

INTRODUCTION

This booklet is intended to benefit those employees who are involved in the requisitioning of supplies and services within the University. It should serve as a reference source for official policies and procedures and also serve the vital function of informing personnel of the proper requisitioning procedures. It would be impossible to cover every requirement or situation involved in the purchasing process. Due to constant changes in laws, regulations, policy etc., this material is being made available in a form more responsive to change and only provides brief guidance for the normal process and is subject to change at any given time. If a specific type of process or requirement is not covered in this booklet, or if you have questions at any time, please contact one of the following staff members in the Procurement Services Department at 2028 for information.

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PURCHASING

PURCHASING AUTHORITY

All purchases, rentals, leases, lease/purchases, and contract services for Arkansas State University-Jonesboro, regardless of the source of funds, are subject to Arkansas laws, regulations, and procedures, and should be for the official business of the University. All type of purchases from University accounts are subject to these regulations and procedures and require prior approval from the Procurement Services Department. The Procurement Official is the sole purchasing authority of the University. Purchases not authorized by this authority are not legal obligations of the University. **Any individual making a purchase without proper authority first being given is assuming a personal obligation to the vendor for whom he/she may be held personally liable.**

PURCHASE REQUEST PRIOR TO ANY COMMITMENT

Accountability is a must; **documentation must be approved by the ASU Procurement Services Department prior to any commitment that would result in the expenditure of funds.** Caution should be used by individuals when researching or otherwise inquiring about services or products with any vendor. A simple conversation can sometimes be interpreted as an obligation by a vendor/contractor.

DISCLOSURE OF BENEFITS RECEIVED FROM CONTRACT

All personnel are to be informed that Arkansas Act 483 of 1979, as amended, requires any individual drawing a salary from a State Agency, who has or obtains any benefit from any state or ASU contract with a business in which the employee or a member of his immediate family has a financial interest, will report such benefit to the Department of Finance and Administration. This Act covers, in great detail, ethics in public contracting and the penalty for violation of any of the provisions. Persons having questions pertaining to this subject, no matter how minor, should contact the Procurement Services Department for specific details. When suggesting a vendor on the requisition or bid list, do not list any known business in which ASU employees have a known financial interest.

In compliance with the requirements of Governor's Executive Order 98-04 and the regulations resulting from such, any Contract executed by Arkansas State University, which exceeds \$25,000, shall require the Contractor/Individual to disclose information as required. This requirement is for each individual transaction exceeding \$25,000.00.

PROFESSIONAL AND CONSULTANT SERVICES

Professional services consist of personal services, which are professional in nature, of an individual or individuals who are not employees of the State of Arkansas. The purchase of professional and consultant services up to \$10,000 can be accomplished by use of a Purchase Order. Services exceeding \$10,000 in fees require the utilization of a Professional/Consultant Services Contract and the Professional/Consultant Services justification form, in addition to regular purchasing procedures. These contracts are subject to review and advice by the Department of Finance and Administration, Legislative Council or Joint Budget Committee Review. Departments are advised to contact Procurement Services for the current procedures and form requirements at least twenty (20) working days in advance of the need for such services involving expense from \$10,000 to \$50,000.00 and sixty (60) days in advance for those services involving expense of \$50,000 or more. A W-9 and Vendor Request form must accompany each Purchase Request. Note: If the group or individual has transacted business with ASU within the previous eighteen (18) months a W-9 will not be required.

Examples of a Professional Services Contract would be the hiring of Lawyers, Accountants, and Architects.

A Consultant Services contract is a contract between a state agency and an individual or organization in which the service to be rendered to the state agency or to a third party beneficiary under the contract is primarily the giving of advice by the contractor on a particular problem or problems facing the agency or the third party beneficiary.

Examples of consultant services would be the hiring of a consultant for the development of a mission statement.

Example of services not included as a Professional & Consultant Services: Visiting Professors, Entertainers, Doctors, and Contractors for Maintenance of items.

*** Always check with Procurement Services to verify in which category the vendor will fall.

MINORITY PURCHASING GOALS

In accordance with Act 698 of 1991, Arkansas State University established a “Minority Purchasing Program” which supports the policy of the State of Arkansas to promote equal opportunity, as well as economic development in every sector. This University is committed to utilizing minority businesses in contracting to the maximum extent feasible. An annual procurement goal of ten percent (10%) has been established by ASU. ASU will, within the limits of state statutes and regulations, pursue the award of a fair share of all contracts with minority businesses and will encourage and assist minority businesses in the methods of doing business with the University. The ASU Procurement Services Department maintains a listing of all known minority vendors. When ASU obtains goods or services by the use of the “competitive bid” process, at least one of the three

or more bids considered will be solicited from a minority business if a minority business is identified, which sells the type of commodity or service being procured.

All employees of this University are encouraged to assist the Procurement Services Department in this very important program. If you are aware of any minority firms that can provide goods or services to ASU, please contact the Procurement Services Department.

STEPS IN ORDERING

- 1) Complete an online requisition of the item(s) to be purchased. Include a known source if you have one, a detailed description including a brand name, model number if possible, and approximate price. Include the name of person to contact for questions.
- 2) When all approvals have been met, procurement will proceed with the purchase of items.
- 3) A buyer will review and communicate with the department if there are any problems.
- 4) Purchase order will be issued after purchasing procedures followed (bids if necessary)
- 5) Purchase order faxed or mailed to the vendor.
- 6) Departmental copy of purchase order e-mailed to the department.

SMALL PURCHASES

Purchases for most commodities and services totaling \$10,000 or less (small orders), including freight, but, excluding sales tax, may be made by the Procurement Services Department without bid procedures; however, competition will be used to the maximum extent practicable. Allow a minimum of eight (8) working hours for the processing of all small purchase requests through the Purchasing Department. **Repeated small quantity procurement of like items to circumvent the \$10,000 limit is prohibited.** Departments are advised to exercise prudent judgment in specifying items and entering a suggested source for purchase on the requisition. The purchasing department may determine that the item(s) requested are available at better pricing from a source other than the suggested vendor entered by the requisitioner. However, before making a change of a vendor on a requisition, the purchasing department will advise the department of the intended change.

P-CARD PURCHASES

The Procurement Card is a Visa credit card issued by U.S Bank. It is a fast, flexible new purchasing tool which offers an alternative to the existing purchasing processes and provides an extremely efficient and effective method for purchasing and paying for supplies with a total cost of **\$2,500.00** or less, per *individual item*, with a maximum monthly limit that will be determined on an individual

basis. **The P-Card is to be used only for official business purchases for Arkansas State University.**

The issuance of a P-Card to you represents the trust bestowed upon you by the University to protect its assets and integrity. Under your oversight, review and approval, you provide the key point of control to maintain appropriate spending activities to protect your departmental funds.

The Procurement Card will enable you to purchase non-restricted commodities, by telephone or in person, directly from the vendors. It will eventually eliminate the need for issuing low dollar purchase orders and many blanket purchase orders.

The Procurement Card will be issued in the individual cardholders name with the wording “Arkansas State University” and “For Official Use Only” clearly indicated on the card.

The basic P-Card transaction consists of the following steps:

- Cardholder enters a business and makes a selection of the item(s) needed, charges it on the P-Card, signs a sales/charge slip and takes receipt of the merchandise.
- Merchant submits the transaction to Visa and in-turn they submit it to US Bank for payment (merchant normally will receive their payment within 3 working days of the original transaction).
- US Bank will bill ASU on the 15th of each month for all charges made by the various ASU departments for the proceeding 30 days.
- ASU reconciles the receipts/charge slips from the P-Card Transaction Log and makes a single payment to US Bank, on behalf of all the ASU departments, within five (5) working days of billing receipt. The Accounting Department debits/credits each appropriate departmental account after the reconciliation is made.

For further information, please consult our web site or contact the P-Card Coordinator at 2028.

INITIAL EQUIPMENT PURCHASE

“Equipment” as defined for inventory purposes is “all tangible property with a total unit cost of \$5000 or more and a normal usage of two (2) years”. When “equipment” is purchased, an asset account must be used on the requisition. Items with a total unit cost less than \$5000 may require special consideration if they are part of, or used with a group or set.

The dollar value designation of equipment is for formal inventory purposes but does not in any way relieve the departments of accountability for all state property under their control regardless of the dollar value. Therefore, it is recommended that pilferage type items such as hand tools, clothing, cameras, etc. continue to be maintained on inventory in order to prevent losses and to maintain proper accountability.

Purchases for equipment should not be combined with supply items on a requisition.

Bid Procedures

With a few exceptions, all purchases exceeding \$10,000 in total cost, including freight charges, but excluding sales tax, are subject to bid procedures that are to be performed by the Procurement Services Department. Purchases totaling more than \$10,000, but, not more than \$50,000 will be awarded by use of **Competitive Bid** procedures. Competitive bidding is a method of procurement which requires obtaining bids by: (a) direct mail request, (b) fax, (c) email or (d) telephone to prospective bidders and obtaining set prices of each item. This procedure can normally be accomplished between three (3) to five (5) working days, but, can take longer depending upon the complexity of the product required. Purchases totaling more than \$50,000 require **Formal Competitive Sealed Bid** procedures by the Purchasing Department. This procedure requires a newspaper advertisement and/or posting on procurement's web site and takes a minimum of twenty (20) days, for bid opening/award, normally longer. Individuals requisitioning should allow time for the above procedures when anticipating their departmental needs.

The requisitioner is responsible for furnishing a detailed description for each item to be purchased and the names and addresses of any specific vendor(s) to whom they would like the bids submitted. The Procurement Services Department will add to the list the names of vendors who have requested the opportunity to bid on that type of item or service.

Specifications

There are three types of specifications: 1) Design 2) Performance 3) Combination. These specs can be found in a number of places: manufacturer, vendor, catalogs, etc. Basically a good specification should do four things:

1. Identify minimum requirements.
2. Allow for a competitive bid.
3. List reproducible test methods to be used in testing for compliance with specifications.
4. Provide for an equitable award at the lowest possible cost.

Good, clear concise specifications will allow the purchasing department to purchase the item in the most cost efficient manner.

Office of Procurement Software and Hardware Purchasing Procedure

The State of Arkansas Requires that *“When procuring a technology product or when soliciting the development of such a product, the State of Arkansas is required to comply with the provisions of Arkansas Code Annotated § 25-26-201 et seq., as amended by Act 308 of 2013, which expresses the policy of the State to provide individuals who are blind or visually impaired with access to information technology purchased in whole or in part with state funds.*

Operating Procedure 05-46 sets out the requirements for Information Technology Purchases. This Procedure describes the steps necessary to complete a purchase of Software or Hardware.

1. Employees/departments desiring to purchase, update, or renew technology products (hardware or software) are responsible for obtaining a Voluntary Product Accessibility Template (VPAT) from the vendor or, if no VPAT is available, the company may provide an official response verifying compliance with accessibility standards. Many vendors will have Section 508 Compliance Statements already prepared. VPAT information should be requested as early as possible in the purchasing process.
2. Regardless of whether a VPAT or statement of compliance is provided, the originating purchaser at Arkansas State University-Jonesboro must test and assure that the technology is accessible, and if not, provide for a reasonable accommodation in the event a visually impaired individual has the need to use the technology. Disability Services will render the final opinion on whether accessibility standards are met.
3. After obtaining the completed VPAT or statement of compliance, that document must be sent to Disability Services along with a demo of the product in question, or if the software is cloud based, a link to a demo. If a demo is not available, it should be noted on the VPAT. Disability Services will evaluate the product and submit an ASU Disability Services Product Accessibility Report to the employee or department. A copy of the completed VPAT and a copy of the signed and completed Disability Services Product Accessibility Report must be sent to Procurement Services with a requisition.
4. If needed, a copy of the State of Arkansas Bill concerning Information Technology Access for the Blind or Visually Impaired along with supplemental information provided by the Office of State Procurement can be found at <http://www.arkleg.state.ar.us/assembly/2013/2013R/Bills/SB440.pdf> and can be provided to the vendor.

A good example of a completed vendor VPAT can be found at:
<http://www.articulate.com/products/storyline-section-508-vpat.php>

The official US Government's website VPAT can be found at:
<http://www.state.gov/m/irm/impact/126343.htm>

Checklist and Training information for ASUJ can be found at:
<http://www.astate.edu/a/disability/vpats/>

EXCEPTIONS TO BID REQUIREMENTS

There are a few circumstances and items for which the law provides an exception to all or part of the bid requirements. **Please note that failing to anticipate the needs due to poor planning is not an exception.** Certain purchases which may be authorized by the Procurement Official without bid procedures are as follows:

1. Exempt Commodities and Services means:
 - A. Advertising in newspapers, periodicals, and related publications and on television, radio, billboards, and electronic media;
 - B. Animals procured for medical research
 - C. Commodities and services for use in research, education and treatment for the diagnosis, cure and prevention of disease may be procured, with administrative approval, though a group purchasing entity serving other public health institutions when substantial savings are available.
 - D. Commodities procured for resale in cafeterias, commissaries, bookstores, gift shops, canteens and other similar establishments. However, such commodities procured shall not be sold or transferred to any agency with the intent of circumventing applicable procurement procedures;
 - E. Contracts awarded by agencies for the construction of buildings and facilities and for major repairs. These contract exemptions shall not extend to the procurement of any commodities not otherwise exempt that are to be furnished by the agency under any such contract;
 - F. Contracts awarded by the Arkansas State Highway and Transportation Department for the construction, reconstruction, and maintenance of roads and bridges in the state highway system and for the county, rural road aid, and city street aid programs;
 - G. Farm products procured or sold by a state agency having an agency purchasing official. The current trade customs with respect to the procurement or sale of cotton, cotton seed, and rice and other farm products shall be followed when it is necessary to do so in order to obtain the best price for the commodities procured or sold;
 - H. Fees including medical fees and physician fees;
 - I. Foster care maintenance services provided by foster family homes approved by the Division of Children and Family Services of the Department of Human Services for children whose placement and care are the responsibility of the Division of Children and Family Services of the Department of Human Services;
 - J. Freight and storage charges and demurrage;
 - K. Licenses required prior to performance of services;
 - L. Livestock procured by an agency having an official experienced in selection and procurement of livestock. Such procurement will be reported to the State Purchasing Director giving details of the purchase;
 - M. Livestock procured for breeding, research, experiment purposes.
 - N. Maintenance of office machines and technical equipment.
 - O. Medical items specifically requested by a physician for treatment or diagnosis of patients in his care including prosthetic devices, surgical instruments, heart valve, pacemakers, radioisotope and catheters;

- P. Membership in professional, trade, and other similar associations;
- Q. Perishable foodstuffs for immediate use or processing.
- R. Postage;
- S. Published books, manuals, maps, periodicals, films, technical pamphlets and copyrighted educational aids for use in libraries and for other informational or instructional purposes, in instances in which other applicable laws do not provide a restrictive means for acquisition of them;
- T. Service of some visiting speakers, lecturers, and performing artists;
- U. Taxes;
- V. Travel expense such as room and board and transportation charges;
- W. Utilities services or equipment which is defined, recognized, and regulated by the Arkansas Public Service Commission as a monopoly offering;
- X. Works of art for museum and public display.
- Y. Capital improvements valued at less than twenty thousand dollars (\$20,000), subject to minimum standards and criteria of the Arkansas Building Authority;
- Z. Services related to work force development, incumbent work force training, or specialized business or industry training.
- AA. Major procurement contracts of the Arkansas Lottery Commission under § 23- 115-103;
- BB. The following commodities and services relating to proprietary software after the initial procurement: (i) Technical support; (ii) Renewals; (iii) Additional copies; and (iv) License upgrades;
- CC. Commodities and raw materials purchased by Arkansas Correctional Industries intended for use in goods for resale;
- DD. Commodities purchased by the Department of Correction for crop production, including without limitation fertilizers, seed, seedlings, and agricultural-related chemicals;
- EE. Repair services for hidden or unknown damages to machinery already purchased.

NOTE: Exempt Commodities and Services **do not** exclude the approval of a requisition prior to the acquisition of such commodities or services.

1. Emergency procurement for the acquisition of commodities which, if not immediately initiated, will endanger human life, health, University property, or functional capability of the University. All emergency procurement shall be approved in advance, whenever possible, by the Purchasing Official. When the emergency procurement is estimated to exceed \$10,000 in cost, a minimum of three (3) competitive bids, whenever possible, must be obtained.
2. Commodities obtained solely from a Federal Government Agency.

3. Items under Purchasing Contracts. These items cannot be purchased from a source outside the University other than the contract holder.

STATE PURCHASING CONTRACTED ITEMS

State contracts are issued by the Arkansas Department of Finance and Administration State Procurement Office in Little Rock, AR through the bidding process. All current state contracted items can be found at <http://www.dfa.arkansas.gov/offices/procurement/contracts>. Commodities may be added to or deleted from this list at any time. **These items must be purchased only from the contract source.**

PRINTING

All printing, regardless of cost must be procured through the ASU Printing Services or bid procedures. Other services offered by ASU Printing Services include binding, printed business cards, envelopes & letterheads; unprinted paper & envelopes, forms, etc. Please contact them for price and availability. When printing is required from an outside source, a requisition with attached copy material should be sent to the Purchasing Department far enough in advance of your needs to allow time for the bidding process. Contact the purchasing department for the requirements on copy material. Note: **state regulations absolutely prohibit the University from approving payments for printing that was not procured by authorized purchasing procedures.** ASU is currently limited to \$100,000 for printing bids. All estimated printing projects exceeding \$100,000 must be processed by the Office of State Procurement. Allow 3 to 5 weeks for bids/awards for jobs up to \$100,000 and 5 to 8 weeks for bids/award on all printing projects exceeding \$100,000. This time frame does not include delivery.

COPYING

Departmental copies should be made within the department or on the university campus if possible. Off campus copying needs must follow regular procurement guidelines.

SURPLUS PROPERTY

Departments may procure needed commodities available at the State of Arkansas Marketing and Redistribution located at 6620 Young Road in Little Rock and at the Federal Surplus Property Center located at 8700 Remount Road in North Little Rock. Departments sending individuals to shop at a surplus property agency must be listed on an “approval” listing (contact the purchasing department to be placed on this list). If any items are obtained, a requisition should be completed in Banner. The receipt should be sent to Procurement Services to be matched up with the requisition.

CENTRAL STORES

Central Stores, located at Facilities Management, stocks copy paper for your convenience. A paper IDT is needed to make a purchase from Facilities Management.

CENTRAL RECEIVING/RECEIVING FREIGHT

Products ordered must be picked up or delivered to an authorized University address only. Products may not be delivered to a personal residence unless authorized by the appropriate Dean, Chair, or Vice Chancellor.

All incoming and outgoing freight (with a few exceptions) is handled through Central Receiving. Incoming freight will then be delivered to the department. The receiving department is to immediately inspect all incoming shipments for damage and if damage is apparent, the freight bill will be so noted prior to their signing the bill. Upon receipt of delivery of the freight, the department should again inspect the package for any damages, dents, scratches, punctures or damage of any nature to the carton or crating. It then should be noted on the receipt copy. Concealed damage that is not known until the delivery crew has left must receive prompt attention because a claim must be filed on such damage within **15 days** of delivery. **NOTE: Do not destroy cartons or other materials used in packing when damage is noted.** Departments must immediately call Account's Payable on all concealed freight damages so that the freight company can be notified of the problem and inspection of the damage(s) are conducted. In many cases the item will be picked back up by Central Receiving and brought back to Facilities Management for the freight company to do the inspection.

PURCHASE ORDER CANCELLATION

If it becomes necessary to cancel a purchase order, wholly or in part, the requisitioner should contact the Procurement Services Department to determine if the order can be canceled. After determination is made that the order can be canceled, please send an email notating the reason of the cancellation request to the buyer listed on the purchase order and copy Accounts Payable.

RENTALS, LEASES, LEASE PURCHASE OF COMMODITIES/EQUIPMENT

All rental, lease, lease purchase contracts or renewal of any such contracts for commodities or equipment require prior approval of the Procurement Services Department. Proposed written agreements should be submitted for execution along with a completed requisition form. In many instances it will be necessary to conduct bid procedures, as state law requires bidding on all but short-term arrangements for lease or rental of any tangible items. All contracts for the lease of a commodity which exceeds a cost of ten thousand (\$10,000) during the initial period of the contract, shall be awarded on the basis of competitive bidding procedures.

OFFICE MACHINE REPAIR AND MAINTENANCE SERVICE

Most office equipment, with the exception of copiers, is no longer covered by a “maintenance contract”. For all typewriter & fax repairs, please call Fred Justus with Just-Us Specialties at 931-9509. For copier repairs, call the required service directly to the servicing company (typically the company from which you purchased the machine). For computer problems, contact Information and Technology Services HELPDESK (ext. 3933). For all other office equipment repairs, contact Procurement Services.

SOLE SOURCE PURCHASES

In a few cases, a purchase must be sole-sourced. (There is only one source of supply for the item). In these instances, a sole source justification form that is located on the procurement web site must be filled out and attached to the requisition. Final decisions on true “Sole Sources” will be made by the Director of Procurement after reviewing the justification and making inquiries from the manufacturer.

END OF FISCAL YEAR

The end of a Fiscal Year (FY) is on June 30th of each year, thus the expenditure of funds for each FY must be made before this date. A schedule for processing purchase requisitions will be sent to each department in early March establishing a schedule of deadlines to assist you in planning your expenditures and to avoid confusion over which fiscal year purchase orders will be charged against. Please note and observe the deadlines listed to assure that your requisitions will be processed against the correct FY.