



LOS ANGELES UNIFIED SCHOOL DISTRICT
MEMORANDUM

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

NUMBER: MEM-6618.0

ISSUER: George Silva, Chief Procurement Officer
 Quinton Dean, Director of Contracts and Procurement

DATE: November 16, 2015

ROUTING
 All Employees
 All Locations

PURPOSE: This Memorandum provides District policies regarding After-the-Fact Contracts and Single/Sole Source Contracts.

GENERAL PROCEDURES: After-the Fact Contracts are prohibited by District policy. Single/Sole Source Contracts may be processed under certain circumstances, but should be kept at a minimum.

GUIDELINES: After-the-Fact (ATF) Contracts occur when vendors/contractors begin services prior to the establishment and issuance of a valid contract or purchase order. Under no circumstances should a vendor/contractor start or deliver services prior to the issuance of a valid contract or purchase order fully executed by authorized District personnel and/or the Board of Education.

ATF Contracts expose the District to unnecessary liability when vendors/contractors begin to perform work on the District’s behalf and many times on District premises without the authorization of a contract. There is liability because many legal requirements such as insurance, fingerprinting, competitively determined pricing and scope of work are not detailed in a lawfully executed contract (e.g., competitive bids, Board approval, authorized contract signatory, etc.).

Procurement Services Division (PSD) is committed to reducing the number and frequency of both ATF and Single/Sole Source Contracts. While PSD believes that ATF Contracts can and will be completely eliminated, it is important to note that Single/Sole Source Contracts may never be completely eliminated due to proprietary rights and single channel of sales and distribution of certain products or services.

After-The-Fact Contracts (ATF)

Unlike Single/Sole Source Contracts, ATF contract transactions may be significantly reduced and/or completely eliminated with proper planning.

This year, to achieve a significant reduction or elimination of ATF contract transactions, PSD will use the successful methods it used last year to reduce the frequency of Single/Sole Source Contracts with additional activities including:

1. Dispatch Local District Buyers to train and assist Local District and School Administrators on strategies to prevent the occurrence of an ATF or Single/Sole Source transaction.
2. Beginning in October, 2015, and on a quarterly basis thereafter, PSD will develop and share lists of all ATF Contracts and Single/Sole Source Contracts processed within that



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quarter. The lists will be shared with Local District and Senior Executives to improve awareness and increase communications.

3. Update ATF Form to capture reasons why ATFs occur and to develop appropriate training materials.
4. Sponsor and advertise training workshops for all District employees interested in adopting “best practices” to eliminate ATF and reduce Single/Sole Source Contracts.
5. Update the ATF database with all training provided year-to-date.
6. Encourage school and office staff to plan ahead and give themselves ample time to gather required documentation, obtain required approvals, and conduct an Informal Request for Proposal (IRFP), or allow enough time for PSD to conduct a formal Request for Proposal (RFP).

Staff from PSD remain committed to serving all schools and offices and assist them in obtaining goods and services in an expeditious manner, while leveraging competitive market forces when possible. Competition provides safeguards related to obtaining competitive pricing and providing an environment which is fair and open to all responsible vendors and contractors interested in doing business with the District.

Single Source/Sole Source Contracts

Single Source Contracts occur when one vendor is selected from others who can provide the requested goods or services. Sole Source Contracts occur when only one vendor can provide the requested goods or services.

In Fiscal Year 14-15, PSD targeted a 40% reduction in Single/Sole Source professional services contracts. PSD achieved an overall reduction of 43%. This reduction was achieved by:

1. Establishing more Bench Contracts to streamline the procurement of services
2. Providing more training and support to our schools and offices
3. Improving communications on the prohibition of single/sole source contracts:
 - A proven method to reduce Single/Sole Source Contracts is to get quotes from at least three (3) vendors prior to making an award. This will ensure that a Single/Sole Source Contract event does not occur.
 - Schools and offices should always contact PSD when they need a list of vendors or contractors who provide the types of services or products they require.
 - Procurement Services has provided a Buyer that is now housed in each Local District (see contact list). These Buyers are there to relieve the schools’ operational burdens and to assist with any and all procurement related matters.
 - In addition to the Local District Buyers, schools and offices may contact any staff member in PSD or in the Shopping Cart Support Center for assistance.

The reduction of these contracts will continue in FY 15-16 and PSD has set a target reduction of 25% for this fiscal year.



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ASSISTANCE: To contact your Local District Buyer or for Procurement assistance:

Local District	Local District Buyer	E-mail Address	Buyer's Phone Number
Northeast	Sandra Castellanos	Scast21@lausd.net	(818) 252-5468
Northwest	Jina Jung	Jina.jung@lausd.net	(818) 654-3719
South	Oscar Montes	Oscar.montes@lausd.net	(310) 354-3558
East	Mario Fuller	Mario.fuller@lausd.net	(323) 224-3179
West	Odette Delgado	Maria.q.delgado@lausd.net	(310) 914-2172
Central	Zachary Watson	Zachary.watson@lausd.net	(213) 241-0188

To contact the Shopping Cart Support Center or check on status of shopping carts:

For schools reporting to:	Email:	Phone:
Local District Northeast	SCSCnortheast@lausd.net	(562) 654-9476
Local District Northwest	SCSCnorthwest@lausd.net	(562) 654-9449
Local District Central	SCSCcentral@lausd.net	(562) 654-9430
Local District West	SCSCwest@lausd.net	(562) 654-9444
Local District South	SCSCsouth@lausd.net	(562) 654-9472
Local District East	SCSCeast@lausd.net	(562) 654-9467

For all other schools and offices, contact Customer Service Unit, Procurement Services Center at (562) 654-9009.

For assistance with P-Cards, Toshiba Ghost Cards, Rental of Facilities, Vendor Services:

For schools reporting to:	Contact/Email:	Phone:
Local District West, Local District South	Kitty Phan, Kitty.Phan@lausd.net	(562) 654-9062
Local District Central, Local District East	Michelle Conerly, Michelle.Conerly@lausd.net	(562) 654-9428
Local District Northeast, Local District Northwest, Non-School Offices	Cindy Gonzalez, cig0878@lausd.net	(562) 654-9061
Rental of Non-District Facilities	Dee Washington, Dretha.Washington@lausd.net	(562) 654-9435