

TITLE: After-the-Fact Purchases and Single Source and Sole Source Purchases/Contracts

NUMBER: MEM-161313.1

ISSUER: Matthew A. Friedman
Interim Chief Procurement Officer
Procurement Services Division

DATE: January 13, 2025

ROUTING
All Employees
All Locations

PURPOSE: The purpose of this Memorandum is to update District policies and procedures for After-the-Fact (ATF) Purchases and Single Source and Sole Source Purchases/Contracts.

MAJOR CHANGES: Effective immediately, additional oversight measures have been implemented to limit ATF purchase requests. Cabinet members, including Region Superintendents, will now review ATF transactions, and the LAUSD Board of Education will have final approval authority for payments.

Single Source and Sole Source purchase/contract approvals require justification and Cabinet member approval. LAUSD Board approval may be required depending on the purchase/contract value.

BACKGROUND: This Memorandum revises and replaces MEM-161313.0 to reflect updated procedures and oversight requirements. Revisions are made as needed to maintain alignment with District policies and best practices.

GUIDELINES: **After-the-Fact (ATF) Purchase**
An After-the-Fact purchase occurs when goods or services are obtained before obtaining prior procurement approval. Such purchases are prohibited under District policy as they result in payment delays and financial risk to the District.

The following guidelines serve to communicate the requirements in accordance with the District's centralized procurement policies:

CORRECTIVE ACTIONS (effective July 1, 2024)
Procurement procedures mandate documentation of After-the-Fact transactions and notification to the Cabinet member, as verified by a signed <i>Attachment A – Request for After-the-Fact Purchase/Contract Approval</i> .

Single Source and Sole Source Purchases/Contracts

A Single Source and Sole Source purchase/contract involves obtaining goods or services from a single provider, limiting competitive procurement. This approach is only allowed under specific conditions.

Specifications for commodities, goods and services may justify the designation of a product by brand or trade name to be exclusive when one or more of the following conditions apply:

- The product is designated to match others in use on a particular District improvement that has been completed or is in the course of completion.
- One product has a unique application required to be used in the District's interest.
- Only one brand or trade name is known (for example, patented technology).
- Upon resolution of the Board, the Board makes a finding that the item sought is the subject of a field test to determine its suitability for future use.

Prior approval must be obtained from the Cabinet member/Region Superintendent via *Attachment B – Request for Single Source and Non-Competitive Sole Source Approval*.

In cases where the Procurement Services Division and the school/office agree via justification that an article about a specified brand or trade name is the only article that will properly meet the needs of the District, competition requirements are waived.

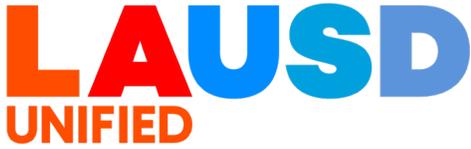
Roles and Responsibilities

Purchaser/Requester: Ensure that all purchase requests comply with District procurement procedures. Use Attachments A and B as required when there is an ATF or Single/Sole Source purchase.

Cabinet member/Region Superintendent: Review and approve ATF and Single/Sole Source transactions.

Procurement Services Division (PSD): Verify documentation, facilitate approvals, and ensure adherence to procurement policy.

LAUSD Board of Education: Provide final approval for transactions that meet value thresholds or require Board oversight.



AUTHORITY: This is a policy enacted by PSD in its authority for centralized management of District procurement.

RELATED RESOURCES: For further District procurement policies and procedures, visit the PSD website: www.lausd.org/psd.

ATTACHMENTS: Attachment A – Request for After-the-Fact Purchase/Contract Approval
Attachment B – Request for Single Source and Non-Competitive Sole Source Approval
Attachment C – Procurement Process for Emergency Transactions Flowchart

ASSISTANCE: For procurement assistance, contact your Regional Shopping Cart Support Team at (562) 654-9009 or via email (below). For specific points of contact visit: www.lausd.org/Page/19514.

Region East	Region North
Shopping Cart Support SCSCeast@lausd.net	Shopping Cart Support SCSCnorth@lausd.net
Region South	Region West
Shopping Cart Support SCSCsouth@lausd.net	Shopping Cart Support SCSCwest@lausd.net
All Other Schools and District Offices SCSCcentral@lausd.net	

LOS ANGELES UNIFIED SCHOOL DISTRICT
PROCUREMENT SERVICES DIVISION

Request for After-the-Fact Purchase/Contract Approval

Please complete all sections. The information on this form will be submitted to the Board of Education as part of the Board report.

*A representative should be available at the Board Meeting to speak regarding the extenuating circumstances, if necessary (i.e.: Principal, Region Superintendent, Cabinet Member, etc.).

Request Date: _____

Section I: Client/Contract Sponsor

School/Office: _____ Location Code: _____ Region: _____ BD: _____

Contact Person: _____ Title: _____

Phone: _____ Email: _____

Section II: Type of Transaction

Contract Amendment Purchase Order Other Type of Agreement/Obligation: _____

Section III: Type of Purchase

Material-Supply/Equipment Amount: _____

Services-Professional/General Amount: _____

Other: _____ Amount: _____

Section IV: Vendor Information

Vendor Name: _____ Contact Person: _____

Address: _____

Phone: _____ Email: _____

Section V: Additional Information

Type of Good or Service: _____ Service Date(s): _____

Please explain in detail why the standard District policy and procedures were not followed. Were the services completed? If not, why?

What change(s) have been put into place to prevent Procurement policy and procedure violations from occurring in the future?

**Request for After-the-Fact Purchase/Contract Approval
(Continued)**

1. I will not authorize a contractor/vendor to commence services or ship products unless a fully executed contract (other than a master services agreement), work order (where required by contract) or Purchase Order has already been issued by Procurement.
2. I am aware that anyone who willfully and intentionally violates the procedures may be personally liable for the costs of services or goods incurred by the District.

Principal/Department Leader/Designee Initial: _____ Region Superintendent/Cabinet Member/Designee Initial: _____

Section VI: Required Signatures

FOR THE LAUSD SCHOOL/OFFICE

Name of Principal/Department Leader/Designee _____ Signature _____ Date _____

Name of Region Superintendent/Cabinet Member/Designee _____ Signature _____ Date _____

PROCUREMENT SERVICES DIVISION

Name of Senior Contract Administration Manager/Designee _____ Signature _____ Date _____

Name of Chief Procurement Officer/Designee _____ Signature _____ Date _____

LOS ANGELES UNIFIED SCHOOL DISTRICT
MEMORANDUM

LOS ANGELES UNIFIED SCHOOL DISTRICT
PROCUREMENT SERVICES DIVISION

Request for Single Source and Non-Competitive Sole Source Approval

Please complete all sections. The requested office is responsible for providing the required documents via the attached checklist and obtaining all signatures prior to submittal to the Procurement Services Division (PSD).

*Attach a draft Board informative and submit the final signed copy immediately following approval of this form by PSD.

Section I: Client/Contract Sponsor

Request Date: _____

School/Office: _____ Location Code: _____ Region: _____ BD: _____

Contact Person: _____ Title: _____

Phone: _____ Email: _____

Section II: Type of Transaction

Contract Amendment Purchase Order Other Type of Agreement/Obligation: _____

Section III: Type of Purchase

Material-Supply/Equipment Services-Professional/General/Construction Other: _____

Funding Information:

Cost Center: _____ GL Account: _____ Fund: _____ Func. Area: _____

Project WBS: _____ Order: _____ Grant: _____

Section IV: Vendor Information

Vendor Name: _____ Contact Person: _____

Address: _____

Phone: _____ Email: _____

Section V: Additional Information

Type of Good or Service: _____ Proposed NTP Date(s): _____

<p>A. Background: Explain history for the need of this request.</p>
<p>B. Scope of Work: Provide a detailed description of commodities/services to be provided. Also, include the following details: exact/estimated quantity, per unit price, and the total estimated quantity X unit price (if the exact quantities are known).</p>
<p>C. Why is this necessary? Explain why this service is required.</p>
<p>D. Why is this firm selected? Do we have prior experience with the vendor that this procurement will build upon? Is the service that is to be provided unique or proprietary in nature? Please include whether the firm is a small business and/or its employees belong to a union. If granted-named vendor, indicate.</p>
<p>E. Explain why this contract could not be competitively bid? Describe why this contract request should not undergo the normal competitive bid process required by the Board. If there is a possibility that federal funds will be used, please indicate which of the criteria for non-competitive awards provided for under Section 6.302-1 of the Federal Acquisition Regulation, summarized on the attached list, justifies your request. The entire text of Section 6.302-1 of the FAR can be found HERE.</p>

It is the policy of the Los Angeles Unified School District to conduct full and open competition for its acquisitions, regardless of the agreement price. Therefore, before any solicitation can be issued without competition, the requestor must state compelling reasons for waiving the competition requirement.

LOS ANGELES UNIFIED SCHOOL DISTRICT MEMORANDUM

