

### 3.02 PURCHASING (Approved 11/30/04, Revised 9/30/14)

#### POLICIES

- A. Purchasing Ethics - Purchasing Agents, their staff and others authorized by or under these regulations to make purchases shall not accept or solicit any personal gifts, gratuities or favors that might in any way result in an obligation to individuals or firms seeking business with Sul Ross State University and might in action or reaction influence the employee in the discharge of his or her official duties. All employees must comply with the Texas State University System Ethics Policy, chapter VIII of the System Rules and Regulations.
1. Every effort shall be made to obtain the best value for all purchases.
  2. No employee shall intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised his or her official powers or performed his or her official duties in favor of another.
  3. No employee shall accept employment or engage in any business or professional activity which the employee might reasonable expect would require or induce the employee to disclose confidential information acquired by reason of his or her official position.
  4. No employee shall disclose confidential information gained by reason of his or her official position.
  5. No employee shall make personal investments which could reasonably be expected to create a substantial conflict between the employee's private interest and the public's interest.
  6. No bidder or proposer shall receive special consideration.
  7. Any violations of these policies shall be reported promptly to the Vice President of Finance and Operations (VPFO). Violation of these policies may result in disciplinary action, which may include termination of employment.
- B. Purchasing Authority: Sul Ross State University receives its authority to purchase goods and services from the State of Texas. Accordingly, the University follows and adheres to State of Texas Statutes, including but not limited to Title 10, Subtitle D, Chapter 2155, of the Texas Government Code which requires the creation and implementation of a policy of centralized purchasing in order to:
1. Insure compliance with state and federal laws, rules, and regulations;
  2. Protect the University from unauthorized acquisitions of supplies, equipment and services;

3. Provide budgetary control and coordination;
4. Insure fair and ethical business practices; and
5. Provide savings through consolidation of requirements, standardization of products where appropriate, and competitive bidding.

The Purchasing Department, under the supervision of the Director of Purchasing, has sole authority for the negotiation and purchase of all goods and services for the University with the exception of contracts negotiated and awarded by the System Office, items requiring approval by the President, Chancellor or Board of Regents, and the following specific delegations that exist under proper administrative approval.

1. The Director of the Museum of the Big Bend is authorized to purchase general merchandise for resale in the museum gift shop.
2. Agency and club account purchases can be made directly utilizing the check request process if desired.
3. Approved employees are authorized to make purchasing card purchases of items costing less than **\$2,000** through the Purchasing Card process.
4. Approved employees are authorized to use the University's general credit card for local purchases of less than \$500 using local vendors and local funds. This card cannot be used online or for phone orders without prior approval from the Vice President for Finance and Operations (VPFO).

All other purchases are to be submitted as a formal request in the form of a purchase requisition to the Purchasing Department to secure a good or service following the procedures listed and outlined in this policy. The following people are authorized to enter into contracts (including purchase orders) on behalf of the University: the President, the Vice President for Finance and Operations, the Director of Purchasing and, in some cases, the Senior Buyer. No other individuals may sign any contract, order any goods/services, or represent to a vendor that they have authority to obligate University funds without written authority from the President. SRSU departments must follow the purchasing rules and regulations of the State of Texas and the procedures approved by the Board of Regents of the Texas State University System. Any employee ordering goods or service without following the procedures outlined in this policy **may be held personally liable for payment.**

- C. Non-Compliant Purchases - Purchases made in violation of this policy will be deemed non-compliant and will be returned to the department with a non-compliant purchase form. The person responsible for the obligation will be required to provide a written explanation for the unauthorized obligation and

explain the steps taken to avoid non-compliance in the future. The completed form must be signed by both the person responsible for the obligation and the department head and returned to the Purchasing Office within 3 days of receipt. The documents will then be forwarded to the appropriate vice president or the President for payment approval. Any such payment must come from a source other than state appropriated funds.

D. Best Value Procurement - In accordance with section 51.9335(a)-(e) of the Texas Education Code, SRSU purchases goods and services on a best value basis. An award is made to the bidder offering the best value while conforming to the specifications required. Complying with the specified time limit for submission of written data, samples, or models on or before bid opening time is essential to the acceptability of a bid. Best value procurement allows the University to utilize any of the following methods of procurement:

1. competitive bidding;
2. competitive sealed proposals;
3. catalogue purchase;
4. group purchasing program; or
5. an open market contract.

Typical criteria that should be used in determining the bid offering the best value, in addition to price is:

1. the quality, availability, and adaptability of the supplies, materials, equipment, or contractual services to the particular use required;
2. the ability, capacity, skill, and past performance of the bidder to perform the contract or provide the service required;
3. whether the bidder can perform the contract or provide the service promptly, or within the time required, without delay or interference;
4. the character, responsibility, integrity, reputation, and experience of the bidder;
5. the quality of performance of previous contracts or services;
6. the vendor's past relationship with the University;
7. any previous or existing noncompliance by the bidder with specification requirements relating to time of submission of specified data such as samples, models, drawings, certificates, or other information;
8. the sufficiency of the financial resources and ability of the bidders to

perform the contract or provide the service;

9. the ability of the bidder to provide future maintenance, repair parts, and service for the use of the contract;
10. the impact on the ability of the University to comply with laws and rules relating to historically underutilized businesses (HUB) and to the procurement of goods and services from persons with disabilities;
11. the total long-term cost to the University of acquiring the vendor's goods or services;
12. the use of material in construction or repair to real property that is not proprietary to a single vendor unless the University provides written justification in the request for bids for use of the unique material; and,
13. any other relevant factor that a private business would consider in selecting a vendor.

In some instances in determining the best value, the safety record of the bidder may be considered. If considered, an adopted written definition and criteria for accurately determining the safety record of a bidder must be provided to prospective bidders in the bid specifications. Additional general best value evaluation factors may be found in TGC Section 2155.074 Best Value Standard and 2157.003 Determining Best Value for Purchases of Automated Information Systems.

E. Bid Guidelines - All SRSU purchases are considered open to competition. However, the following bid guidelines are established for procurements. The Purchasing Department will obtain bids/proposals for procurements over \$5,000, working with the requestor to develop appropriate specifications. Requisitions must not be divided in an attempt to circumvent the limits established below:

1. \$0 and above - Procurement of goods and services from persons with disabilities Texas Industries for the Blind and Handicapped (TIBH) must be considered when using state funds. A link to TIBH can be found on the Purchasing Department webpage.
2. \$5,000.01 to \$25,000- Minimum 3 informal bids/proposals required including two HUB vendors.
3. \$25,000.01 to \$100,000 - Written bids/proposals required including at least two HUB vendors.
4. \$100,000 and above - Written bids/proposals required including at least two HUB vendors and HUB subcontracting plan.

F. Tie Bids – In breaking tie bids, SRSU will use the preference claimed by the

bidder on the bidding documents/invitation for bids. In accordance with current statutes, **priority** is given in the following sequence:

1. Texas Agricultural Products
2. Texas Produced Supplies, Materials, or Equipment
3. Texas Resident Bidder
4. U.S. Produced Supplies, Materials, or Equipment
5. Offered by a Historically Underutilized Business (HUB)

If two or more bidders offer the same bid price and preferences, the bid is awarded by tossing a coin, or drawing names with two witnesses to oversee actual occurrence and initial the bid tabulation. If two bidders offer the same bid price and the preferences checked are different, then the award is based on the priority listed above.

G. Exemptions: The following purchases are exempt from competitive bidding when they represent the best value to the University. Submission of a purchase requisition and other rules may apply:

1. Newspaper/Television advertising
2. Hotels and Conference Rooms
3. Library materials for the Bryan Wildenthal Memorial Library in accordance with Texas Gov't Code 2155.139, including materials funded on behalf of Rio Grande College and with SWTJC.
4. Membership fees and dues
5. Newspaper and magazine subscriptions, books, videos, and software purchased directly from the publisher
6. Freight
7. Intra-agency payments
8. Goods and services provided by the Texas Department of Criminal Justice or the Texas Industries for the Blind and Handicapped. (Links to these sites can be found on the Purchasing Department webpage.)
9. Equipment Internal Repairs (when extent of repairs cannot be determined until equipment is disassembled.)
10. Purchases from Federal Agencies
11. Utilities

12. Purchases from State Agency or group purchasing program contracts.  
(Links are found on the Purchasing Department webpage.)

Other statutory exemptions may be utilized on certain purchases according to State Law if it is determined to be in the best interests of the University.

- H. Approval and Fund Verification Requirements: All requests for the purchase of goods or services must be approved by the appropriate account manager. Requests for payment of membership dues/fees must be approved by the President. Requests for furnishings, equipment, and/or software with a total price of \$1,000 or more, regardless of source of funds, must be approved by the vice president in the requestor's reporting line. Awards of \$500,000 or more require the Chancellor's approval. Awards of \$1,000,000 or more require Board of Regents approval except as provided in Chapter III section 1.12 of the Regents Rules and Regulations. The Board of Regents meets quarterly so long range planning must take place for procurements of this magnitude.
- I. Emergency Purchases are defined as a purchase of goods or services so badly needed that an agency will suffer financial or operational damage unless they are secured immediately. Emergency purchases are rare and should be based on extraordinary and unforeseeable circumstances. A written justification of the emergency must be submitted with the requisition and should state the reason for the emergency, the financial or operational damage that would occur and why the purchase could not be anticipated.
- J. Proprietary Purchases - Also known as "Sole Source Purchases" are purchases where no equivalent product or service competition is available. The use of specifications which limit competition to one manufacturer, one product or one vendor require a written justification to be provided with the requisition. The justification should include an explanation of the unique feature of the product, the need for this feature and why competitive products are not available. Personal preference is not an acceptable justification for non-competitive specifications.
- K. IT Purchases - All technology requests, including but not limited to software, hardware, and/or peripherals must be submitted to the Department of Information Technology (OIT) for review and approval prior to the requisition being submitted to Purchasing.
- L. Reimbursements for goods and services acquired with personal funds is strongly discouraged. Prior to making a personal purchase, the requesting party must first complete a purchase requisition listing the individual as the vendor. Faculty, staff, and students using the reimbursement procedure repeatedly in order to circumvent the university's purchasing policies, will be denied reimbursement. Tax paid with personal funds will not be reimbursed. Reimbursements must clearly state the reason for reimbursement. Cases where an advance requisition is not possible will be considered on an individual basis.

- M. Unauthorized Purchases are made in violation of SRSU's policies and procedures. Employees obligating the University in violation of these policies and procedures may be held personally responsible for payment of any unauthorized purchases. Purchases made by individuals without the prior approval of Purchasing may redirect the individual to personal financial responsibility for such purchase. Non-compliant purchases will require a written explanation and justification that will be subject to review and approval.
- N. Prepayment & Advance Payments - Generally, prepayment is not authorized for any purchase of supplies, materials, equipment, or services. There are certain exceptions. The exceptions are listed as follows:
1. Texas Government Code, Title 10, Subtitle D, Section 2155.386 (<http://tlo2.tlc.state.tx.us/statutes/statutes.html>) - "An institution of higher education may pay for library material before receiving them if reasonably necessary to the efficient operations of the institution's library."
  2. Texas Government Code, Title 10, Subtitle D, Section 2155.383 (<http://tlo2.tlc.state.tx.us/statutes/statutes.html>) - "All state agencies are authorized to make advance payments to federal or another state agencies for merchandise purchased from such agencies when advanced payments will expedite the delivery of the merchandise."
  3. A state agency may pay for goods and services before their delivery to the agency if there is a legitimate public purpose. Purchase of library materials may require a down payment and percentage deposits during the life of the purchase if in accordance with the items listed above.
  4. A state agency may pay a subscription up to six weeks in advance of the renewal date;
  5. A state agency may pay a rental fee for a meeting room or exhibit booth or a registration fee in advance if there is a legitimate public purpose for making the payment in advance (e.g. significant cost savings of reserving a space when there is limited enrollment);
  6. A state agency may pay an annual maintenance agreement in advance. A state agency may not charge a fiscal year for the purchase of service if the services were rendered during a different fiscal year.
- O. Used Equipment - As a rule, a state agency should procure new equipment, but sometimes it is necessary or advantageous to purchase used or demonstrator equipment and supplies. The most common reasons are:
1. The inability to secure new equipment;
  2. The lack of adequate funds for new equipment; or

3. Used equipment will satisfy the agency's need at a substantial savings.

- P. Trade-Ins - A state agency may trade-in equipment that it owns for new property of the same or similar type if it is in the best interest of the state. However, a state agency may not trade in property that has been declared either surplus or salvage; such property must be disposed of under applicable state law or TBPC's surplus property program.

Before making any trade-in an agency should document the age, condition, make, model and serial number (if applicable) of the used equipment and estimate its approximate value. If the state could reasonably realize greater cost savings by declaring the equipment as surplus or salvage, the equipment should be disposed of under applicable state law or TBPC's surplus property program.

- Q. Historically Underutilized Businesses - SRSU encourages the active participation of minority and female-owned businesses in the competitive bidding process for the University's purchase of goods, services, and/or contracts. To ensure this continued participation, SRSU efforts shall include, but are not limited to:

1. Maintaining an updated list of minority and female-owned businesses and vendors through communications with the Texas Department of Commerce and the Texas Building and Procurement Commission.
2. Identifying potential local minority and female-owned business enterprises from vendors presently doing business with SRSU and assisting with registration process.
3. Assisting minority and female-owned businesses, as well as other vendors, whenever possible, with the bidding process.
4. Increasing the number of minority or female-owned vendors included in the bidding process through the use of the lists mentioned above.
5. Awarding purchase orders to qualified minority and female-owned businesses, to the extent possible in instances where competitive bidding is not required and product quality and specifications are not compromised.

- R. Purchasing Card - The University's Purchasing Card can be utilized to procure goods and services under **\$2,000**. This program enables the user to make purchases directly from vendors without the issuance of a purchase order. The program is not designed to replace the current purchasing process but is a supplement to that process and a delegation of purchasing authority and responsibility to the cardholder. Cardholders accept the responsibility of adhering to all State, TSUS Board of Regents and Sul Ross State University purchasing statutes, rules, policies and procedures and the maintenance of required records. Cards will not be issued to any employee until the Account Manager/Supervisor

and Cardholder have received training provided by the Purchasing Department. Any purchasing card issued (except to the SRSU President) must be approved by the cardholder's supervisor. This includes approval of the transaction and monthly limits, as well as any changes to the limits thereafter. Credit cards used with foreign companies is strongly discouraged.

1. Program Contacts/Responsibilities - The following positions have certain responsibilities regarding the University's purchasing card program.
  - a. **Program Administrator:** The Director of Purchasing is assigned the responsibility of administering the overall program through designation as Program Administrator. The Administrator is responsible for approving credit limits within the established policy and enforcing University policies related to the program, as well as issuing cards and monitoring the use of those cards.
  - b. **Program Coordinator:** Person within the Purchasing Department who is responsible for maintaining documentation and periodic auditing of purchasing card activities. The Program Coordinator is the first level of contact for questions or problems regarding the program.
  - c. **Account Manager:** Person who is responsible for designating cardholders for the accounts under their control and for approving monthly purchasing card statements of cardholders to ensure that they are within SRSU policy. The Account Manager maintains all responsibility for the account and must insure that funds are not over-expended.
  - d. **Cardholder:** Person designated by the Account Manager to utilize the purchasing card. The cardholder is responsible for adhering to all State, Board of Regents and Sul Ross State University purchasing policies and procedures, for maintaining required records, for verifying all transactions listed on their billing statement, and for maintaining the security of their individual purchasing card. The cardholder is responsible for notification of lost cards and initiating the dispute process for a questionable charge.
2. Penalties - Any abuse of the card, including but not limited to purchasing prohibited items, splitting orders to avoid purchasing rules, inadequate record keeping or not responding to billing inquiries promptly will result in disciplinary action. The card is to be used for SRSU official business only. Personal purchases, other than an error that is immediately corrected, will be considered misappropriation of state funds and may result in discharge, criminal charges, or both.

3. Card Use - The card may be used for single purchases of less than **\$2,000** and total purchases per month of **\$5,000**. Higher or lower limits per month may be requested. Permitted purchases are all allowable categories of purchases **except** those listed below.
- a. A purchase of a personal nature or any other purchase not connected with official state business
  - b. Consulting, Personal or Professional Services
  - c. Insurance
  - d. Temporary Personnel
  - e. Travel (including hotel, and hotel reservations)
  - f. Lease or Rental of Space
  - g. Alcoholic Beverages
  - h. Food and Entertainment (State Accounts)
  - i. Flowers/Plants (State Accounts)
  - j. Memberships
  - k. Cash Disbursements
  - l. Animals
  - m. Controlled Items (guns, fax machines, stereo systems, cameras, TVs, VCRs, camcorders, laserdisc players, balances, centrifuges, incubators and accessories, microscopes and accessories, computers, printers, servers)
  - n. Fuel
  - o. Cell Phones
  - p. Postage
  - q. Chemicals or Hazardous Materials
  - r. Moving Expenses
  - s. Purchases with equipment trade-ins
  - t. Time or Installment purchases.
  - u. Gifts or stipends

- v. Purchases of furnishings, equipment, and/or software with a total price of \$1,000, unless the purchase has been pre-approved, in writing, by the vice president in the requestor's reporting line.
  - w. HEAF purchases, unless the purchase has been pre-approved, in writing, by the vice president in the requestor's reporting line.
4. Record Keeping - The cardholder is responsible for maintaining a log of all credit card transactions. The log represents official support documentation for the expenditure of funds. The cardholder must retain all credit card slips, itemized invoices, sales receipts, packing slips or other information or correspondence related to the purchase. Each receipt must contain a description of the good or service that is sufficient to support the purchase. All documents should be retained for the current fiscal year plus the three previous fiscal years. The file retention period also applies to the purchasing card records of terminated employees. If an employee moves to a different department, records should be kept at the department that issued the P-card. Copies of all P-card related documents must be e-mailed or faxed to Purchasing after reconciliation.
  5. Reconciliation - A detailed statement of purchases is mailed by the bank to each cardholder monthly. The statement represents the cardholder's charges that have been paid by the issuing bank during the billing cycle. These charges must be compared with the cardholder's entries on the transaction log. The cardholder must reconcile the log and statement within 3 days of receipt of the statement. The account manager responsible for the account on which the card is issued must review and sign the reconciliation and related documentation monthly. Cardholder's supervisor must approve and sign the card log.
  6. Billing/Payment - The Controller's Office will be billed monthly by the issuing bank for all charges made by SRSU cardholders. The Controller's Office will pay the summary billing in full and charge the account designated for each card.
  7. Auditing - All records pertaining to purchasing card use will be subject to post-payment audit by the Purchasing Department, Internal Auditor's Office and State Auditor's office. On-site audits will be performed at least once a year on the records of all cardholders. The objective of the audit is to determine compliance with the purchasing and record keeping requirements of this policy. A report of audit findings will be prepared at the conclusion of each audit and a copy submitted to the account manager and appropriate administrative officers.
  8. Lost or Stolen Cards - Cardholders must notify the issuing bank

immediately if a card is lost or stolen. Bank representatives must be informed that the lost/stolen card is a purchasing card. Cardholders must also notify the account manager and Purchasing Card Coordinator or Administrator as soon as possible.

9. Card Cancellation - When a cardholder transfers to another department or terminates employment, the account manager must notify the Purchasing Department so the purchasing card can be cancelled. The account manager must obtain the card from the cardholder, cut the card in two pieces and return it to the Purchasing Card Coordinator with a written request to cancel the card and a final reconciled transaction log no later than 2 weeks before the employee transfers or terminates employment. Non-compliance with State and University purchasing policies/procedures will also be grounds for cancellation of a cardholder's purchasing card.

S. University General Credit Card – The University's Credit Card Program is designed to provide authorized individuals with a University credit card to act as a purchasing agent for the department/program for the acquisition of low dollar value goods and services totaling less than \$500. The Purchasing Office is responsible for issuing and maintaining the University's Credit Card Program. The program should be viewed as an alternate payment option within the structure of normal purchasing process for buying and paying for goods and services at the University. It is a supplemental tool for approved departmental expenses to buy goods and services that are not available through our preferred suppliers; that are more efficiently bought by credit card; and that are only available from suppliers who transact exclusively via credit cards or cash. Only non-state (local) funds may be used and only within a 70 mile radius of Alpine for employees based on the Alpine campus. Exceptions must be approved in writing by the VPFO. Before the University Credit Card is issued, a properly completed User's Guidelines/Statement of Understanding must be submitted to the Purchasing Department. Credit card use with foreign companies is strongly discouraged.

1. The credit card may only be used by the authorized person and shall not be loaned to any other person, including other university employees or students.
2. Sales tax must not be paid on any purchase made using the card.
3. The card must only be used for purchases authorized by the University as indicated by an approved requisition.
4. The card may not be used to purchase alcoholic beverages, weapons, ammunition, cash advances, controlled substances or prescription drugs, gasoline, insurance of any type, temporary personnel, travel and related expenses or utilities.
5. This card cannot be used for online or phone purchases unless previously

approved by VPFO.

6. Failure by an employee or student to adhere to the card use guidelines will render them ineligible for future use of the system. Employees or students may be held personally responsible for inappropriate use of the card.
7. Special circumstances shall be submitted to the Executive Cabinet for consideration/approval.

## PROCEDURES

Purchase of all supplies, services and goods which cannot be supplied by the University General Store is accomplished through the requisition, purchasing card, general credit card, or bookstore purchase process. Employee must ensure that items are not available through University General Stores before utilizing these processes.

- A. Requisition Process - Specific requests to purchase goods or services are to begin with the submission of a purchase requisition. The requisition must include the budget to be charged, a complete and thorough description of the items to be purchased, suggested vendor's name and address, quantity, unit of measure, unit price, total price per item, freight instructions and charges, total price for the requisition, originator's name, and any special processing instructions. The requisition must be approved and fund verified by the account manager before submission to the Purchasing Department.

1. Purchase Requisition – A purchase requisition may be generated by creating an on-line requisition through the Banner System following the guidelines outlined in the On-line Requisition Training Manual. Contact the Purchasing Department for training and approval to utilize this process. Requisitions cannot be entered in the system by individuals unless they have received formal requisition training. User access cannot be given to individuals unless they have been trained.

Once the approved requisition is received by the Purchasing Department, it will be processed for ordering in accordance with the guidelines stated above. Upon completion of processing, a purchase order will be printed, signed and forwarded to the vendor unless other instructions are stated in the requisition.

Department may receive an e-mailed copy of the purchase order. This copy is for department/internal use only.

2. Receipt of Goods - Goods are delivered to the department by Central Receiving or directly from the vendor. While Central Receiving will verify that the number of boxes shipped matches the freight bill, the department has the responsibility of verifying the contents of any

shipment. Upon receipt of goods, the department should immediately verify the contents of the shipment and that they are in good condition. The department must sign and date the delivery log or the receiving report, which is a copy of the purchase order, and return it to Central Receiving (in Alpine) or a Business Services Assistant (in RGC sites).

- a. Damages - All goods are ordered F.O.B. Destination. Vendors hold the responsibility of filing any freight claim. Freight companies give a limited time to make claims so it is crucial that vendors are notified as quickly as possible about damaged goods. Any packages showing external damage should be refused and returned to the vendor and noted on shipping documents. If internal damage is discovered, contact the Purchasing Department and the vendor to notify them of damaged merchandise. Purchasing will contact vendors to get a Return Authorization and credit for the damaged goods.
  3. Return of Merchandise - If merchandise received needs to be returned, Departments will contact the Purchasing Office who in turn will contact the vendor to obtain a Return Authorization and credit for the return of the new, un-used merchandise.
  4. Receipt of Services - Upon satisfactory completion of services, the department should sign and date receiving report or contact Central Receiving or an RGC Business Services Assistant with the appropriate information.
  5. Payment - Payments to vendors are initiated by the submission of an invoice to the Controller's Office. Any invoice received at the departmental level should be immediately forwarded to the Accounting Services Office. Once the invoiced items have been verified as received and in good condition, payment to the vendor can be processed.
- B. Purchasing Card Process - Acceptable goods/services can be purchased through the purchasing card process if the end-user is authorized to participate in this program. Funds must be available and verified prior to using the P-card. Funds to be used against P-card purchases must be encumbered. Expenditures using the P-card cannot exceed the encumbered funds.
1. To make a purchase of goods or services using the purchasing card, determine if the transaction is an acceptable use of the card and within the cardholder's spending limit. A transaction includes the purchase price, freight and installation.
    - a. Call or fax the order, visit the vendor, or place the order over the internet if there is reasonable certainty that the site is secure. Please see the training manual for guidance on identifying secure

- sites. Confirm pricing including shipping and installation.
  - b. Enter information on transaction log.
  - c. Secure a receipt or invoice for all purchases.
  - d. Purchases for SRSU are tax exempt. Stress to the vendor that SRSU is tax exempt. If required, a tax exemption form can be obtained from the Purchasing office and forwarded to the vendor.
  - e. Provide detailed shipping instructions to the vendor. All boxes and packing lists should be labeled with the words P-CARD, the cardholder's name and department. If delivered directly to the department, information should include building and room number.
  - f. Direct the vendor not to charge the account before the goods are shipped. Back orders should not be charged until the goods are shipped.
2. Receipt of Goods/Services - Upon receipt of goods/services, the cardholder should immediately verify the contents of the shipment and that they are in good condition or that the services have been satisfactorily completed. It is the cardholder's responsibility for ensuring receipt of goods and follow up with vendors to resolve any delivery problems, discrepancies, and/or damaged goods.
- a. Returns, Credits and Disputed Charges - The cardholder should attempt to resolve any disputed item directly with the vendor. If this is not successful, cardholder should contact the credit card company's customer service department for resolution.
3. Record Keeping/Reconciliation - Each individual purchase must be recorded in the transaction log and the amount split between appropriate object codes. The log must include a detailed description of the item so it may be recognized as an appropriate purchase. It is the cardholder's responsibility to always obtain an itemized receipt when using the purchasing card. All receipts must be kept with the transaction log in the order the transactions are recorded. All credits, returns, and disputed items must be recorded in the transaction log. The log must be reconciled to the statement and forwarded to the account manager within 3 days of the receipt of the statement. These records should be kept in a centrally located file for the current Fiscal Year plus 3 additional years.
4. Payment - The Accounting Services Office will be billed monthly by the issuing bank for all charges made by SRSU cardholders. The monthly statement received by the cardholder is for reconciliation purposes only and should be kept with the transaction log and supporting documentation.

It should not be paid by the cardholder. The purchasing card does not affect the cardholder's credit rating in any way.

- C. University General Credit Card Process - Local purchases of goods and services may be made through the general credit card process. The credit cards are maintained by the Purchasing Department (Alpine) and the Business Services Offices (RGC)
1. Prior to using the credit card, the requestor must complete the User's Guidelines and Statement of Understanding form. The form must be signed by both the requestor and their department head and be submitted to the Purchasing Department or Business Services Office.
  2. Complete a credit card requisition for the product/services. Obtain the signature of the appropriate account manager and present the requisition when checking out the card.
  3. Upon receipt of the card, immediately make the purchase, making sure that sales tax is not charged. If tax is accidentally charged, card user is responsible to get credit for the tax charged.
  4. Return the credit card, itemized sales receipt, and credit card charge slip to Purchasing or Business Services.
- D. Bookstore Purchases – Departmental purchases under the published bid limits may be made at the University's contracted bookstore. Bookstore purchases must follow established purchasing procedures.
1. To make a purchase, the requestor must complete a requisition in the Banner financial system. The requisition must include a description of the purchase to be made, the budget to be charged and the approval of the appropriate account manager. The completed approved purchase order will be faxed to bookstore unless otherwise stated in the requisition.
  2. An itemized invoice will be provided to the requestor at the time of purchase.
  3. Bookstore will submit a copy of the purchase order along with the invoice copy to the Accounting Services Office for processing of payment to the Bookstore.
- E. Food Purchases: - Departmental purchases may be made from the University's contracted Food Services. If a department needs on campus catering services, departments must use our current Food Service Contractor. NOTE: Food may not be purchased with appropriated funds unless it is being used for research. Local funds must be used for food purchases other than for research.
1. To make a purchase, the requestor must complete a requisition in our

financial system. The requisition must include a detailed description of the purchase to be made, the budget to be charged and the approval of the appropriate account manager. The completed approved purchase order will be faxed to contractor unless otherwise stated in the requisition.

2. An itemized invoice will be provided to the requestor at the time of purchase.
4. Food contractor will submit the purchase order copy along with the invoice copy to the Accounting Services Office for processing of payment.

F. Used Equipment - Purchases of used and demonstrator equipment are to be processed as follows:

1. State agencies must obtain a minimum of three (3) signed bids which have been properly prepared whenever possible;
2. If only one bid is received, prepare a statement explaining why no competition exists;
3. Provide a letter from an authorized person that;
  - a. States that the equipment or supplies have been personally examined, and
  - b. Describes the condition and value of the equipment or supplies;

G. Trade-ins - If a department determines that a trade-in offers the best value to the state, the department shall in addition to the above requirements include in the solicitation document the following:

1. Less trade-in at state's option: to be picked up by the successful bidder "where is, as is" as per agency terms and conditions. Provide a deadline in terms of the number of days for the vendor to remove the used equipment; and
2. Each type of trade-in allowance must be shown on the solicitation document as an individual line item;
3. Used equipment will not be released to the vendor on a trade-in until the purchased equipment is received unless the ordering entity received a bond, letter of credit or similar instrument as collateral.

## VENDOR PROTESTS

Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation, evaluation, or award of a contract may formally protest to the Director of Purchasing of the University. Such protests must be made in writing and

received in the Director's office within ten (10) working days after such aggrieved person knows, or should have known, of the occurrence of the action which is protested. Formal protests must conform to the requirements as set forth below:

- A. In the event of a timely protest or appeal under this section, and if an award has not been made, the University shall not proceed further with the solicitation or with the award of the contract unless the Director of Purchasing makes a written determination that the award of contract without delay is necessary to protect substantial interests of the University.
- B. A formal written protest must contain:
  - 1. A specific identification of the statutory or regulatory provision(s) that the action complained of is alleged to have violated;
  - 2. A specific description of each act alleged to have violated the statutory or regulatory provision(s) identified above;
  - 3. A precise statement of the relevant facts;
  - 4. An identification of the issue or issues to be resolved; and
  - 5. Argument and authorities in support of the protest.
- C. The Director of Purchasing shall have the authority, prior to any appeals, to settle and resolve the dispute concerning the solicitation or award of a contract.
- D. If the protest is not resolved by mutual agreement, the Director will issue a written determination on the protest.
  - 1. If the Director determines that no violation of rules or statutes has occurred, he/she shall so inform the protesting party by letter which sets forth the reasons for the determination.
  - 2. If the Director determines that a violation of the rules or statutes has occurred in a case where a contract has not been awarded, he/she shall so inform the protesting party by letter which sets forth the reasons for the determination and the appropriate remedial action.
  - 3. If the Director determines that a violation of the rules or statutes has occurred in a case where a contract has been awarded, he/she shall so inform the protesting party by letter which sets forth the reasons for the determination and the appropriate remedial action, which may include ordering the contract void.
- E. The Director's determination on a protest may be appealed by the protesting party to the Vice President for Finance and Operations of the University. An appeal of the Director's determination must be in writing and must be received in the Vice President's office no later than 10 working days after the date of the Director's

determination. Failure of the protesting party to appeal the determination of the Director, within 10 working days after the date of the determination renders the determination final. The appeal shall be limited to review of the Director's determination.

- F. A decision in writing by the Vice President for Finance and Operations shall be final; however, the Vice President for Finance and Operations may refer the matter to the President for consideration. The President, or his or her designee, may confer with the TSUS office of General Counsel in reviewing the matter appealed.