

## Contracting Policy v.1.1

**Approved by the Board of Trustees May 10, 2022**

**Authority for Policy:** UUSD Bylaws, Section 6.9, Duties, Powers, and Procedures of the Board: Subsection g): Establishing policies and procedures for conducting the finances, fund-raising, administration, property, and business affairs of UUSD.

**Rationale for Policy:** As UUSD has grown, so too has its need for periodic contractual services and the funding allotted to such services. This need has accelerated in recent months, as UUSD has continued to grow and as funds have become available to begin to explore the possibility of expanding UUSD's building.

Simultaneous with the growth and initial funding, many discussions at UUSD, including at the Board level, have occurred regarding the "8th Principle" under consideration for adoption. This principle emphasizes anti-racism, anti-oppression, and beloved community.

At the Board level, a near-term priority resulting from its discussions of the 8th Principle is to assure UUSD's contracting procedures align with and support its commitments to those ideals.

**Notes Related to Policy:** It is fully acknowledged that:

- 1) This is an initial policy, prepared to enable committees/other entities to move forward even as the Contracting Policy continues to evolve.
- 2) Work on a more comprehensive policy – one that will accommodate the complexities of an expansion or other major initiative - continues, and is anticipated to continue over a period of months.
- 3) Many items planned for inclusion in the final policy – e.g., examples of required documents, evaluation rubrics, and "boilerplate" contracts/letters of agreement – are not yet available for this version (v.1.0) of the policy.
- 4) All parties concerned – especially till a more robust policy is available, and experience with the policy is gained - will need to work closely and cooperatively to accomplish their respective "works-in-progress" – i.e., a contract/letter of agreement for a given scope of work, and an improved/expanded Contracting Policy.

**Policy Statement:** Contracting processes followed by UUSD are public, transparent, competitive, objective, and equitable. "Sole source" contracts are strongly discouraged and in some instances may be prohibited.

**Procedures: Contracting for Services**

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### Requests for Proposal/Statements of Work

- A. Any UUSD committee or other entity planning to procure supplies or to engage a contractor to perform services expected to cost \$5,000 or more will prepare a Request for Proposal (RFP) or Statement of Work (SOW), detailing the work at hand. (More complex work would typically entail an RFP; less complex work would typically entail an SOW.) An alternate solicitation vehicle – an Invitation for Bid (IFB) – which combines a Statement of Work and Bid Sheet may also be used.
  - a. RFPs/SOWs/IFBs must identify:
    - i. Dates of RFP/SOW/IFB publication and response deadline, and UUSD contact person for this contracting opportunity
    - ii. Minimal information required of the potential contractor, e.g., business name and tax ID; business ownership, license and insurance information (and copies of the latter two); contact individual for the potential contractor
    - iii. Details concerning the work to be done
    - iv. Specific milestones which must be met to trigger payment, e.g., satisfactory completion of a given step in a process or submission of a satisfactory deliverable
  - b. The Contracting Team is available to assist with development of the RFP/SOW/IFB as/if requested.
  - c. The RFP/SOW/IFB must be reviewed by the Contracting Team prior to its publication or release.
  - d. The Contracting Team may approve an RFP/SOW/IFB for work expected to cost less than \$7,500 without review also by the Board. It may, however – at its discretion – refer any RFP/SOW/IFB for any dollar amount to the Board for review.
- B. An RFP/SOW/IFB for work expected to equal or exceed \$7,500 in costs must be approved by the Board prior to its publication/release.
- C. Services/supplies costing less than \$5,000, provided funding is available within the committee's/other entity's budget, may be obtained/engaged without the need for an RFP/SOW/IFB; examples include printing of brochures or performing minor repair work.

### Publication of Opportunities

- A. RFPs/SOWs/IFBs will be posted on a UUSD webpage developed specifically for the purpose of publicizing contracting opportunities. Posting date, required response date, and address(es) to be used for submissions will be prominently noted on the page.
- B. Notice of an RFP's/SOW/IFB's availability will be publicized in the local press, in other venues open to the public, e.g., Chamber of Commerce publications or professional organization publications applicable to the work at hand; in UUSD newsletters or eNews mailings; and distributed to recommended networks/resources, e.g., to other groups known to have obtained or to be potential suppliers of the desired (or similar) contractual services.

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NOTE: It is anticipated that the breadth of distribution will widen as time goes on, and UUSD gains experience with public notices, and as the complexity (and related costs) of particular types of work increase.

### Evaluation of Proposals/Bids for Services

- A. An evaluation panel, consisting at least of representatives from the committee/entity seeking services and the Contracting Team, will evaluate all proposals received.
  - a. Proposals/bids failing to meet minimum requirements, e.g., lacking specific information requested, such as ownership information, business licensing, or insurance information, will be set aside as “non-responsive.”
  - b. All proposals/bids meeting minimum requirements will be evaluated using a standard metric/evaluation “checklist” per solicitation to help assure objective review.
  - c. Evaluation checklists will include:
    - i. A “common” section (i.e., common to all checklists) that lists items such as business name, ownership, and license/insurance information, which would be expected for all proposals/bids and
    - ii. A “specific” section, customized to the requirements of a given RFP/SOW/IFB
  - d. Each reviewer will individually “score” each proposal/bid, with subsequent group review, discussion, and recommendation development.
- B. Evaluation may result in a recommendation that UUSD:
  - a. Award a contract to a given contractor/bidder
  - b. Negotiate with two (or more) “top candidates,” or
  - c. Re-post an opportunity.
- C. The Board must approve a recommendation for contract award or negotiation; a recommendation to re-post must be communicated to the Board but may be undertaken on the evaluation team’s determination.

### Contract Negotiations

- A. Should the Board approve the evaluation team’s recommendation to negotiate, with two (or more) contractors, a Board member must be part of the negotiating team.
- B. Any newly negotiated terms (e.g., work requirements, timelines, costs) must be fully described in writing, and incorporated into the proposal/bid by revision or reference
- C. Potential contractors proposing/agreeing to the new terms must signify their proposed new terms/agreement in writing

### Contract Award

- A. Notification of contract award will be sent by the Board, using a standard award letter/message; a copy will be provided to the contracting committee/entity.

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- a. Notice of award neither constitutes nor takes the place of a signed contract.
- B. A specific contract/letter of agreement, which incorporates the statement of work, must be signed by the Board President on behalf of UUSD, and the designated contracting authority on behalf of the successful bidder/contractor.
  - a. If the Board President will be unavailable to sign the contract for a period of more than five days, the Vice President may sign in his/her stead.

### Revision history:

May 10, 2022: Section: Request for Proposal/Statement of Work: Items A and C: Revised to reflect \$5,000 thresholds (v. the original \$2,000 thresholds). Change recommended by Contracting Team, to reflect discussion at April 14, 2022 Church Council meeting. Policy version updated to v1.1 to signal change.