



BOWIE STATE UNIVERSITY

PROCUREMENT POLICY

&

PROCEDURES MANUAL

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PROCUREMENT POLICY AND PROCEDURES
TABLE OF CONTENTS

| | | |
|-------|---|-----------|
| I. | Definitions | I-1 - I-3 |
| II. | Purpose | II-1 |
| III. | General Policy | III-1 |
| IV. | Exclusions | |
| V. | Procedures | IV-1 |
| | A. Purchasing Card | IV-1 |
| | B. PeopleSoft Requisition System | IV-1 |
| | C. Purchase Requisitions | IV-1 |
| | D. Expense Voucher Form | IV-2 |
| | E. Purchases less than \$25,000 | IV-2 |
| | F. Purchases >\$25,000 <\$100,000 | IV-2 |
| | G. Purchases >\$100,000 <\$200,000 | IV-2 |
| | H. Purchases Exceeding \$200,000 | IV-2 |
| | I. Cooperative Purchasing Agreements | IV-3 |
| | J. Contracts Established by Other Institutions and Agencies | IV-3 |
| | K. Invitation for Bids (IFB) | IV-3 |
| | L. Request for Proposals (RFP) | IV-4 |
| | M. Bidders List | IV-4 |
| | N. State Ethics | IV-5 |
| | O. Food Purchases | IV-6 |
| | P. Technology Purchases | IV-6 |
| | Q. Consultant Services | IV-7 |
| V. | Contract Administration | V-I |
| VI. | Obtaining Access to the University's Purchase Order System | VI-I |
| VII. | Processing Time | VII-1 |
| VIII. | Sole Source | VIII-1 |
| IX. | Emergencies | IX-1 |
| X. | Blanket Orders | X-1 |
| XI. | Travel | XI-1 |
| XII. | Stockless Stores | XII-1 |

| | |
|---|-------------|
| XIII. Minority Business Enterprise Disadvantaged Businesses, Sheltered Workshops | XIII-1 |
| XIV. Small Business Reserve Preference | XIV-1 |
| XV. Vendors | XV-1 – XV-2 |
| XVI. Change Orders | XVI-1 |
| XVII. Summary | XVII-1 |

PROCUREMENT POLICY AND PROCEDURES

I. DEFINITIONS

The following are definitions of commonly used procurement terms for which the general meaning may not be known or understood by the campus community:

ACQUISITION – The obtaining of goods and services through best methods and business practices.

ALTERNATE BID - A dollar amount to be added to or subtracted from the bid for a variation in the item being bid upon. Alternate bids may be either add or deduct alternate bids.

APPEAL - Action taken by a bidder, proposer (actual or prospective) or by a vendor to seek a hearing before a disinterested person or panel or in an appropriate circuit court challenging a procurement decision.

APPEALS BOARD - The Maryland State Board of Contract Appeals.

AWARD - The transmission by the Procurement Officer, after all required approvals have been obtained, of the executed contract or written notice of award to the selected vendor.

BEST AND FINAL OFFERS - A procedure conducted that permits qualified offerors to revise their initial proposals when determined by the Procurement Officer to be in the best interest of the University.

BID - A statement of price, terms of sale, and description of the supplies, services, construction, or construction-related services offered by a bidder in response to an invitation for bids under procurement by competitive sealed bidding or comparable simplified procurement procedures.

BID BOARD - A bulletin board in a public place displaying solicitations or announcements of the availability of solicitations.

BID SECURITY - In addition to bid bond, acceptable security includes:

1. a bond in a form satisfactory to the University underwritten by a surety company authorized to do business in the State.
2. a bank certified check, bank cashier's check, bank treasurer's check, cash, or trust account;
3. a pledge of securities backed by the full faith and credit of the United States government or bonds issued by the State;

4. an irrevocable letter of credit in a form satisfactory to the Procurement Officer and issued by a financial institution approved by the State Treasurer.

BIDDER - One who submits an offer or bid in response to a solicitation.

BLANKET PURCHASE AGREEMENT (BPA) - An arrangement under which a purchaser contracts with a vendor to provide the purchaser's requirements for an item(s) or a service, on an as-required and over-the-counter basis. Properly prepared, such an arrangement sets a limit on the period of time it is valid and the maximum amount of money which may be spent at one time or within a specified period and specifically identifies these persons authorized to accept goods.

BOARD - The Board of Public Works.

BROKER - A person that conducts business (other than real estate, investment, or insurance sales) on a pass-through basis and with respect to:

1. Supplies:
 - (a) Does not own, operate, or maintain a place of business in which supplies of the general character required under the contract are kept in stock in the regular course of business,
 - (b) Does not regularly assume physical custody or possession of supplies of comparable character to those offered to the State, or
 - (c) Exclusively acts as a middleman in the provision of supplies offered to the State; or
2. Services: does not regularly maintain the capability, capacity, training, experience, and applicable regulatory licensing to directly perform the principal tasks of a contract with the State, and acquires the services elsewhere, for the benefit of the State.

BUSINESS - Any profit or not for profit corporation, partnership, individual, sole proprietorship, joint venture, or any other legal entity through which commercial activity is conducted.

CAPITAL IMPROVEMENT - Construction or an architectural service as defined herein.

CHANGE ORDER - A written order signed by the responsible Procurement Officer, directing a contractor to make changes which the changes clause of a contract authorizes the Procurement Officer to order with or without the consent of the contractor.

COLLABORATIVE AGREEMENT - Is a business agreement between the University and another party or parties, the primary purpose of which is other than the acquisition on the part of the University of goods and/or services.

COMMODITY - An item of purchase which may include office goods and materials, food, printing, building materials, software, equipment, and other items needed to support normal operations.

COMPETITIVE BIDDING - Bids or offers by individuals or vendors competing for a contract, privilege, or right to supply specified services or goods.

COMPETITIVE SEALED BID - A bid submitted in a sealed envelope to prevent disclosure of its contents before the deadline set for the receipt of all bids.

COMPETITIVE SEALED PROPOSALS - The procurement method to be used in those situations when competitive sealed bidding cannot be used because of the inability to prepare specifications that would permit an award based solely on price; or when it is impracticable or disadvantageous to the University.

COMPROLLER - The Comptroller of the Treasury of the State.

CONSTRUCTION -

1. Construction means the process of building, altering, improving, or demolishing any structure, building, or other improvement to real property.
2. Construction **DOES NOT** include the maintenance or routine operation of an existing improvement to real property, or activities related to an energy performance contract.

CONSTRUCTION MANAGEMENT - A contract in which a party is retained by the owner to coordinate and administer contracts for construction services for the benefit of the owner, and may also include, if provided in the contract, the furnishing of construction services to the owner.

CONTRACT - An agreement entered into by a procurement agency for the acquisition of supplies, services, construction, architectural services, or engineering services. For purposes of determining award approval, a Contract is for the initial term of the agreement and does not include any renewal options if the USM is not obligated to exercise such options.

CONTRACT ADMINISTRATION - The management of all facets of a contract to assure the vendor's total performance is in accordance with the contractual commitments and that the obligations of the vendor under the terms and conditions of the contract are fulfilled.

CONTRACTOR - Any person or business having a contract with the University System of Maryland or an institution thereof.

CONTRACT MODIFICATION- Any written alteration in the specifications, delivery point, date of delivery, contract period, price, quantity, or other provision of any existing

contract, whether accomplished in accordance with a contract provision, or by mutual action of the parties to the contract. It includes change orders, extra work orders, supplemental agreements, contract amendments, or reinstatements and renewal options.

COST ANALYSIS - An evaluation of the various cost elements (ie. overhead, labor, materials, profit, transportation, etc) which make-up the total price.

COST-PLUS-FIXED-FEE CONTRACT - A cost-reimbursement type contract that provides for the payment of a fixed fee to the vendor. The fixed fee, once negotiated, does not vary with the actual cost but may be adjusted as a result of any subsequent changes in the scope of work or services to be performed under the contract.

COST-PLUS-A-PERCENTAGE-OF-COST CONTRACT- A form of contract which provides for a fee or profit at a specified percentage of the vendor's actual cost of accomplishing the work.

COST-REIMBURSEMENT CONTRACT - A contract under which the University reimburses the contractor for those contract costs, within a stated ceiling, and a fee, if any, which are recognized as allowable and allocable under the cost and price principle regulations.

CURE NOTICE - A notice either oral or in writing that informs the vendor that he or she is in default and states what the vendor has to do to correct the deficiency. If the notice is oral it shall be confirmed in writing.

DAY - A calendar day unless otherwise designated.

DEBARMENT - An action taken by the State to exclude individuals or vendors from contracting with a public body for particular goods or services for specified periods of time.

DEFAULT - Failure of a contractor to comply with the terms and conditions of a contract.

DETERMINATION - A written procurement decision made by a public official or employee which is based upon written findings.

EMERGENCY - A sudden and unexpected occurrence or condition which agency management reasonably could not foresee that requires an action to avoid or to mitigate serious damage to public health, safety, or welfare.

ENERGY PERFORMANCE CONTRACT - An agreement for the provision of energy service, including electricity, heating, ventilation, cooling, steam, or hot water, in which a person agrees to design, install, finance through direct vendor financing and not by way of a municipal lease, maintain, or manage energy systems or equipment to improve the energy efficiency of a building or facility in exchange for a portion of the energy savings.

EQUIVALENT ITEM - An item of equipment, material or supply, the quality, the design, or performance characteristics of which are functionally equal or superior to an item specified in a solicitation.

EVALUATED BID PRICE - The dollar amount of a bid after bid price adjustments are made under objectively measurable criteria.

EVALUATION OF BIDS - The process of examining a bid after opening to determine the bidder's responsiveness to requirements, responsibility, and other characteristics of the bid relating to selection for award.

EXPENSE VOUCHERS - Expense vouchers are payment forms, which are approved to be used for recurring expenses.

EXTENSION - As applied to contracts for the performance of architect/engineer services, means a change in the scope of the services to be performed by the architect/engineer by including in the contract a requirement for the performance of phases of services not previously included.

FIXED PRICE CONTRACT - A contract which provides for a vendor price under which a vendor bears the full risk for profit or loss.

FUND AVAILABILITY - Monies that are currently credited to the USM or its constituent institutions and are contained within the proper object of expenditure.

INSPECTION - Examination and testing of goods and services to determine whether the goods and services furnished conform to contract requirements.

INSTITUTION - A university, college, center, or other component of the University System of Maryland.

INVITATION FOR BIDS - Any documents, whether attached or incorporated by reference, used for soliciting bids under procurement by competitive sealed bidding and simplified procurement procedures.

INVOICE - A contractor's written request for payment for supplies, commodities, services, maintenance, construction, construction-related services, architectural services, or engineering services performed or provided.

LATE BID OR PROPOSAL - A bid or proposal which is received at the place designated in the invitation for bids or request for proposals after the deadline established by the solicitation.

LATENT DEFECT - A deficiency or imperfection that impairs worth or utility that cannot be readily detected from visual examination of a product. Examples would be the use of non-specified materials in manufacture, or missing internal parts such as a gasket, gear, or electrical circuit, etc.

LEASE - A contract under which the University System of Maryland uses personal property to which it does not have title. Lease does not include lease-purchase or similar financing transactions.

LIQUIDATED DAMAGES - A monetary amount provided for in a solicitation or a contract to be paid by the contractor as damages for failure to perform in accordance with the contract. The damage figure stipulated must be a reasonable estimate of the probable loss to the agency and not calculated simply to impose a penalty on the vendor.

MAINTENANCE - Any work necessary for the continued operation or upkeep of a facility, structure, building, grounds, or building system, including built-in equipment or an in-ground system, that is not included within the definition of construction. Maintenance includes, but is not limited to, painting; re-roofing; hazardous material removal; building envelope repairs; small renovations; landscaping/grounds keeping; renovations to elevators; carpeting; building system renovations, replacements and/or repairs and equipment, such as HVAC (e.g. chillers, boilers, air handlers, etc.), electrical, telecommunications, etc.; security guard; janitorial/housekeeping procurements; staffing for facilities and equipment maintenance contracts; etc.

MINOR IRREGULARITY - A minor defect or variation of a bid or proposal from the exact requirements of the invitation for bids, or the request for proposals, which does not materially affect the price, quality, quantity, or delivery schedule for the goods, services or construction being procured.

MINORITY BUSINESS ENTERPRISE - Any legal entity, other than a joint venture, organized to engage in commercial transactions which is at least 51 percent owned and controlled by one or more socially and economically disadvantaged individuals, and, managed by, and the daily business operations of which are controlled by, one or more of the socially and economically disadvantaged individuals who own it. For reporting governed under current State law, Minority Business Enterprise's must be certified by the State of Maryland.

MINORITY PERSON - A member of a socially or economically disadvantaged minority group, which for purposes of this title includes African Americans (not of Hispanic origin), Hispanics, American Indians/Native Americans, Asians, women, and the physically or mentally disabled.

MOST ADVANTAGEOUS - A proposal or offer received from a vendor that is determined to be most beneficial to the institution considering price and evaluation criteria set forth in the solicitation.

MOST FAVORABLE - A bid received from a vendor that is the lowest bid price or lowest evaluated bid price or the bid or evaluated bid that yields the greatest revenue under a revenue-producing procurement contract.

MULTIPLE AWARD - The award of contracts to more than one vendor when the terms and conditions of solicitation so provide.

MULTI-STEP SEALED BID – A multiple phase process in which bidders submit without price technical offers or samples, or both, to be evaluated by the Institution and an independent phase in which those bidders whose technical offers or samples, or both have been found to be acceptable have their price bids considered.

MULTI-YEAR CONTRACT - A contract that requires appropriations for more than 1 fiscal year.

NEGOTIATION - A bargaining process between two or more parties to reach a mutually satisfactory agreement, contract or settlement.

NON-COMPETITIVE NEGOTIATION - The process of arriving at an agreement through discussion and compromise with only one source.

NOTICE OF AWARD - A notification that a contract has been awarded.

NOTICE OF INTENT TO AWARD – A written notice, or bid tabulation sheet publicly displayed, prior to award, that shows the selection of a vendor for the award of a specific contract or purchase order. This decision may be changed prior to the actual award of a contract or purchase order.

OBJECTIVELY MEASURABLE CRITERIA - Standards, absent matters of opinion or subjective judgment, to compare the economy, effectiveness, or value of the subject of the solicitation and includes reliability, operational costs, maintainability, useful life, and residual value.

OPTION - The unilateral right of the University under a contract to extend the contract for an additional period of time, or to purchase delineated additional goods or labor, or to purchase materials or facilities that have been leased.

ORAL BIDS - Bids which are proposed by a means other than by writing.

PAYMENT BOND - A bond required of a vendor to assure fulfillment of the contractor's obligation to pay all persons supplying labor or materials in the performance of the work provided for in the contract. Acceptable forms are those as found under **BID SECURITY**.

PERFORMANCE BOND - A contract of guarantee executed in a predetermined amount subsequent to award to a contractor to protect the University from loss due to contractor's inability to complete the contract in accordance with its terms and conditions.

Acceptable forms include all those found under "Bid Security" and the grant of a mortgage or deed of trust on real property located within the State of Maryland when:

1. Satisfactory to the Procurement Officer;

2. The face amount of the instrument does not exceed 75% of the contractor's Equity interest in the property and;
3. The assignment of the mortgage or deed or trust is recorded in the county land records pursuant to real property article, Sec 3-103, Annotated Code of Maryland.

PERFORMANCE SPECIFICATION - Sets forth performance requirements that have been determined essential for the item or service being procured.

PERSON - Any individual, or a corporation, partnership, sole proprietorship, joint stock company, joint venture, unincorporated association, union, committee, club, or other organization or legal entity.

PERSONAL SERVICE CONTRACT – A consulting or other service contract between the University and 1) an individual or 2) a business entity or partnership where the individual performing the work under the contract is the sole or a majority owner.

PREBID OR PREPROPOSAL CONFERENCE – A meeting held with prospective bidders or offerors prior to submission of bids or proposals, to review, discuss, and clarify technical requirements, specifications, and standards relative to the proposed procurement.

PRE-QUALIFICATION - A procedure to pre-qualify products or vendors and limit consideration of bids or proposals to only those products or vendors which have been pre-qualified.

1. Qualified Products List (QPL): A list of products that have been tested and approved based on written pre-qualification procedures.
2. Qualified Contractors List (QCL): A list of contractors whose capability to provide a service has been evaluated and approved based on written pre-qualification procedures.

PRICE ANALYSIS - An examination of a vendor's price by comparison to other prices for like goods or services or comparison to other price benchmarks.

PROCUREMENT - All functions that pertain to the process of buying, leasing as lessee, purchasing, or otherwise obtaining any supplies, services, construction, architectural services, engineering services, or services provided under an energy performance contract, including description of requirements, selection, and solicitation of sources, preparation and award of contract, and all phases of contract administration.

PROCUREMENT CONTRACT - An agreement in any form entered into by a unit for procurement.

PROCUREMENT OFFICER - Any person authorized by a USM Institution and/or by the University in accordance with law or regulations to formulate, enter into, or administer contracts or make written determinations and findings with respect to them. The term also includes an authorized representative acting within the limits of authority.

PROPOSAL - The response to a request for proposals issued by a Procurement Officer to obtain goods or services.

PROPOSER – A person who submits a response to a request for proposals.

PROTEST - A complaint relating to the solicitation or award of a procurement contract.

PUBLIC BID OPENING - The process of publicly opening and reading bids.

PURCHASE - The act of buying or that which has been bought.

PURCHASE ORDER - A document issued by an Institution authorizing a procurement from a vendor. If issued in acceptance of a bid or proposal, the document is an “acceptance” and forms a contract upon issuance. If issued not in acceptance of a bid or proposal, a contract is formed upon acceptance by the vendor. Acceptance is evidenced by any reasonable manner in light of the circumstances including prompt shipment or prompt promise to ship or a definite expression or written confirmation sent by the vendor within a reasonable time.

QUALIFICATION BASED SELECTION PROCESS - The procurement method to be used in those situations when competitive sealed bidding and/or competitive sealed proposals is impracticable or disadvantageous to the University. QBS involves the selection of the awarded firm(s) based on the firm’s qualifications followed by a negotiated fee proposal.

QUOTATION - A bid.

RENEWAL OPTIONS – An option for renewal or extension of a Contract that may be exercised at the USM’s sole discretion.

REQUEST FOR BIDS - Invitation for bids.

REQUEST FOR PROPOSALS - Any document, whether attached or incorporated by reference, used for soliciting proposals from offerors under any method allowed under this title excluding competitive sealed bidding and comparable small procurement methods.

REQUEST FOR QUOTATION - Invitation for bids.

REQUIREMENTS CONTRACT - A form of contract covering long-term requirements used when the total quantity required cannot be definitely fixed, but can be stated as an estimate or within maximum and minimum limits, with deliveries on demand. Such contracts are usually for one year or more in duration.

RESEARCH GRANT- Funding from an external entity, either governmental or non-governmental, for a specific scope of work to be conducted in accordance within an approved budget and defined period of performance. Funding is made partially (if not entirely) on the qualifications of key personnel, including prospective sub-awardees. The award document is legally binding. A grant as defined here is not a contract for purposes of this document.

RESPONSIBLE - A person who has the capability in all respects to perform fully the contract requirements, and the integrity and reliability that shall assure good faith performance.

RESPONSIVE - A bid submitted in response to an invitation for bids that conforms in all material respects to the requirements contained in the invitation for bids.

REVENUE GENERATING – A contract that produces income for an Institution such as, but not limited to, collection of fees, fines; vending or concession sales; pouring and/or naming rights; vendor sales where the USM receives a portion of the sale; educational or licensing fees, transportation or usage/entrance charges, etc.

SERVICE CONTRACT - The rendering of time, effort, or work, rather than the furnishing of a specific physical product other than reports incidental to the required performance.

SERVICES - The rendering of time, effort, or work, rather than the furnishing of a specific physical product other than reports incidental to the required performance. It includes, but is not limited to, the professional, personal, and/or contractual services provided by architects, engineers, attorneys, accountants, physicians, consultants, appraisers, land surveyors, and where the service is associated with the provision of expertise or labor, or both. Services does not include services included within the definitions of maintenance, construction-related services, architectural services, engineering services, or energy performance contract services.

SMALL BUSINESS - A business, other than a broker, which meets the criteria as defined in Annotated Code of Maryland, State Finance and Procurement Section 14, Subtitle 5 in effect at the time the procurement is conducted.

SOLE SOURCE - When a competitive source selection method cannot be used because a product or service is practicably available only from one source.

SOLICITATION - Invitation for bids, request for proposals, or any other method or instrument used to communicate to potential bidders or offerors a USM institution's procurement needs.

STATE AGENCY –

1. any administration, agency, association, authority, board, bureau, college, commission, committee, council, foundation, fund, department, institute, institution, public corporation, service, trust, university, or other unit of the Executive Branch of the State government and includes any sub-unit within any of these units and
2. does not include bi-county, or multi-county, government agencies or political subdivisions of the State, including counties, municipalities, special tax districts, sanitary districts, drainage districts, soil conservation districts, water supply districts, and any entity organized under the general corporation laws of the State.

SUPPLIES - All tangible personal property, including equipment, leases of equipment, insurance, including necessarily associated services, and printing.

SYSTEM - The University System of Maryland.

TECHNICAL PROPOSAL - A proposal, not including price, which sets forth in detail that which a vendor proposes to furnish in response to a request for proposals or a qualification based selection solicitation.

TERMINATION FOR CONVENIENCE - The termination by a Procurement Officer, at his/her discretion, of the performance of work in whole or in part and makes settlement of the vendor's claims in accordance with appropriate policy and procedures.

TERMINATION FOR DEFAULT - Action taken by the Procurement Officer to order a vendor to cease work under the contract, in whole or in part, because of the vendor's failure to perform in accordance with the contract's terms and conditions.

TERMS AND CONDITIONS - Standard clauses and requirements incorporated into all solicitations and resulting contracts which are derived from laws or administrative procedures.

TIME AND MATERIAL CONTRACT - A contract providing for the procurement of materials at an agreed price or services on the basis of direct labor hours at specified fixed hourly rates (which include direct and indirect labor, overhead, and profit).

TREASURER - The Treasurer of the State of Maryland.

UNIVERSITY or UNIVERSITY OF MARYLAND - The University System of Maryland.

UNSEALED BID - An unsealed written offer conveyed by letter, telegraph or other means.

VENDOR - A person or business who desires to enter into a contract with the State.

VOUCHER - A claim for reimbursement of funds resulting from an expenditure related to official State business.

PROCUREMENT POLICY AND PROCEDURES

II. PURPOSE

The purpose of this policy and procedures manual is to define the scope of the Procurement Department, its function and the procedures under which the department operates. This manual is a guide and should not be interpreted to be all-inclusive.

PROCUREMENT POLICY AND PROCEDURES

III. GENERAL POLICY

The Procurement Department is the campus unit, which has been designated the responsibility for the acquisition of commodities, supplies, equipment, maintenance, construction and services for the Bowie State University Campus.

The Procurement Department is comprised of the following positions:

Procurement Director ext. 24212

Purchasing Manager ext. 24214

Buyer ext. 24213

The purpose of the Procurement Department is to provide acquisition guidelines and services to the campus community on all procurement matters and related activities to include, but not limited to, locating and developing sources of supply, assisting departments in developing specifications, soliciting bids, quotations and proposals, negotiating contracts, interacting with vendors, determining methods of procurement and administering contracts after award.

The Procurement Department has been delegated responsibility for the procurement of all commodities, supplies, equipment, maintenance, construction and services. Further, the Procurement Department is responsible for the implementation of the University System of Maryland Procurement Policies and Procedures. The only exceptions to this policy are the Purchasing Card and Stockless Stores Programs (Consumable Office Supplies), which have been delegated to department heads.

Excluding the exceptions stated above (purchasing card and stockless stores), departments within this Agency are not authorized unilaterally to sign contracts, enter into agreements, place orders, or make any commitments with regard to the procurement of materials, supplies, equipment, maintenance or services, which are binding to the University in any way.

Any requisition received in the Procurement Office that does not comply with this policy will be returned to the department for written justification. Any individual found to have placed an order without the proper authorization, will be subject to internal disciplinary action up to and including termination.

PROCUREMENT POLICY AND PROCEDURES

IV. EXCLUSIONS

These policies and procedures do not apply to:

1. The lease, sale, purchase, transfer, disposal or any other action involving Real Property or an interest in Real Property.
2. The sale, transfer and disposal of surplus personal property.
3. Collaborative undertakings that support the mission of the University.
4. Reimbursement contracts for which user eligibility and cost is set by law or by rules and regulations (e.g. Medicaid, student health insurance, etc.).
5. Intergovernmental contracts or like-business agreements.
6. Purchases for the purposes of resale or remanufacture and subsequent resale.
7. Agreements creating contractual employee relationships.
8. Cultural, entertainment, intercollegiate athletic contracts, and exhibitions or displays on university property.
9. Surveying and evaluating architecturally, archaeologically, historically or culturally significant properties, and other than as to architectural services, preparing historic preservation planning documents and educational material.
10. Protection and administration of intellectual property rights,
11. Housing, food and related supply or service contracts for conferences and/or conference facilities.
12. Contracts of the University System of Maryland and its constituent institutions for programs and operations located or implemented out of the United States.
13. Any procurement or contract to the extent of any conflict with a governing federal law, regulation, assistance instrument, or other requirement; or the terms of any gift.

14. Contracts for the purchase, delivery, transmission, use, or development of curricular and course materials, inclusive of library material acquisitions, in any format, equipment, and related services.
15. Contracts for purchase of commodities and services related to sponsored research.
16. Revenue generating and/or self-support contracts such as, but not limited to, pouring rights, bookstore, parking management, vending, dining and lodging services, and the like.
17. High Impact Economic Development Activities certified by the Board of Regents under Policy VIII-15.0.

PROCUREMENT POLICY AND PROCEDURES

V. PROCEDURES

The following procedures shall be adhered to for the procurement of commodities, supplies, equipment, maintenance, construction, and services.

A. PURCHASING CARD

The State of Maryland has implemented the Corporate Purchasing Card Program to simplify the procurement of goods and services costing up to \$5000. The Purchasing Card is a VISA card issued through US Bank. Bowie State University has elected to place a maximum single purchase limit of \$3000 on the majority of BSU purchasing cards funded by state and grant accounts. For additional details see the Bowie State University Corporate Purchasing Card Policy & Procedure User's Guide.

B. PEOPLESOFT PURCHASE ORDER SYSTEM

Refer to the separate PeopleSoft Financials End User Training Manual for detailed information on how to:

1. Access the System
2. Navigate the System
3. Requisition Entry
4. Requisition Approval
5. Budget Check
6. Cancel a Requisition
7. Tracking Requisition Status
8. Budget Inquiries

C. PURCHASE REQUISITIONS

A purchase requisition is required to initiate any type of procurement action. All requests for the purchase of commodities, maintenance, construction, and/or services must be submitted via the University's PeopleSoft automated purchasing system. The only exceptions are the State Purchasing Card and Stockless Stores programs.

Requisitions should contain as much detail as necessary to ensure that both the buyer and the vendor understand the request. Requisitions not containing adequate detail or specifications may be returned to the requesting department for further information. Requestors are required to provide the Purchasing Department with a written quote (fax or e-mail) for every requisition to document the vendor's price, product availability, shipping date, etc.

The University System of Maryland Procurement Policies and Procedure state that the University

President or designee, are authorized to originate and execute contracts. Since every purchase order is a contract, only the Procurement Officer or designee are authorized to originate and execute contracts. Confirming requisitions are unauthorized purchases. Confirming requisitions are those requisition submitted after the goods or services have already been received.

D. EXPENSE VOUCHER FORM

Expense vouchers are payment forms, which are to be used for recurring expenses such as:

1. Fees
2. Memberships/Dues
3. Subscriptions
4. Postage

In order to assure that each Vice President is aware of the actions of the departments within their division, all requests to process “vendor invoices” on an Expense Voucher Form must be made in writing (e-mail) from the divisional Vice President to the Procurement Officer.

E. SIMPLIFIED PROCUREMENT LIMIT

The Simplified Procurement limit is \$200,000. When a simplified procurement order (purchase order) does not exceed \$25,000 competition is not required.

F. PURCHASES LESS THAN \$25,000

Purchases less than \$25,000 are considered Non-competitive Small Procurement Orders, and are not competitively bid by the Procurement Office. Departments are required to obtain a current and valid vendor quote prior to preparing any purchase requisition. Small Procurement Orders should be processed in one of two ways:

1. Purchases up to a cost of \$3000 should be made with the State Purchasing Card.
2. If vendors will not accept the State Purchasing Card for a Small Dollar Order then departments should prepare a purchase requisition using the University’s PeopleSoft purchase requisition system. Departments must provide the University’s Purchasing Office with a fax or e-mail copy of the vendor quote For each requisition submitted.

G. PURCHASES MORE THAN \$25,000 BUT LESS THAN \$200,000

All purchases estimated to exceed \$25,000 shall be competitively bid. Purchases exceeding \$25,000 shall be processed by the method shown below.

The Procurement Office will obtain competitive prices by use of written bids or in the case of an urgent or emergency situation telephone requests. It is the University's goal to obtain a minimum of two written quotations, each of which should be submitted on the vendor's business letterhead.

Departments shall provide the University's Purchasing Office with a fax or e-mail copy of the initial vendor quote. Departments may recommend to the Buyer vendors from whom to obtain an additional quote(s). Each buyer has the discretion to obtain as many quotes as they believe are in the best interests of the University.

H. ORDERS EXCEEDING 200,000

Purchase requisitions should be prepared with detailed specifications, allowing the Procurement Office sufficient time for processing (Section V, Processing Time).

Requests exceeding \$200,000 require a competitive sealed procurement. Vendor quotations on business letterhead are not acceptable. Bowie State University bid/proposal documents contain mandatory terms and conditions to which all vendors must agree before doing business with the University. The vendor's signature on our bid/proposal documents indicates agreement to all mandatory terms and conditions. All procurements exceeding \$200,000 must be initiated and awarded by the University's Purchasing Office.

Purchase requests for Services and Construction exceeding \$1,000,000, must be approved by the Board of Public Works prior to award of a contract. This requirement could add an additional 30-60 days to the processing time. Purchase Requisitions should be submitted with the additional lead time in mind to avoid unnecessary delays. This is particularly important when submitting requests for sole source procurements.

I. CONTRACT MODIFICATION

1. The Procurement Officer is the only individual authorized to execute a contract modification on behalf of the Institution.
2. A contract may be modified in accordance with the University System of Maryland Uniformed Contract Terms and Conditions.
3. Contract modifications in excess of \$1,000,000 to capital improvement and service contracts shall be reported to the Board of Regents through the Vice Chancellor for Administration and Finance.

J. PROCUREMENT BY COOPERATIVE PURCHASING AGREEMENTS

The University may participate in, conduct, sponsor or administer a cooperative purchasing agreement. The purpose of such agreements is to promote efficiency and savings that can result from cooperative purchasing. This includes but is not limited to agreements with any of the following:

1. The federal government or an agency or other instrumentality of the federal government;
2. The State of Maryland, another state, or an agency or other instrumentality of another state;
3. A bistate or multistate agency;
4. A county, municipal corporation, or other political subdivision of the State or of another state, or an agency or other instrumentality of the political subdivision;
5. Other institutions of higher education and the University of Maryland Medical System.
6. A cooperative or organization established for the purpose of establishing contracts to aggregate the common requirements of similar institutions for maximize economies of scale when soliciting bids or proposals.
7. Alumni associations, foundations, and faculty practice organizations recognized by the Board of Regents.

The institution's solicitation must state that the contract may be made available to other agencies for cooperative procurements.

J. USE OF CONTRACTS ESTABLISHED BY OTHER INSTITUTIONS OR AGENCIES

Institutions of the University System of Maryland may use contracts established by other Organizations, Agencies or Institutions provided that use of the contract is in the best interest of the Institution, and provided that the contract was awarded after a procurement process (including Sole Source or Negotiated Procurement), and provided that the terms of the applicable contract does not prohibit use by the University System of Maryland.

Examples of Organizations, Institutions, or Agencies whose contracts are acceptable for use include, but are not limited to, other States Agencies or Instrumentalities, The Federal Government and its Instrumentalities, The University of Maryland Medical System, other higher education institutions, US Communities, Educational and Institution Cooperative (E & I Coop), Internet2, Maryland Educational Enterprise Consortium (MEEC), the Maryland Hospital Association, and entities certified by the Board of Regents as High Impact Economic Development Activities.

K. INVITATION FOR BID (IFB)

The Invitation for Bid (IFB) is the competitive sealed bid method (over \$200,000) used when the University knows specifically which goods or services are to be procured. An IFB can only be issued and awarded by the University's Purchasing Office. Award of an IFB is based solely on low bid price to the responsive and responsible bidder. Both the solicitation and award of an IFB may be advertised in the Maryland Contract Weekly. An

IFB valued under \$1,000,000, generally can be processed within forty-five days. An IFB for Services valued in excess of \$1,000,000, generally can be processed within ninety days. The Board of Public Works must approve all Service and Construction related procurements with a value greater than \$1,000,000.

L. REQUEST FOR PROPOSALS (RFP)

The Request for Proposals (RFP) is the competitive sealed bid method (over \$200,000) used when the University elects to consider factors in addition to low bid price. An RFP can only be issued and awarded by the University's Purchasing Office. An RFP is a two-part process consisting of separate technical and financial evaluations. The technical evaluations are conducted prior to the opening of the financial proposals. When both evaluations are completed the scores are tabulated and the contract awarded to the responsive and responsible bidder with the highest combined score.

Both the solicitation and award of an RFP may be advertised on EMaryland Marketplace, which is the State of Maryland's electronic bid board. An RFP valued under \$1,000,000, generally can be processed within forty-five days. An RFP valued in excess of 1,000,000, generally can be processed within ninety days. The Board of Public Works must approve all Service and Construction related procurements with a value greater than \$1,000,000.

M. BIDDERS LIST

The bidder's list is a vendor file maintained by the Procurement Office categorizing potential bidders by the goods or services they provide. The bidder's list is used to notify vendors of projects, which are about to be bid. Any vendor can request a bidder's list application from the Procurement Office. When the application is completed and returned, the vendor is pre-qualified and added to the list. When a bid matching the vendor's area of expertise is ready to be advertised to the public, firms on the bid list are automatically forwarded copies of the bid.

N. STATE ETHICS COMMISSION

House Bill 1467 provides that if an individual (or the firm for which the individual is employed) assists a state agency in preparing specifications, then the individual (or the firm) may not submit a bid or proposal. Consequently, if you have a maintenance/service requirement, obtain assistance from an independent third party in the specification development, i.e. other universities within the system or other state agencies, etc.

O. FOOD PURCHASES

ALL purchases of food must be initiated through the creation of a purchase requisition directed to the University's food service contractor and contain the following information:

- Purpose of the event
- Date of the event

- Place of the event
- Number of attendees
- Classification of attendees, i.e. students, faculty, staff

The purchase of food and beverages for normal staff type meetings is prohibited. In addition, the State of Maryland will not process/pay invoices for social functions such as parties. In order to assure that the proper documentation is available for each function or event, blanket purchases orders will no longer be processed for food services.

P. TECHNOLOGY AND TECHNOLOGY RELATED PURCHASES

Overview:

Technology plays a vital role in fulfilling Bowie State University's (BSU) mission for our students and in supporting the goals and objectives of our campus community as a whole. The university has made significant changes in the type and delivery of business and support services to the students, faculty, staff, and users. In order to promote fiscal responsibility and efficiently enhance and maintain the technology needs and initiatives on campus, a common method in the planning and procurement has been established.

A common technology procurement process allows the University to better serve users at all levels and eliminate the disconnect between current and future technology requirements and the technical services and support necessary to continuously provide and maintain quality service.

The Office of Information Technology strives to provide the best possible solution to the university's technology needs. The coordinated effort in following approved procurement guidelines will facilitate a winning strategy in achieving this goal.

Technology Procurement Procedure:

- **Budgeting for Equipment Purchase/Replacement**
Each division or department is responsible for budgeting funds for the purchase and/or replacement of technology equipment. For assistance in the purchase/replacement, the Enterprise Support Services group of the Office of Information Technology (OIT) should be contacted for a site visit or to assist in providing technical specifications, recommendations, and quotes from qualified vendors. A minimum of three (3) years warranty/maintenance support is required for all technology purchases. In the event a division or department fails to notify the Office of Information Technology regarding a technology purchase, OIT will not be responsible for providing services for non-supported or non-standard items.

Grant funded technology purchases have to be approved by the BSU Office of Federal Research and Development and follow the same procedures as state funded purchases.

- **Equipment Delivery, Setup, and Configuration**

Any budgeted and approved technology purchase must be tagged and added to the university inventory by the Asset Management group. Please direct all purchase deliveries to the Bowie State University Central Receiving Office at:

Bowie State University
(Enter Purchasing Department and Campus Address)
C/O Central Receiving
14000 Jericho Park Road
Bowie, MD 20715

Upon submission of the requisition to the BSU Procurement Office, communication should be sent by the Buyer to the Enterprise Support Services group at helpdesk@bowiestate.edu to ensure timely coordination delivery/replacement and configuration of the technology equipment.

- High Volume and Special Requests

It is important that purchase requests that require large numbers of computers, components, and specialized technology equipment be coordinated with the Office of Information Technology. It is incumbent upon the division/department to provide OIT with all the technical specifications and project requirements in order to determine the best possible procurement process/vehicle that should be used to satisfy project needs. It should be noted that special purchases may require the university to go through a Request for Proposal (RFP) procedure or require several quotes before the purchase can go through. Please contact the BSU Procurement Office to obtain specific information required for a purchase.

Q. CONSULTANT SERVICES

Bowie State University will not sign any contractor originated agreements. Contractors proposing to perform services for the University must sign the BSU Independent Contractor/Consultant Agreement and the BSU Consultant Service Contract prior to providing any services to the University. The purpose of the BSU Independent Contractor/Consultant Agreement is to verify prior to any services being provided to the University that the contractor is a U.S. Citizen or Permanent Resident Alien.

The BSU Consultant Services Contract is the actual agreement which will detail the following information:

- Scope of work to be provided to the University
- Term of the Contract
- Compensation and method of payment
- State of Maryland General Terms and Conditions

Both agreements must be signed by the Contractor and the BSU Procurement Officer prior to any services being provided.

After the Independent Contractor and Consultant Service Contracts are signed a purchase requisition should be entered into the University's PeopleSoft PO Module. The purchase requisition will be converted into a purchase order, which authorizes the University's Accounts Payable Department to pay the vendors invoice once services are rendered.

Both forms are located in the University's Outlook e-mail folders under:

- Public Folders
- All Public Folders
- BSU PeopleSoft
- Forms

V. CONTRACT ADMINISTRATION

Contract Administration is the management of all actions, after the award of the contract that must be taken to assure compliance with the contract. Contract Administration begins with the day-to-day supervision of each contract. The contract manager's primary responsibility is to assure that the contractor is performing the requirements of the contract in accordance with the terms, conditions and specifications of the agreement.

Non-performance of the contract or disagreements concerning the contractor's obligation to the University shall be reported in writing to the Procurement Officer. The Procurement Officer will take appropriate action to assure that non-performance issues are corrected. The Procurement Officer will make a written determination advising the contractor of non-performance and establish a deadline by which time corrective action must be taken. In the event a contractor fails to take corrective action, as requested by the Procurement Officer, or if the action taken is not to the satisfaction of the University, the contract may be cancelled.

PROCUREMENT POLICY AND PROCEDURES

VI. OBTAINING ACCESS TO THE UNIVERSITY'S PURCHASE ORDER SYSTEM

Individuals must attend PeopleSoft Financials End User training prior to receiving access to the Purchase Order (PO), Asset Management (AM), Accounts Payable (AP), or General Ledger (GL), modules.

Requestors, Approvers, and individuals needing access to budget inquiry must complete the PeopleSoft Financials Training Request form and forward to the Procurement Office in order to be scheduled for end user training.

After completion of end user training individuals must complete the PeopleSoft Financial Systems Access Form. The form must be signed by the appropriate module coordinator (PO, AM, AP, GL), and the O.I.T. Security Officer prior to receiving access to the PeopleSoft system.

Requestor: The individual at the department level authorized to enter the PeopleSoft Purchase Order (PO) module to create purchase requisitions. This individual shall be either the department head or designee(s).

Approver: The individual assigned the responsibility to approve purchase requisitions; this authority can reside at the Department, Chair, or Vice Presidential level.

PROCUREMENT POLICY AND PROCEDURES

VII. PROCESSING TIME

The following processing times have been established for all routine purchase requisitions:

| | |
|----------------------------|-------------------|
| < \$25,000 | 2 business days |
| > \$25,000 but < \$200,000 | 3-4 business days |
| > \$200,000 | 45 business days |
| > \$1,000,000 | 90 business days |

VIII. SOLE SOURCE

There are five (5) circumstances in which sole source procurement may be requested. They are:

- a. When only one source exists which, meets the requirements.
- b. When compatibility of software, equipment, accessories, or replacement parts is the primary consideration.
- c. When a vendor's item is needed for trial use or testing.
- d. When a sole vendor's item is to be procured for resale.
- e. When certain public utility services are to be procured and only one source exists.

All requisitions exceeding \$25,000 containing a request for sole source procurement must be accompanied by a written, signed justification from the requestor. Additional justification may be required if the justification submitted is not determined to be sufficient by the Procurement Officer. All such requests are subject to the review and approval of the Procurement Officer.

Sole source procurements in the amount of \$500,000 or less may be approved by the Procurement Officer.

IX. EMERGENCIES

When an emergency condition exists that prevents the use of formal competitive procurement methods in awarding or modifying a contract that is essential to the University, the University may conduct a procurement on an emergency basis. Emergency procurements may be negotiated on a sole source or limited competition basis as dictated by the circumstances surrounding the emergency.

An emergency condition justifies the use of an emergency procurement when that condition threatens one (1) or more of the following:

- (a) The health or safety of any person(s) or animals(s);
- (b) The preservation or protection of property; or
- (c) The continuance of necessary University functions.

X. BLANKET/OPEN ORDERS

Blanket/Open purchase orders can be a valuable tool for the "Using" department as it decreases

paper work and saves time by eliminating the necessity of placing an inordinate number of small orders. A blanket order may be established for any amount up to but not exceeding \$200,000 (after competitive bid process is completed) in any given fiscal year.

The following conditions apply to all blanket/open orders:

a. Blanket orders must be for "miscellaneous" non-specific items (i.e. art supplies, photographic supplies, laboratory supplies, etc.) as required by the using department. An encumbrance up to \$200,000 may be made.

b. Neither equipment or food can be purchased on a blanket/open order.

c. The Department has the sole responsibility to keep track of the dollars that have been expended against the blanket order. If a department continues to spend against a blanket order after the funds have been exhausted, the Procurement Officer will revoke the privilege of that department to use blanket orders.

d. The period covered by a blanket order can be for the entire fiscal or grant year or shorter period as deemed appropriate by the using department.

e. Blanket orders cannot cross fiscal years. The only exception to this policy would be for sponsored funds or grants, for which blanket orders may be issued for the award year.

f. Blanket orders must identify the person within the department who will have the ordering responsibility.

PROCUREMENT POLICY AND PROCEDURES

XI. TRAVEL

The Bowie State University travel policy is intended to facilitate travel and travel arrangements; to provide reimbursement for all approved expenses; to protect travelers against the risk of loss and to maintain the essential controls for accountability.

The Bowie State University Travel Office is the campus unit responsible for processing all travel requests, both in state and out-of-state. The Travel Office is a unit of the Controller's Office.

PROCUREMENT POLICY AND PROCEDURES

XII. STOCKLESS STORES

Bowie State has selected Staples and Rudolph's Office Supply as the University's Stockless Stores providers. Departments should order all consumable office supplies from these vendors.

The Procurement Office will assist departments in obtaining access to both vendors Internet ordering systems. Both companies' entire catalogs are available for review on-line. However, note the ordering restrictions below.

All in-stock orders placed before 4:00 PM will be shipped next business day directly to the ordering department.

This program has been established specifically for consumable office supplies such as calculator tape, correction supplies (i.e., liquid white-out), pens, pencils, post-it notes, staples, copy paper, calendars, scissors, paper clips, tape, storage boxes notepads, highlighters, rubber bands, file labels, label dividers, rubber stamps with ink pads, etc.

Purchases of items such as food, candy, snacks, beverages, cleaning supplies, medical supplies, etc. are prohibited. These items are not considered necessary for the normal operation of university business; therefore they should not be purchased with university funds.

Furniture, equipment, electrical items, and other non-office supply materials should continue to be procured through the University's PeopleSoft purchase requisition/purchase order system.

The University's Stockless Stores program cannot be used for personal purchases. Purchases made for personal use with state and/or federal funds are the equivalent of theft. Individuals who misuse state and/or federal funds to make personal purchases will be suspended and/or terminated from employment and may be criminally prosecuted.

PROCUREMENT POLICY AND PROCEDURES

XIII. MINORITY BUSINESS ENTERPRISE, DISADVANTAGED BUSINESSES, SHELTERED WORKSHOPS AND RIGHT OF REFUSAL

A. It is the policy of the University System of Maryland and Bowie State University to encourage, solicit, and promote participation by Minority Business Enterprises (MBE).

It is the goal of Bowie State University to achieve 29% minority business enterprise participation through direct contract awards. When appropriate, Bowie State University establishes sub-contract participation goals on competitive sealed bids.

A minority owned business is one that is at least 51 percent owned and controlled by a member of one of the following groups:

1. African Americans
2. American Indians/Native Americans
3. Asians
4. Hispanics
5. Individuals with physical or mental disabilities; or
6. Women

Before selecting a vendor to purchase goods and/or services please visit the MBE Web site below to identify minority businesses that may be able to accommodate your needs.

<https://mbe.mdot.maryland.gov/directory/>

B. Maryland Correctional Enterprises (MCE) formerly known as State Use Industries (SUI) has the “right of first refusal” for all furniture, and print, sign purchases made by Bowie State University.

Maryland Correctional Enterprises must be contacted prior to the development and submission of any purchase requisition for print needs from outside vendors. If MCE cannot meet the department requirements, they will issue a written waiver, the waiver will permit the department and the Procurement Office to obtain quotes from the open market. Requisitions received without an MCE waiver will be returned to the department with a request to provide the appropriate documentation.

PROCUREMENT POLICY AND PROCEDURES

XIV. SMALL BUSINESS

A. SMALL BUSINESS RESERVE

Effective January 5, 2005, the State of Maryland established a Small Business Reserve (SBR) program to establish the process by which, designated procurement units award not less than 10% of the unit's total dollar value of goods, supplies, services, maintenance, construction, construction-related services, architectural services and engineering service contracts directly to small businesses.

Certain bids or proposals are reserved for participation by small businesses only. The Small Business Reserve Program in State Procurement Law mandates that at least 10% of the dollar value of procurements made by designated procurement units be from small businesses at the prime contract level. This amount is not a goal, but a mandate. Sections 14-501 – 14-505, State Finance and Procurement Article, Maryland Code [Chapter 75, Laws of 2004].

There are exemptions for the program which include:

- Where governing federal law or federal grant provisions conflict with this Small Business Reserve Program, the procurement is exempt from these requirements.
- Procurements from State Use Industries, Blind Industries and Services of Maryland, and Certified Sheltered Workshops (COMAR 21.11.05) and from Maryland Vending Facilities Program for the Blind (COMAR 21.11.09) are exempt from these requirements.
- The value of exempted contracts is excluded from the procurement dollar base from which the 10% reserve is calculated.

Before selecting a vendor to purchase goods and/or services please visit the SBR Web site below to identify small businesses that may be able to accommodate your needs.

<https://www.smallbusinessreserve.maryland.gov/>

PROCUREMENT POLICY AND PROCEDURES

XV. VENDORS

Individual departments may contact salespeople or vendors directly to obtain literature, information, or assistance with price estimates. However, all negotiations and contracting are to be conducted by the Procurement Office.

Departments are not authorized to sign any contracts or agreements, which may be binding upon the University or any of its departments. The only individuals authorized to bind the University in contractual matters are the President and the Procurement Officer.

All contracts related to procurement matters should be directed to the Procurement Officer for review of legal form and sufficiency (through the office of the Attorney General) and will be signed by the Procurement Officer, unless consideration is required at another level of the University, (i.e. President). Contracts signed at the department level will not be binding on the University and will render the agreement and/or the transaction null and void.

If individual departments are contacted by vendors concerning bids or solicitations issued by the Procurement Office, departments should refer the vendor directly to the Procurement Office.

Individual departments should not answer questions or give any information relating to specifications, acceptance or alternates, etc. Adherence to this procedure will avoid misunderstandings and provide an equal opportunity to all vendors. The Procurement Office is responsible for obtaining and distributing answers to vendor inquiries concerning bids or solicitations. If needed, the Procurement Office may contact the using department to obtain answers to inquiries and to insure that all prospective bidders are provided appropriate information.

No individual department or its representative should accept any offers, tokens or free gifts of any kind from vendors who are seeking to do business with the University. If a department has a problem with a vendor, contact the Procurement Office as soon as possible concerning the vendor and the specific problem.

1. To help you in dealing with vendor representatives and to avoid some of the common pitfalls, the following guidelines are suggested:

- a. Advise Procurement in advance of contacting vendors. The Procurement Office can help provide necessary information.
- b. Contact one vendor, for general information, or several if technical information is required.
- c. Provide an equal opportunity to all vendors that are contacted.
- d. Discuss only the technical specifications of the requirement.

e. Provide on the purchase requisition, a complete description of the item and attach all pertinent information concerning the suggested vendor including the name of the company, address, contact, telephone number, product, model number, etc. Attach descriptive literature if available.

f. Do not commit the University by telling a salesperson that they have the order. Only a signed purchase order from the Procurement Office or the authorization of the Procurement Officer can commit the University.

g. Never accept gifts or gratuities of any kind from vendors.

h. Guard against overreaction to a vendor-created crisis "Price goes up at the end of the month..." or "This is the last one left in stock..."

i. Do not wait until the last minute to submit a requisition. The more time the Procurement Office and the vendor have to process a request, the more likely the department will obtain the best product at the most advantageous price.

j. Orders shall not be placed by phone in response to unsolicited phone calls. Such items have been found on many occasions to be overpriced and/or of inferior quality.

k. In the event a vendor's performance is unacceptable, with regard to delivery, specifications and billing matters, advise the procurement office immediately in writing. A department's written communication directly to the vendor is not sufficient. Written notice of non-performance must come from the Procurement Office, where the authority rests to take appropriate action to resolve these matters.

PROCUREMENT POLICY AND PROCEDURES

XVI. CHANGE ORDERS

A Change Order is required when any of the following matters occur:

- Unit Price Change
- Quantity Change
- Specification Modification
- Delivery Change
- Order Cancellation
- Vendor Change

When a Change Order is necessary, the using department must submit a written request to the Procurement Office (e-mail shall suffice) authorizing the change. Reference must be made to the existing purchase order, vendor name, and encumbrance number.

An encumbrance adjustment is necessary when a dollar change of \$100 or greater occurs, or if the dollar change is greater than 5% of the value of the original purchase order.

PROCUREMENT POLICY AND PROCEDURES

XVII. SUMMARY

This handout provides you with a brief overview of the procurement process at Bowie State University. It does not, nor is it intended to cover every possible issue or situation that may arise. If you have any questions, problems, concerns, or require additional information concerning these procedures or other procurement matters, contact the Procurement Department.