

## **Policy III.3007.A, Purchasing**

### **Purpose**

This policy will address the authority and requirements related to purchasing goods or services on behalf of San Jacinto College (College).

### **Policy**

Requirements for purchasing practices are governed by the laws of the State of Texas. All College purchases will comply with state statutes, College policies and procedures, as well as the requirements of the San Jacinto College Purchasing Handbook.

All purchases must be made in the name of the College. The College shall assume responsibility for debts incurred in the name of the College so long as those debts are for purchases made in accordance with adopted Board policy and current administrative procedures regarding contracting and purchasing. The College shall not be responsible for debts incurred by persons or organizations not directly under College control. The College shall not be responsible for any other unauthorized purchase or debt. All vendors are charged with the responsibility to discover an individual or an organization's authority before any purchase, contract or debt is incurred. Persons making unauthorized purchases shall assume full responsibility for all such debts.

Pursuant to Section 51.3525(b)(1)(D) of the Texas Education Code, the College shall not “give preference on the basis of race, sex, color, ethnicity, or national origin to an applicant for employment, an employee, or a participant in any function of the institution,” including, without limitation, a participant in any purchasing/contracting function of the College.

All purchasing/contracting functions shall be conducted in a manner providing for full and open competition consistent with applicable laws, policies, and procedures. Contractors are subject to discipline, up to and including termination, for violating any provision of Texas Education Code Section 51.3525(b)(1) (relating to prohibited diversity, equity, and inclusion programs and activities designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation). When evaluating an alleged violation of Section 51.3525, the College Administration will consider whether the contractor’s conduct constitutes a violation or falls within an exception established in Section 51.3525 of the Texas Education Code.

### **Definitions**

**College:** The San Jacinto Community College District and also referenced as San Jacinto College.

**Contract:** An agreement between two or more parties that is intended to have legal effect to create a financial commitment or obligation of the College. A contract may include, but is not limited to, goods and service agreements, memoranda of understanding, letters of intent, lease agreements, rental agreements, grant awards, purchase orders, sole source contracts, cooperative contracts, interlocal contracts, and job order contracts.

**Employee:** A full-time or part-time employee of the College as defined by Human Resources policy and procedure.

The Authority, Applicability, Sanctions, Exclusions, and Interpretation do not differ from Policy II.2000.A, Policy and Procedures Development, Review, Revision, and Rescission.

### **Associated Procedures**

Procedure III.3007.A.a, Purchasing

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|------------------------|------------------------------------------------------------|
| Date of Board Approval | April 1, 2024                                              |
| Effective Date         | April 2, 2024                                              |
| Primary Owner          | Vice Chancellor, Fiscal Affairs                            |
| Secondary Owner        | Chief Procurement Officer, Contracts & Purchasing Services |