

DISTRICT OF COLUMBIA PUBLIC CHARTER SCHOOL BOARD

Charter Actions Requiring a Vote

- Approve a Charter Application
- Approve a Charter Renewal (15 yrs.)
- Approve Charter Continuance (5 or 10 yrs.)
- Approve a Charter Amendment Request
- Approve a Charter Agreement
- Give a Charter Notice of Concern
- Lift the Charter Notice of Concern
- Commence Charter Revocation Proceedings
- Revoke a Charter
- Board Action, Other_____

Non-Voting Board Items

- Public Hearing Item
- Discussion Item
- Read into Record

Policies

- Open a New Policy or Changes to a Policy for Public Comment
- Approve a New Policy
- Approve Revisions to an Existing Policy

PREPARED BY: Katherine Dammann – Manager, Equity and Fidelity Team
Janay Saunders – School Compliance Associate, Equity and Fidelity Team

SUBJECT: Revisions to the Procurement Contract Submission and Conflict of Interest Policy

DATE: March 18, 2019

Proposal

The DC Public Charter School Board (DC PCSB) staff recommends its Board vote to open for public comment revisions to the Procurement Contract Submission and Conflict of Interest Policy (Attachment A). DC PCSB is scheduled to hold a public hearing on this matter on April 22, 2019 and will close the public comment period after the hearing is held. The Board will vote on the proposed revisions to the policy on May 20, 2019.

Written comments may be submitted until 5:30 p.m. April 22, 2019 by mail or email to:

DC Public Charter School Board
3333 14th Street NW, Suite 210
Washington, DC 20010
public.comment@dcpcsb.org

Policy Background

DC PCSB staff is proposing several revisions to the Procurement Contract Submission and Conflict of Interest Policy for three primary reasons:

- to respond to public concerns about transparency of school contracting,
- to clarify vague language, and
- to align policy with practice.

Substantive revisions to the policy are captured in the table below. A redlined policy, capturing all proposed changes, can be found at Attachment A, and a clean policy can be found at Attachment B. If approved, these changes would go into effect on July 1, 2019, meaning it would impact contracts awarded or renewed after that date.

Summary of Changes
<i>Changes to Submission Requirements (All Substantive Changes)</i>
The following changes were made to the submission requirements: <ul style="list-style-type: none">• Lowering the threshold for submitting executed procurement contracts from \$100,00 to \$25,000. The window for submitting the contract was extended from 15 calendar days after the execution date to 30 days after the execution date.• Collecting executed contracts over \$25,000 for contracts that were awarded through the sole source process• For conflict of interest contracts, DC PCSB will be collecting an attestation that the contract is fair to the school (e.g., fair market value) and an explanation of how this was determined in addition to existing submission requirements.
<i>Change to Conflict of Interest Policy</i>
The following changes were made to the conflict of interest process requirements: <ul style="list-style-type: none">• Clarified that a financial interest shall include, but not be limited to, employment or a five percent ownership interest in a company
<i>Clarifications to Align Policy with Practice</i>
The following changes were made to clarify DC PCSB's expectations and align policy with practice: <ul style="list-style-type: none">• Clarify that LEAs must use a bidding process to award contracts executed after conditional charter approval but before opening if local funding will ultimately pay for the contract (<i>Substantive</i>)• Clarify that for contracts with an initial value of \$25,000 per year or less, whose total annual value unexpectedly exceeds \$25,000, schools must bid out these services the following year (<i>Substantive</i>)• Clarify that management contracts are collected through a separate collection process• Clarify that schools must move through a bidding process before renewing a contract if it was improperly bid/submitted the first time• Clarify what it means when a single vendor engages in "multiple scopes of work"• Clarify submission requirements regarding renewal contracts, to add "Effective dates and award dates for renewal contracts must reflect the dates specific to the fiscal year in which the renewal is effective"

- Remove confusing language from E-Rate and National School Lunch Program section to indicate that the data form must be submitted for this requirement
- Eliminated the following language in the consequences section (the policy has always been implemented this way in practice): “a school’s Submission Date for any given Contract is four or more business days ~~but less than 14 calendar days~~ after the Award Date.”

When overseeing procurement contract bidding and submission, DC PCSB has tried to balance administrative burden on schools with collecting the documents needed to carry out effective oversight and ensure compliance with the School Reform Act. To this end, staff has made several modifications to the procurement contract submission policy over the years to better meet the needs of DC PCSB staff, the schools, and the public. Each historical iteration of the Procurement Contract Submission and Conflict of Interest Policy can be accessed via the table below.

Name of Policy	Date Approved by Board
Submission of Procurement Contracts and Board of Trustees’ Meeting Minutes Policy ¹	May 16, 2014 Revised ² on September 15, 2014
Procurement Contract Submission Policy ³	November 21, 2016
Procurement Contract Submission and Conflict of Interest Policy ⁴	April 22, 2018 Proposed Revisions on May 20, 2019

Attachments

- Attachment A: Redlined Procurement Contract Submission and Conflict of Interest Policy
- Attachment B: Clean Procurement Contract Submission and Conflict of Interest Policy

Date: _____

PCSB Action: _____ Approved _____ Approved with Changes _____ Rejected

Changes to the Original Proposal:

Signature: _____

¹ The Submission of Procurement Contracts and Board of Trustees’ Meeting Minutes Policy can be found here: <https://dcpcsb.egnyte.com/dl/JNS38hq8hb>.

² Revisions to the Submission of Procurement Contracts and Board of Trustees’ Meeting Minutes Policy can be found here: <https://dcpcsb.egnyte.com/dl/g0GOfpjp6x>.

³ The Procurement Contract Submission Policy can be found here: <https://dcpcsb.egnyte.com/dl/sd1lkImOb9>.

⁴ The Procurement Contract Submission and Conflict of Interest Policy can be found here: <https://dcpcsb.egnyte.com/dl/blrP6k92PX>.