

## **Policy 4.14**

### **Purchasing and Procurement** (OMB Uniform Guidance 2 CFR Part 200.317-326)

#### **Authority for Procurement**

The College will conduct all procurement activities in accordance with State and Federal laws, and in a manner maximizes the value for every dollar expended by the College. The responsibility for all procurement negotiations and Purchasing, the direct result of procurement negotiations, has been delegated by the Board of Trustees to the Administration of the College and more specifically, the Purchasing Office. The final authority to enter into any contract or purchasing agreement remains vested in the Board of Trustees unless otherwise specified by this Policy.

#### **Responsibility**

The responsibility of the Purchasing Office of the College is to organize and administer centralized purchasing services for all departments of the College. In providing these services in accordance with sound business practices, the Purchasing Office seeks to realize the maximum value for every dollar expended by the College.

To achieve this goal, the Chief Financial Officer (CFO) and the Purchasing Office have been charged by the Board of Trustees with the following:

1. Provide products and services at the most economical prices.
2. Formulate standard specifications.
3. Solicit competitive bids and quotations.
4. Insure prompt delivery and monitor support services from suppliers.
5. Provide adequate testing and inspection of purchased materials.

The Purchasing Office and all College personnel will follow the code adopted by the National Association of Educational Buyers as follows:

1. Give first consideration to institutional policies and objectives.
2. Obtain the maximum value for each dollar expended.
3. Demand honesty in sales representation whether offered through oral or written statements, advertising or product samples.
4. Grant all competitive bidders equal consideration and regard each transaction on its own merit.
5. Promote fair, ethical and legal trade practices.
6. Use only by consent the original ideas and designs devised by one vendor for competitive purchasing purposes.
7. Be willing to submit any major controversy to arbitration when applicable or permissible.
8. Decline personal gifts or gratuities.
9. Accord a prompt and courteous reception to everyone calling on legitimate business

## **Authorized Purchases**

In accordance with the authority delegated to the Administration and the Purchasing Office by the Board of Trustees, all purchases subject to approval of the Board of Trustees in accordance with this policy, regardless of the source of funds, will be governed by the policies outlined in this document.

Only the President, the Chief Financial Officer, and Head of the Purchasing Office have the authority to obligate and bind the College to contracts, leases, and agreements and only after encumbering, in advance, sufficient funds to meet the purchase obligation. This practice applies to all requisitions regardless of the source of funding.

## **Methods of Procurement**

The College complies with the required procurement methods established in the OMB Uniform Guidance, 2 CFR 200.320. (UG Requirements)

Competitive bids or quotations are solicited by the Purchasing Office in accordance with Board Policy and UG Requirements. Purchases of \$2,500 or greater require at least 3 competitive quotations or bids in writing. Exceptions to this requirement are permitted for preferred vendor or sole-source status. All purchases \$2,500 or greater require an approved Purchase Order prior to expense being incurred.

The College adheres to the following procurement approval limits:

1. Up to \$2,499 requires area Dean and/or Division VP approval
2. \$2,500 - \$9,999 requires additional approval of Division VP or CFO
3. \$10,000 – \$24,999 requires additional approval of CFO, and President

Above items to be ratified by the Board.

4. Purchases of \$25,000 or greater require CFO and President's signature and Board pre-approval.
5. \$150,000 and up require sealed bids. The winning bid is submitted to Board for approval after appropriate administrative evaluation and recommendation.

The College Department making the request must not use multiple requests for purchase to circumvent the bidding/quotation process. Purchases of \$25,000 or greater must be approved by the Board prior to binding the College. Failure to use a properly approved Purchase Order at this level, or repeated failure to follow appropriate procedures at lower levels, can lead to disciplinary action including termination.

The Purchasing Office shall have the option to purchase at the unit or contract prices stated in current State, G.S.A. or Educational Cooperative (E&I) contracts.

Kansas City Kansas Community College (KCKCC) does not discriminate on the basis of race, color, religion, national origin, age, disability, sex/gender (to include orientation, identity or expression), military/veteran status or any other characteristic protected by law and/or KCKCC policies. KCKCC encourages and welcomes all businesses, including minority and women owned businesses, and small business to seek out providing goods and services to the College as well as submit proposals in response to formal requests. All businesses are welcome to request their addition to the College's vendor bid lists.

## **Selection of Vendors and Competition**

Vendors are selected for their capability to serve the needs of the College in the most economical and efficient manner possible. Past performance and cooperation are important factors.

All procurement transactions must be conducted in a manner providing full and open competition. To ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals on behalf of the College must be excluded from competing for such procurements.

### **Suspension and Debarment of Vendors**

Federal agencies and grantees are prohibited from doing business with organizations or persons that have been debarred or suspended by a federal department or agency. Prior to a purchase request, the Coordinator of Purchasing checks the U.S. General Service Administration's System of Award Management (SAM) at <https://www.sam.gov> to determine if the prospective vendor is suspended or debarred. Prospective vendors for all transactions valued at \$25,000 or more regardless of funding source are checked via the SAM website before a purchase order is created.

### **Noncompetitive Negotiation** (formerly Sole Source)

Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source (single source provider) and may be used only when one or more of the following circumstances apply:

- The item is available only from a single source;
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
- After solicitation of a number of sources, competition is determined inadequate.

### **Supply Sources**

Requisitioning departments are encouraged to suggest sources of supply for unusual items. Authority for the final selection of the vendor, however, shall be left to the Purchasing Office, who will make the decision in light of the overall needs of the College.

### **Contracts and Leases**

Contracts and leases will be negotiated by the President and Chief Financial Officer and require two signatures; they may require review by the College Attorney.

Architectural contracts will be handled by the President and the Chief Financial Officer in concert with the Board of Trustees. The competitive bidding procedures outlined previously will govern negotiations.

### **Confidentiality of Bids/Quotations**

Bids and quotations are given to the College in confidence and shall not be revealed to any vendor or unauthorized person until such facts become public information. Failure to uphold confidentiality statute will result in disciplinary action up to and including termination of employment.

### **Conflict of Interest**

The College shall not enter into any contract for the purchase of property or services with any person or with any members of the immediate family of any person who is:

1. A member of the Board of Trustees or officer of the College, without approval of the College legal counsel.
2. An employee of the College involved in the requisitioning or purchasing of property or services, or in the selection of prospective bidders or in the awarding of contracts on behalf of the College or from any firm in which any of the above mentioned classes of persons or any members of their immediate families (spouse, child or a person living in the same household) have a financial interest.

### **Special Procurement Policies**

#### **Bookstore**

The College bookstore is located on campus in the Student Center. Purchases that are chargeable to departmental budgets may be made at this location.

#### **Central Supply**

Envelopes, filing supplies, paper supplies, and other high usage office supplies are available from Central Supply.

#### **Credit Card Purchases**

KCKCC corporate credit cards are to be used for authorized purchases only. No personal purchases may be made with these cards. These cards are issued to ease the administrative burden for small purchases and travel. Cardholders will be personally responsible for the use of their cards. Refer to the Agreement on Use of KCKCC VISA Cards for Card Use Policies and other related procedures.

#### **Furniture & Telephone**

Request for procurement of new furniture must be submitted through the e-purchasing system. Requests for moving furniture or adding or moving telephone stations must be submitted through the Help Desk as a project request and the appropriate department will respond.

#### **Personal Orders**

Because of the tax-exempt status of the College, request for purchases will not be processed for personal items and services. The Purchasing Office may suggest possible sources that may offer a discount. Vendors are under no obligation to offer discounts to individuals, and do so with the understanding that their offer places the College under no obligation to do business with them except within strict business practices.

#### **Printing**

The College provides printing services. All inquiries regarding on-campus or off-campus printing should be directed to the Printing Department through the submission of a Help Desk ticket.

#### **Sales Tax**

The College is exempt from State sales tax by Kansas State law KSA-79-3606©. When requested, the Business Office will provide a tax exemption certificate.

Special contracts for projects involving the improvement of real estate require that a Project Exemption Certificate number be issued by the State. Application for the certificate is made by the Purchasing Office.

## **Maintenance of Procurement Records**

KCKCC must maintain records sufficient to detail the history of all procurements.

For contracts this includes, but is not necessarily limited to, the following: selection of contract type, contractor selection or rejection, basis for the contract price (including a cost or price analysis), and verification that the contractor is not suspended or debarred.

## **Technology Purchases**

All technology related expenditures – regardless of funding source – must be approved by the Informational Services Division, **prior** to purchase.

Technology Related Expenditures include all technology systems, audio-video systems, computer systems, software, network printers, projectors, smart phones, and/or peripherals that attach to the computer system (secondary monitors, scanners, plotters, etc.) and/or the KCKCC network (antenna, routers, switches, etc.) that cost \$100 or more.

- **Technology Systems:** Includes a total unit comprised of components necessary to perform an operation.
- **Audio-Video Systems:** Includes all projectors, remote controls, document cameras, motion-video capture devices, controllers, DVD players, televisions, or systems that aggregate signals for a variety of sources.
- **Computer Systems:** Includes the CPU, monitor, keyboard, mouse and all cabling.
- The *only exception* to this rule are the acceptable hardware purchases that are less than \$100 each: thumb drives, USB hubs, cables, mice, keyboards.

Approval for technology related expenditures must be requested through the e-purchasing system, with the Chief Information Officer as the approver. For more information regarding guidelines and procedures, contact the Information Services Division.

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