Responsible: Purchasing Department

PURPOSE

This Administrative Procedure shall provide guidance for the Purchasing Department when renewing solicitations (e.g., formal quotes, bids, and proposals), and non-solicited contracts and/or agreements for Washoe County School (District).

PROCEDURE

1. General Information

    a. Renewals are only valid prior to the expiration term of the awarded solicitation, contract, and/or agreement and when allowable under the terms and conditions of the related documents.

        i. Should the expiration of any agreement occur, the document is no longer valid; therefore, no renewal can be produced. For any exceptions to this, the Purchasing Department must work the Office of the General Counsel to process a retro-active renewal.

        ii. If the expiration date has not passed but leaves inadequate time to process the renewal or issue a new solicitation (if applicable), the Buyer may exercise the right to request an extension of the agreement's term, in writing, and mutually agreed to by the District and the awardee(s) to which the request was provided.

2. Renewals of Awarded Solicitations

    a. The Purchasing Department manages various types of solicitations that are issued pursuant to Nevada Revised Statutes (NRS) 332, that include Formal Request for Quotations (RFQ), Formal Request for Bids (RFB), Request for Proposals (RFP), and Request for Qualifications (RFQS).

    b. Should the solicitation type allow for renewals (*optional* at the District's discretion; not required to exercise) for continued procurement of the products and/or services, this allowance is written as part of the terms and conditions of the solicitation.

        i. *Optional* contract renewals and *optional* extensions refer to the ability by either party, the District, or the vendor, to request to renew, extend the agreement. Alternatively, the parties can simply allow the agreement to expire.

ii. An automatic contract renewal means an agreement will automatically renew without the need to process a renewal amendment to the contract. Automatic renewals are not desired and are typically only allowed if there is termination language that allows either party to terminate before or after the automatic renewal has occurred.

iii. The most common/standard term of awarded the District solicitations will not exceed five (5) years, which in total, includes any available renewal terms.

For example:

- A solicitation may be awarded with an initial term of one (1) year with four (4) optional renewal terms available for a total of five (5) years.
- A solicitation may be awarded for an initial two (2) or three (3) years term with subsequent annual renewals that in total would equal five (5) years.

iv. In some cases, for highly complex commodities (e.g., web-based financial data management systems and student information systems, etc.), where the process to solicit for new products/services may hinder the District's ability to adapt to a new system or where implementation of a new system takes a significant amount of time and employee resources, the initial term of an awarded solicitation may be upwards of five (5) years and subsequent renewal terms may also be five (5) years and there may be multiple renewals available.

c. To not hinder the needs of the District to place orders for any needed/required contracted commodities, the managing Buyer of the solicitation is to maintain the timeline of the renewal process. This practice will assist in assuring that the expiration of the solicitation will not occur prior to the renewal being approved and/or limit the time that may be required to issue a new solicitation for the products and/or services. For formal solicitations, Buyers will initiate the renewal process with communications to the contracted vendor(s) and end users in upwards of sixteen (16) weeks prior to expiration of the solicitation, so that if a renewal is not agreed upon by both parties, there is time for a new solicitation to be issued.

3. Renewals of Non-Solicited Contracts and Agreements

    a. The Purchasing Department manages contracts and agreements, which are non-solicited and/or are exempt from solicitation requirements under NRS 332.

    b. Similar to the renewal process of solicitations outlined above, the managing Buyer of the contract/agreement is to maintain a timeline of the renewal process.

    c. Renewal allowances should be outlined in the terms and condition of the related document. The Buyer will process the renewal accordingly. The renewal process may involve the issuance of a mutually agreed to and executed document, such as an Amendment or other acceptable document.

4. Renewal Confirmation, Declination and Justification

    a. Depending on the estimated value and type of contract being renewed, and any terms and conditions outlined in the contract that provide guidance on renewal options, the following recommended time frames to initiate the renewal process should be followed:

        i. Formal Request for Quotes (RFQ) = 6 to 8 weeks days prior to expiration;

        ii. Formal Request for Bids (RFB) = 10 to 12 weeks prior to expiration;

        iii. Request for Proposals (RFP) = 14 to 16 weeks prior to expiration; and

        iv. Request for Qualifications (RFQS) = 14 to 16 weeks prior to expiration.

    b. Buyer is to communicate in writing (i.e., email) with the end-user/site/department of the product(s)/service(s) regarding the renewal to confirm that the end user wants to renew or does not want to renew.

        i. If the request to renew is <u>confirmed</u>, then the Buyer communicates in writing (i.e., formal letter or email) with the contracted vendor(s) for his/her interest in renewing the contract with the District for the additional available term. The vendor will accept or decline the interest of renewing the contract with the District.

ii. If the request to renew is declined, then the Buyer should communicate the declination of the contract with the awarded vendor(s) and file all related documentation in the project file.

c. Following written confirmations received by the end-user/site/department and the vendor to renew for an additional term, the Buyer will issue Vendor Service and Product Evaluation surveys (surveys) to the end-users of the contract in order to gather information, details, opinions and other customer service satisfaction factors that are used to support or justify the decision to renew or not to renew.

i. Surveys that are completed are then collected by the Buyer and maintained in the project file and become records of the Purchasing Department.

5. Formal Documentation/Amendment of Renewal for Record

a. Formal documentation that solidifies the continuation of procuring products and/or services under a solicitation, contract or agreement is considered the District best-practice and is accomplished typically by issuing an Amendment to the original document.

i. An Amendment is a document that memorializes the purpose of the solicitation, contract or agreement; the new term of the renewal with beginning and expiring dates; any agreed to terms and any negotiated changes to the terms; effective date of the Amendment; and requires signatures of authorized approving representatives from both the District and the vendor(s).

ii. An Amendment or other related renewal document can be issued by the District or by the vendor(s). If the renewal document is issued by the vendor(s), all related documentation would require formal review prior to any required signatures of authorized approving representatives from both the District and the vendor(s) are obtained.

iii. Some vendors may accept an issued Purchase Order to serve as a renewal of a contract. The Buyer is to review all terms and conditions of the then-current contract to ensure renewal provisions are followed accordingly.

6. Contract Approval and Signatory Authority

    a. The contract approval and signatory authority for execution of a renewal is based on the term value of the renewal and follows the District's Board Policy 3321 Regulation 3321 and Administrative Regulation 3322 for Bids/Quotations and Contracts.

        i. Signatory Authority is the authority approve and/or sign contracts on behalf of the District and shall be granted through:

            - Formal action of the Board of Trustees;
            - A valid delegation of authority from the Superintendent or the Board of Trustees; or
            - A purchase made in accordance with a Board Policy.

        ii. The signatory for contracts in the amount at or above $100,000, after award of the renewal has been given at a Board of Trustees meeting, shall be the Superintendent. In the absence of the Superintendent, the signatory designee shall be the Deputy Superintendent.

        iii. Contracts with an annual amount between $50,000 and $99,999 shall be signed by the Superintendent or Chief Financial Officer.

        iv. Contracts with an annual amount up to $49,999.99 shall be signed by the Superintendent, Chief Financial Officer, or Director of Procurement and Contracts.

7. Finalization of the Renewal Process

    a. After the official renewal document (e.g., the Amendment) has been fully reviewed, approved, and executed, any calendared requirements of the solicitation, contract or agreement file are finalized.

    b. If applicable to the project, the Buyer is to ensure that any and all insurance requirements and related documentation are updated, logged, and filed accordingly.

    c. Both the end-user/site/department and the vendor are to receive a copy of the final Amendment to renew or other renewal-related document for his/her records.

d. All final documentation is then filed accordingly in the Purchasing Department.

LEGAL REQUIREMENTS AND ASSOCIATED DOCUMENTS

1. This Administrative Procedure reflects the goals of the District's Strategic Plan and aligns/complies with the governing documents of the District, to include:

    a. Board Policy 3321, Contract Review and Approval; and

    b. Administrative Regulation 3322, Bids/Quotations and Contracts.

REVISION HISTORY

Date	Revision	Modification
01/01/2022	1.0	Adopted