



BOWIE STATE UNIVERSITY

PROCUREMENT POLICY

&

PROCEDURES MANUAL

Effective: July 2009

PROCUREMENT POLICY AND PROCEDURES

TABLE OF CONTENTS

I.	Definitions	I-1 - I-3
II.	Purpose	II-1
III.	General Policy	III-1
IV.	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 \$5,000	IV-2
	F. Purchases >\$5,000 <\$25,000	IV-2
	G. Purchases >\$25,000 <\$100,000	IV-2
	H. Purchases Exceeding \$100,000	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:

AQUISITION - Is to obtain goods and services through best procurement methods and business practices.

AWARD - The transmission by the procurement agency to the selected vendor after which all required approvals have been obtained for the executed contract.

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

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

BPW - The Board of Public Works, which consists of the Governor, Treasurer and Comptroller. The BPW must approve all service and construction procurements in excess of \$500,000 prior to the issuance of an award by the University.

CHANGE ORDER - A written order signed by the responsible Procurement Officer directing a contractor to make changes to the original contract.

COMMODITY - An item of purchase, which may include office goods, materials, food, printing, equipment and other items necessary to support the normal day-to-day operations of an agency. Commodity does not include leases of real property. Purchase orders and the Purchasing Card will normally be utilized to obtain items in this category.

COMPETITIVE BIDDING - Bids or offers by individuals or vendors competing for a contract, privilege, or right to supply specified services or goods. Competitive bids are awarded to the low responsive and responsible bidder.

COMPETITIVE SEALED BID - A bid (IFB) submitted in a sealed envelope to prevent disclosure of its contents before the deadline set for the receipt of all bids. Competitive Sealed Bids are awarded to the low responsive and responsible bidder.

COMPETITIVE SEALED PROPOSALS - The procurement method (RFP) that is 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 (low bid) or when it is impracticable or disadvantageous to the University.

CONSUMABLE OFFICE SUPPLIES – Consumable Office supplies is the generic term that refers to supplies regularly used in offices by businesses and other organizations, from private citizens to governments. The term includes small, expendable, daily use items 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.

CONTRACT - Any agreement entered into for commodities, supplies, equipment, maintenance, construction and services. The University purchase order is the primary contract by which we enter into agreements for the procurement of goods and services. The only individual(s) authorized to enter into contracts on behalf of the University are the President and the Procurement Officer.

CONTRACT ADMINISTRATION - The management of all facets of a contract to assure the vendor's total performance is acceptable and completed in accordance with the contractual terms and conditions.

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 as determined by the Procurement Officer.

MAINTENANCE - The recurrent periodic or scheduled work necessary to repair, prevent damage or sustain existing components of a facility, structure or building (including built-in equipment). Maintenance includes but is not limited to routine and emergency repair work, replacements, roof work, site upkeep and utilities. Maintenance does not include repairs to office equipment, i.e. typewriters, copiers, etc.

MATERIALS MANAGEMENT - Embraces all functions of acquisition, standards and quality control, asset management, and surplus property.

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 minority persons, or a nonprofit entity organized to promote the interests of the physically or mentally disabled.

PROCUREMENT - All functions that pertain to the process of buying, leasing as lessee, purchasing, or otherwise obtaining commodities, supplies, equipment, maintenance, construction and services.

PROCUREMENT OFFICER - The person authorized by the agency head (University President), acting within the limits of his/her authority and in accordance with USM Policies and Procedures to enter into, administer contracts, and make written determinations and findings with respect to them.

PURCHASE ORDER - The printed form generally used for the procurement of commodities, supplies, equipment, maintenance, construction and services. A purchase order is a contract.

REQUISITIONS - The form used to request goods and services necessary to conduct departmental business. It is the standard form that allows supplies and services to be obtained from sources outside the university system.

RESPONSIBLE - A person or business that has the capability in all respects to fully perform 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.

SERVICES - The rendering of a person's time, effort, or work rather than the furnishing specific physical product other than reports incidental to the required performance of the service. Services include but are not limited to the professional, personal or contractual services provided by architects, engineers, attorneys, accountants, physicians, consultants, appraisers and land surveyors. Service also includes the provision of expertise and/or labor, e.g. property management, janitorial services, security services, waste disposal, pest control, elevator operations or environmental control.

SOLE SOURCE PROCUREMENT - Obtaining commodities, supplies, equipment, maintenance, construction and services when competitive bidding and competitive negotiation cannot be used in awarding the contract, because there is only one known available source for the subject of the contract. This situation usually exists when patents, copyrights, etc. are involved.

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

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. PROCEDURES

The following procedures must 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 Bank of America. 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
3. Subscriptions
4. Postage

Any expense voucher 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 including termination of employment.

E. PURCHASES LESS THAN \$5,000

Purchases less than \$5,000 are considered 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 vendors quote for each requisition submitted.

F. PURCHASES MORE THAN \$5,000 BUT LESS THAN \$25,000

All purchases estimated to exceed \$5,000 must be competitively bid. Purchases exceeding \$5,000 shall be processed by the methods shown below.

1. Purchase requisitions should be prepared using the University's PeopleSoft purchase requisition system. Departments must provide to the University's Purchasing Office a fax or e-mail copy of the vendors quote for each requisition submitted.

2. The Procurement Office will obtain competitive prices by use of telephone quotations or written bids, depending on the item or service requested and time constraints involved.

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

G. PURCHASES MORE THAN \$25,000 BUT LESS THAN \$100,000

Purchase requisitions should be prepared using the same procedures set forth for purchases more than \$5,000 but less than \$25,000 allowing the Procurement Office sufficient time for processing (Section V, Processing Time).

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

Departments must provide the University's Purchasing Office with a fax or e-mail copy of the initial vendors quote. Departments may recommend to the Buyer vendors from whom to obtain an additional quote(s). However, the Buyer will solicit the 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 \$100,000

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

Requests exceeding \$100,000 require the competitive sealed bid method of procurement. Vendor quotations on business letterhead are not acceptable. Bowie State University bid 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 documents indicates agreement to all mandatory terms and conditions. All procurements exceeding \$100,000 must be initiated and awarded by the University's Purchasing Office.

Purchase requests for Services exceeding \$500,000, 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. 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.
8. 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

Bowie State University may use contracts established by other 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 do not prohibit use by the University System of Maryland. Examples of Institutions 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, Educational and Institution Cooperative (E & I Coop), the Maryland Hospital Association etc.

K. INVITATION FOR BID (IFB)

The Invitation for Bid (IFB) is the competitive sealed bid method (over \$100,000) 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 \$500,000, generally can be processed within forty-five days. An IFB for Services valued in excess of \$500,000, generally can be processed within ninety days. The Board of Public Works must approve all Service related procurements with a value greater than \$500,000.

L. REQUEST FOR PROPOSALS (RFP)

The Request for Proposals (RFP) is the competitive sealed bid method (over \$100,000) 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 \$500,000, generally can be processed within forty-five days. An RFP valued in excess of \$500,000, 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 \$500,000.

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

PROCUREMENT POLICY AND PROCEDURES

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:

< \$5,000	2 business days
> \$5,000 but < \$25,000	3 business days
> \$25,000 but < \$100,000	4 business days
> \$100,000	45 business days
> \$500,000	90 business days

PROCUREMENT POLICY AND PROCEDURES

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 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 \$5,000 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. In certain instances, the requests are also subject to review and final approval by the University President and/or the Board of Public Works.

PROCUREMENT POLICY AND PROCEDURES

IX. EMERGENCIES

An emergency situation is one that threatens the safety and well being of the University community or causes a department to stop operating completely if the situation is not resolved immediately. During normal working hours, (8:00 am to 5:00 pm) contact the Procurement Department and describe the situation as soon as the emergency is known. Departments are not authorized to proceed without the prior approval of the Procurement Officer unless a situation or circumstance dictates immediate action must be taken or the Procurement Officer is unavailable at the time.

A breakdown or stoppage of essential services or programs during the Procurement Department non-duty hours (5:00 pm - 8:00 am, Monday - Friday, Saturday, Sunday and Holidays) may be handled by individual departments. A confirming requisition must be forwarded to the Procurement Department at the earliest practical time with a detailed explanation of why the matter had to be handled as an emergency action.

PROCUREMENT POLICY AND PROCEDURES

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 \$100,000 (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 \$100,000 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 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.

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

Bowie State University has contracted with Omega World Travel, located in Columbia, Maryland; to assist university personnel with travel related requirements. Omega will assist with airline and train reservations, car rental, hotel reservations, group travel and meetings.

Because Bowie State University has a contract with Omega World Travel, Omega will accept our purchase order as payment. It is mandatory that all travel paid for by the University be arranged through Omega. The telephone number for the Columbia office is (410) 740-7330; their fax number is (410) 740-1525. For additional details see the Bowie State University Travel Policy and Procedure Manual.

PROCUREMENT POLICY AND PROCEDURES

XII. STOCKLESS STORES

Bowie State has selected Corporate Express (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 can not 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 25% 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.

<http://mbe.mdot.state.md.us/cgi-bin/mbedir/mbesearch>

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/>

B. PREFERENCE

Annotated Code of Maryland, State Finance and Procurement Article 12-101, 14-201 and 14-208 requires that all State agencies accept the most favorable responsive bid or most advantageous offer from a responsible small business vendor for a small business preference procurement, if the small business bid or offer does not exceed the most favorable responsive bid or most advantageous offer received from a responsible regular vendor by more than .05 percent.

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' 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.