding contract.
3. "Contract" is a voluntary, deliberate, and legally binding agreement between two or more competent parties. Contracts are usually written but may be spoken or implied, and generally have to do with employment, sale or lease, or tenancy. Contracts include Memorandums of Understanding (MOUs), terms of services, terms of use, or any other binding agreement.
4. "Lease" is a written or implied contract by which an owner (the lessor) of a specific asset (such as a parcel of land, building, equipment, or machinery) grants a second party (the lessee) the right to its exclusive possession and use for a specific period and under specified conditions, in return for specified periodic rental or lease payments.
5. "Optional" contract renewal refers to the ability by either party, the District or the vendor, to reinstate a contract for an additional term.
6. "Proposal" is the complete sealed solicitation (submitted in competition with other proposers in response to a Request for Proposal) to execute specified

job(s) within prescribed time that usually includes labor, equipment, services, and/or materials. The proposal-receiving party may reject or accept the proposal. Once accepted, the proposal may turn into a binding contract.

7. "Quotation" is a formal statement of promise (submitted usually in response to a request for quotation) by potential supplier to supply the goods or services required by a buyer, at specified prices, and within a specified period. A quotation may also contain terms of sale and payment, and warranties.
8. "Solicitation" is the process of formally seeking information, proposals, bids and quotations from vendors.

POLICY

1. Competition from properly informed and responsible firms and individuals ensures value received for tax dollars. Therefore, competitive bidding by advertised invitation, requests for written proposals and quotations, and negotiations shall be instituted in a manner that will provide for financially sound practices in the expenditure of school district funds.
2. All contracts entered into by the District, unless specifically excluded by this or another Board policy, are subject to this Board Policy and its accompanying administrative regulation, including all original contracts and optional and automatic contract renewals, amendments, alterations, modifications, corrections, changes and optional extensions.
3. Contracts and Agreements
 - a. Required Review.
 - i. All contracts where an exchange of District funds may be necessary shall first be submitted to the Purchasing Department for review as to form, terms and conditions, and availability of funding.
 - ii. All contracts shall then be submitted to the Office of the General Counsel by the Purchasing Department for review as to form and legal sufficiency.
 - b. Joinder Agreements – in accordance with state law, the District may contract for goods and services by joining in contracts between a vendor and another public agency or through national or regional consortiums of public agencies. This can provide superior pricing due to the greater volumes of services or goods of these contracts.

- c. Leases.
 - i. Leases for real property shall be coordinated between the Purchasing Department and Capital Projects Department.
 - ii. Leases for equipment, copiers, reprographics machines and other capital outlay shall be coordinated between the Purchasing Department and Chief Financial Officer. Such leases may constitute a capital lease and/or long-term debt of the District and therefore should be considered in the context of the District's debt portfolio.
- d. Required Approval by the Board.
 - i. The following contracts and optional contract renewals must be submitted to the Board for approval:
 - 1) Contracts and renewals where the total District obligation for the contract period including optional and automatic contract renewals is \$100,000 or more; and/or
 - 2) Any type of contract not addressed in approved contract administrative regulations.
 - ii. For previously approved contracts that require expenditures beyond the approved amount, approval by the Board is required when the additional expenditures are equal to or exceed 10% of the original contract value or \$100,000, whichever amount is less.
 - iii. Purchase requisitions for services in an amount of \$100,000 or more that are sought outside the bidding or contract process, and which are not specific line items previously approved by the Board during the budget approval process shall require approval of the Board.
- e. Contract approval and signature authority.
 - i. Authority to enter into contracts on behalf of the District is granted pursuant to:
 - 1) Formal action of the Board of Trustees;
 - 2) A valid delegation of authority from the Superintendent, his/her designee, or the Board of Trustees;
 - a. With respect to contracts in the amount of \$100,000 or more, in the absence of the Superintendent, the

signatory designee shall be the Deputy Superintendent or Chief Financial Officer.

- 3) A purchase made in accordance with Board policies and/or administrative regulations.
4. The Superintendent shall adopt administrative regulations and administrative procedures as necessary to implement the provisions of this Board Policy, which may include:
 - a. Procedures for Requests for Proposals, Requests for Qualifications, Requests for Quotations, or other forms of solicitations.
 - b. Administrative regulations and administrative procedures for contract review, approval, and signatory approval.

LEGAL REQUIREMENTS AND ASSOCIATED DOCUMENTS

1. This Board Policy reflects the goals of the District's Strategic Plan and aligns with the governing documents of the District, to include:
 - a. Administrative Regulation 3322, Bids/Quotations and Contracts; and
 - b. Board Policy 3320, Procurement.
2. This Board Policy complies with Nevada Revised Statutes (NRS) and Nevada Administrative Code (NAC) to include:
 - a. Chapter 332, Purchasing: Local Governments; and
 - b. Chapter 338, Public Works.

REVISION HISTORY

Date	Revision	Modification
2/1/1983	1.0	Adopted
5/12/1992	2.0	Revised
11/11/1997	3.0	Revised
8/27/2013	4.0	Revised: adds language requiring legal review, defining signature authority
12/21/2015	4.1	Revised: updated implementation guidelines
1/10/2017	5.0	Revised: updated to clarify BOT approval amounts for contracts and additional expenditures

4/10/2018	6.0	Revised: included Purchasing Dept role in review process
07/07/2021	7.0	Revised: formatted per BP 9070, change of title to better reflect what is addressed in the policy.