

Davis Technical College

College Procurement/General Policies

Effective Date: 25 June 2015

1. Purpose

The purpose of this policy is to provide an overview of the procurement policies of the Davis Technical College (College).

The following rules and regulations have been developed by the Davis Technical College as required by and to supplement the Utah Procurement Code Section 63G-6(a) Utah Code Annotated, 1953. These rules and regulations are subject to all applicable state law and shall function as the required administrative rules for the College.

The Utah Procurement Code and these rules and regulations apply to all monies expended by the College, whether state appropriated, federally appropriated, or received in the form of a gift, grant, or contract.

2. References

- 2.1.** Utah Procurement Code, 1953 Utah Code annotated, Section 63G-6(a)-101 et. Seq.
- 2.2.** Davis Technical College Purchase Requisitions Including Capital Equipment Preparation and Processing
- 2.3.** Davis Technical College Purchasing Cards
- 2.4.** Davis Technical College Solicitation of Bids, Proposals and Emergency Procurement
- 2.5.** Davis Technical College Purchases from Auxiliary Services
- 2.6.** Utah Public Officers' and Employees' Ethics Act, Section 67-16-1 et. Seq.

3. General Policies

3.1. The College Purchasing Agent and Fiscal Services Department are responsible for the procurement and the issuance of purchase orders for all supplies and services required by the College and all its departments and auxiliaries except for (a) purchases specifically exempted under section 3.18, below and (b) procurement relating to building construction and architect-engineer services obtained by the Utah Department of Facilities Construction and Management (DFCM).

3.2. The Fiscal Services Department shall establish operating procedures with which to locate and ensure adequate and continuing sources of supply consistent with legal and budgetary requirements of using departments; to provide the necessary assistance to acquire such supplies and services on a timely and economical basis; to assure compliance with all applicable state, federal and College regulations during the procurement process; and to provide assistance, consultation, and advice regarding all procurement needs of the College.

3.3. In discharging its responsibilities, the College Purchasing Agent and Fiscal Services Department may do the following:

- 3.3.1.** Initiate, conduct and conclude negotiations for the purchase of goods and services for the College.

- 3.3.2.** Obligate the College for the purchase of goods and services.
- 3.3.3.** Recommend changes in quality, quantity or kind of material requisitioned and to suggest appropriate alternatives.
- 3.3.4.** Fill requisitions with items of equal usability and quality that are currently available in the inventories of the College.
- 3.4.** The selection of suppliers is the responsibility of the College Purchasing Agent and Fiscal Services Department. However, suggestions by departments will be considered whenever they are competitive with other sources.
- 3.4.1.** Improper vendor selection is a violation of the State Procurement Code and employees who engage in this activity may be subject to internal employee discipline as well as prosecution as outlined in Utah Procurement Code Section 63G-6(a)-2404.
- 3.5.** Employees participating in the procurement process must comply with all provisions of the Procurement Code and the Ethics Act, including requirements related to procurement from family members and prohibitions on gifts and gratuities. Purchases made under Federal contracts and grants during the final weeks prior to the end of the contract period may be disallowed.
- 3.6.** Advance payments may not be made, except to specified government agencies, vendors with minimum prepayment requirements and in certain other cases as determined appropriate by the Vice President of Administrative Services.
- 3.7.** Departments should include the Fiscal Services Department as early as possible in their planning process and departmental correspondence relating to acquisition of goods or services in order to avoid any unnecessary confusion or delay in the procurement process.
- 3.8.** Gifts of supplies, equipment or materials (other than samples) furnished without charge to the College may be accepted but must be reported to the College Foundation to assure that the gift is recorded and an appropriate acknowledgement provided to the donor. Donated equipment should also be reported to the Fiscal Services Department to assure that the items are properly inventoried.
- 3.9.** Questions regarding existing orders, vendors, product availability or other procurement problems should be directed to the Fiscal Services Department. Reports of delays and suggestions for improvement of the purchasing process should be directed to the Purchasing Agent.
- 3.10.** Blanket orders may be requested when services or supplies are required with some degree of regularity, but the exact quantities are not easily determined in advance. A blanket order will generally be valid only for a specified time period and/or for a specific dollar value. Most General Fund blanket orders expire on May 31 of each year. Restricted Fund blanket orders are assigned individual expiration dates, usually 30 days before the contract expires. The blanket order number must be given to the vendor each time an order is placed. Blanket orders may not be used to purchase capital equipment items (items valued in excess of \$5,000) or single billings in excess of \$5,000 unless authorized on the order by the Fiscal Services Department.
- 3.11.** Purchase requisition numbers should not be given to off-campus suppliers. They are only to be used for internal College processes and purposes.
- 3.12.** Purchases must support the program goals and purposes from which they are funded, and must comply with all contract/grant requirements and state and Federal law.
- 3.13.** Purchases over \$2,000 must be made from State or College contracts or similar agreements, unless an alternate vendor offers a lower price or the good or service needed is not offered by a State or College Contract or similar agreement vendor.

3.13.1.1. Purchases for purchase order line items over \$2,000 not made on a State contract or similar agreement require at least two price quotes. If the good or service required is available on a State contract or similar agreement, but an alternate vendor offers a lower price, the State contract or similar agreement price should be used for the second price quote. If a vendor is a sole source and no reasonable alternative exists, a second price quote is not required. Sole-source purchases must be approved by the Vice President of Administrative Services.

3.13.1.1.1. As specified in the Utah State Code 63-G-6a-408(8)(a) It is unlawful for a person to intentionally or knowingly divide a procurement in order to avoid the procedural requirements of a larger purchase.

3.13.1.1.2. Employees of the College who intentionally or knowingly divide a procurement are subject to prosecution, or other disciplinary actions that may include termination of employment.

3.14. It is the responsibility of Budget Program Managers to track expenditures and purchase requests against all budgets under their direction to ensure purchase requests are not approved that exceed available budget. No purchase shall be made or approved without available budget funds to cover all associated costs.

3.14.1.1. Employees of the College who intentionally or knowingly purchase items for which there no available budget funds are subject to disciplinary actions that may include termination of employment.

3.15. If an invoice amount exceeds the purchase order by an amount greater than \$100, the purchase order or requisition must be amended and approved by the appropriate authorized signers.

3.16. All purchases, unless specifically exempted in this policy or properly made using a College P-Card, require the generation of a purchase order in the accounting system. Orders which confirm a purchase made by some other method are not allowed, unless approved in writing by the College President or Vice President of Administrative Services.

3.17. Payments for goods or services related to contracts for: leases, utilities, maintenance agreements, professional services, etc. do not require a purchase requisition or purchase order if a written agreement is in place. Approval of these contracts is addressed in the Contract/Agreement Signing Policy and Procedures.

3.18. Exceptions

3.18.1. Training and Retail Services - By virtue of their special needs and the roles they fill at the College, the following operating units are authorized to solicit bids and award purchase orders, not to exceed \$50,000, without going through the College Purchasing Agent or Fiscal Services Department, though cooperation is encouraged:

3.18.1.1. College Custom Fit, Continuing Education, and Private Training (educational training only)

3.18.1.2. College Bookstore (items for resale only)

3.18.1.3. Cosmetology Salon (items for resale only)

3.18.1.4. College Food Service and Catering Services (items for resale only)

3.18.2. Campus Renovations - The College Facilities Department is authorized to prepare a comprehensive scope of work and solicit bids for remodel projects not provided by DFCM up to \$10,000. The College Purchasing Agent or Fiscal Services Department will then review the scope of work, resulting bids, and issue purchase orders. These projects must be approved by President's Council and be done within existing budget constraints. For projects exceeding \$10,000 the Purchasing Agent should be involved in the solicitation of bids process.

3.18.2.1. For the purpose of this policy a remodel is defined as the modification or reconstruction of an existing space or infrastructure that involves tasks beyond basic maintenance of flooring, paint, and ceiling tiles.

3.19. Competitive quotes are not required when purchasing items or services from State Agencies, utility companies, state funded political subdivisions or state funded institutions of higher education.

3.20. Limitations and Restrictions on Procurement

3.20.1. The College is prohibited from making purchases of personal items for College employees or students using College funds. Employees and students are to utilize College retail outlets for personal purchases.

3.20.2. The College may not purchase goods or services from College personnel or from business firms in which College personnel serve as officers or directors or hold a substantial financial interest unless special procedures are followed to avoid a violation of the Utah Public Officers' and Employee's Ethics Act.

3.20.3. Unless specifically approved in writing by the Vice President of Administrative Services or his/her authorized representative, purchasing orders or commitments for procurement by College employees are not binding on the College. Individuals who do not comply with College policy when placing procurement orders may become personally liable to the vendor for the contract price and are subject to disciplinary actions that may include termination of employment.

3.20.4. Purchases are limited to institutional use only. The College cannot make purchases on behalf of other institutions or organizations unless written authorization is obtained in advance by the Vice President of Administrative Services or his/her designee.

4. Information Technology (IT) Purchases

4.1. The Fiscal Services Department, in cooperation with the College IT Department, is responsible for all College IT purchases including but not limited to: Computers, printers, laptops, cameras, tablets, software, webcams, keyboards, etc., or any other device or software that is placed on College owned equipment or network. At its discretion, the Information Technology Department may work with the Bookstore to stock approved items that may be purchased with College funds for use on College owned equipment through the Bookstore to reduce on hand inventories and reduce equipment down time.

4.2. The College IT Department, in cooperation with the Fiscal Services Department, will establish standards for all needed IT hardware and software so as to meet the needs of the College and its mission.

4.3. The IT Department will maintain an available IT library of laptops, cameras, tablets and other regularly needed equipment that may be checked out on an as needed basis so as to reduce duplicate or unnecessary purchases. Equipment and items in the IT library will be the property of the Information Technology Department. Costs associated with the acquisition of equipment for the IT library may be charged to requesting departments if equipment is not found adequate for their needs.

4.3.1. All purchase requests for Information Technology related items must be submitted by the College IT Department and may be billed to the requesting department. Employees or staff that purchase IT related items such as: Computers, printers, laptops, cameras, tablets, software, webcams, keyboards, etc. or any other device or software that is placed on College owned equipment or College network without prior written approval from the IT Department may lose their purchasing privileges and be personally liable for items purchased as determined by Vice President of Administrative Services.

5. Furniture and Equipment Purchases

5.1. The Fiscal Services Department, in cooperation with the Facility Services Department, is responsible for all College furniture purchases including but not limited to: Desks, chairs, cabinets, tables, etc.

5.2. The Facility Services Department, in cooperation with the Fiscal Services Department, will establish standards for all needed furniture so as to meet the needs of the College and its mission.

5.3. All purchase requests for College Furniture related items must be submitted by the Facility Services Department and may be billed to the requesting department.

5.4. Equipment that will require a drain, ventilation, power, water, or other similar requirements must first be approved by the Facility Services Department.

5.5. The addition or expansion of all utilities must be coordinated through the Facilities Services Department.

5.6. Employees or staff that purchase College furniture without prior written approval from the Facility Services Department may lose their purchasing privileges and be personally liable for items purchased as determined by Vice President of Administrative Services.

6. College Off-Campus Advertising

6.1. The Marketing Department is responsible for all off-campus advertising content including but not limited to broadcast, print, outdoor, online and interactive media and advertising.

6.2. All purchase requests related to off-campus advertising must be submitted by the Marketing Department and may be billed to requesting departments.

6.3. Employees or staff that purchase off-campus advertising without prior written approval from the Marketing Department may lose their purchasing privileges and be personally liable for items purchased as determined by Vice President of Administrative Services.

7. Approval and Notes

Revised Board Approval: 05 December 2019

Revised Board Approval: 25 June 2015

Revised Presidents Council Approval: 08 June 2015

Board Approval: 26 January 2012