

Procurement Guidelines

The Office of Procurement is the campus unit which has been designated the sole responsibility for the procurement of all goods and services for the campus.

The Office of Procurement provides services to the campus community on all procurement matters and related activities to include (but not limited to) locating and developing sources of supply, soliciting bids, quotations and proposals, negotiating contracts, and interacting with vendors. The University follows the University System of Maryland (USM) and State of Maryland Procurement policies and procedures.

Departments are not authorized to sign any contracts, enter into any agreements, or make any commitments with regards to the procurement of goods and services which are binding to the University in any way. Therefore, departments are requested to send such documents to the Office of Procurement for review and approval (if using the Purchasing card, please send contracts to Procurement prior to purchase; if submitting a requisition, please attach contract to the KFS requisition document). Requestors may be held personally responsible for unauthorized purchases (items/services ordered and/or received without a legitimate purchase order, check request or VISA Purchasing Card).

The Office of Procurement currently uses KUALI as its electronic financial system which is referred to as KFS. The following procedures must be followed for the procurement of all goods and services. Departments must use its VISA Purchasing Card (PCARD) for purchases under \$5,000 if applicable; if not applicable, a KFS Requisition or KFS Disbursement Voucher/Check Request must be initiated. NOTE: The VISA PCard must be used whenever possible in accordance with the policies and procedures governing the use of the card.

Purchasing Card

The State of Maryland Comptroller's Office currently has a State contract with a Bank for the VISA Purchasing Cards. *Interested program participants must attend a training session prior to issuance of a VISA PCard. Please contact the Office of Procurement at 410-651-7940 for more information.*

The VISA Purchasing Card is to be used to purchase authorized goods and services required for daily departmental operations. It allows the end user to make purchases under \$5,000 which is considered the standard Single Purchase Limit (SPL) for the University and State of Maryland. **CERTAIN RESRICTIONS DO APPLY.** The Purchasing Card Program Administrator (PCPA) or Vice President of Administrative Affairs or his/her designee reserves the right to restrict or revoke the delegation to specific departments/cardholders as circumstances warrants.

If the item or service exceeds the single purchase limit, the requestor must initiate a KFS requisition for such item or service so a purchase order can be issued to the vendor. If the vendor does not accept a University purchase order, a KFS Disbursement Voucher (DV)/Check Request must be initiated (complete the DV and indicate check request in the description area).

How to Request a Purchasing Card:

1. The immediate supervisor/manager/log reviewer of a faculty/staff member must submit a request to obtain a card.
2. Forward the request to Administrative Affairs/copy Procurement via email.
3. Approval must be obtained from Administrative Affairs prior to training; trainee must receive training prior to issuance of card.
4. Procurement will contact the trainee to schedule training.
5. At the training, trainee receives a VISA PCard training packet which contains the Application and Cardholder Agreement Forms, State of Maryland manual and the University's Purchasing Card Guidelines.
6. The application and cardholder agreement forms are completed and returned to Procurement for further processing.
 - Cards are ordered by the PCard Program Administrator and received in Procurement within 3-5 days.
 - New cardholder will be contacted by Procurement to pick up the card.

Please call Procurement at extension 7940 for more information.

GOING GREEN!

The University is committed to purchasing energy efficient and environmentally friendly products – due to cooperative purchasing contracts, office supplies now include an extensive selection of green products.

Departments are encouraged to purchase GREEN whenever applicable.

A. Requisition Submittal

Departments must submit a KFS requisition to initiate a request for goods and services over \$5,000.

The following procedures must be followed for the procurement of all commodities, supplies, equipment and services. Departments must use their Purchasing Card (if applicable), initiate a requisition or check request to request an item or service. **NOTE: The Purchasing Card must be used whenever possible in accordance with the policies and procedures governing the use of the card.**

1. A KFS requisition is required to request any type of procurement action. Requests for the purchase of goods and services must be initiated in KFS.
2. Requisitions should contain as much detail as necessary to ensure that the request is understood by all approvers and Procurement.

Indicate on the requisition a complete description of the item and attach all pertinent information about the suggested vendor (name of company, address, representative, telephone number, product model number) and attach specifications and literature, if available

For requests under \$25,000 (includes sole source requests), departments must indicate **current** prices for an item or service. Requests over \$25,000 are competitive (quoted or bid) unless a sole source request can be confirmed.

Requisitions that do not contain adequate details, specifications or comply with the Procurement policies will be disapproved and routed back to the initiator.

3. Requisitions must be submitted electronically in KFS by the appropriate personnel certifying the approval of the request and the availability of funds prior to submission to Procurement.
4. The KFS requisition will be forwarded to the Vice President for Administrative Affairs or his/her designee for final approval and then transmitted to the Office of Procurement for further processing.
5. It is prohibited to intentionally “split” or “string” requests to avoid following the appropriate Procurement policies and procedures.

B. Requisition Dollar Categories:

Requests under \$25,000 (Revised October 6, 2022)

Requests under \$25,000 – competition is not required but preferred and encouraged.

Requests \$25,001 - \$200,000

Written quotes or bids from an adequate number of vendors are required. It is important that **all requests** which exceed \$25,000 be competitive if applicable. Competition can be sought by the processes indicated below:

1. Departments should initiate a KFS requisition as stated above with detailed specifications or a sole source form or letter if applicable. Once the KFS requisition has been approved by all required persons on the approval path and Administrative Affairs, the requisitions is **transmitted to Procurement for final processing.**

2. The Office of Procurement may obtain competitive prices by soliciting written quotes, bids and/or request for proposals depending on the nature of the item or services requested and the time constraints involved.
3. When soliciting written quotes and/or bids, detailed specifications are very important and must accompany any request sent to the Office of Procurement. Procurement must make certain that all vendors receive the same information so that each vendor is given an equal opportunity to submit an accurate price on the requested item(s) and/or service(s) or offer an equivalent based on the specifications.
4. If requests are bid by the Office of Procurement, the request may be advertised in appropriate publications as deemed necessary (processing time for formal bids may take 3-6 weeks depending on the nature of the request).

Requests Exceeding \$200,000

1. Request exceeding \$200,000 must be bid (if applicable) by the Office of Procurement **and advertised in the "eMarylandMarketplace Advantage - EMMA "** and other publications as deemed appropriate for an adequate number of days. Written quotes are not acceptable for this dollar category unless there is a dire emergency for the procurement.

The request should be submitted in a timely manner to allow sufficient time for processing.

Departments should prepare a KFS requisition as detailed in section A and attach the appropriate specifications. When soliciting bids or requests for proposals, detailed specifications are very important and must accompany any request sent to the Office of Procurement. Procurement must make certain that all vendors receive the same information so that each vendor is given an equal opportunity to submit an accurate price on the requested item(s) and/or service(s) or offer an equivalent based on the specifications.

2. Requests may be advertised by the Office of Procurement in appropriate publications as deemed necessary (processing time for bids may take 4-8 weeks depending on the nature of the request).
3. All requests in this category require competitive sealed bids or requests for proposals (sole source request excluded). The University's bid forms and request for proposals documents contain terms and conditions to which a vendor must agree to before doing business with the State of Maryland. A vendor's signature on our bid forms confirms such an agreement. Prior to acceptance of a bid/proposal from a vendor, the Office of Procurement must review and approve any terms and conditions of sale proposed by the vendor to determine acceptability under the USM and State of Maryland Procurement Regulations.

Requests Exceeding \$1,000,000

Please be aware that if a request exceeds \$1,000,000, additional approval is required by other USM and/or State officials (Board of Public Works) for service and and construction requests. This requirement could add as much as an additional 30 - 45 days to the normal processing time. Requisitions should be submitted with that additional lead time in mind as to avoid unnecessary delays.

C. Change Orders

1. Change orders are submitted on a KFS amendment form (see Appendix B) when a requestor must make a change to a current purchase order once it has been released to the vendor. This may be for incorrect pricing, discontinuation of items, decrease quantities due to a change in item/service, etc. If you are unsure as to how to submit your change order request, please contact the Office of Procurement for advisement.

2. Change orders are submitted on a KFS amendment form electronically. Departments must complete the amendment form as required (date, account number, and signatures) and indicate the following terminology in the description area – whichever is applicable (examples are indicated below). Once the amendment form is complete, it must be attached to the purchase order in KFS. The requestor should inform the buyer that an amendment form has been submitted and attached to the purchase order in KFS. This can be done via email or by adding the recipient per the amendment instructions to the PO in KFS.

INCREASE: CHANGE ORDER: Please increase purchase order #45344 by \$10 due to incorrect pricing, item #4, price is \$50 instead of \$40.

DECREASE: CHANGE ORDER: Please decrease purchase order #53963 by \$200, item #5 no longer available.

For other situations not indicated above: Please contact the Office of Procurement at extension 7940 for guidance.

D. Blanket Purchase Orders can be a valuable tool for the department as it decreases paper work and saves time by not having to place a number of small orders. A blanket purchase order may be established for any amount up to, but not exceeding, \$10,000 in a given fiscal year for a University purchase order (including change orders to increase or decrease the original amount).

The following conditions apply to all blanket purchase orders:

1. Blanket orders must be for "miscellaneous" non-specific/specific items (i.e. art supplies, photographic supplies, laboratory supplies) as required by the using department.
2. Large equipment cannot be purchased on a blanket order.
3. For a single purchase against a blanket order (per item or per call), a single order **cannot exceed \$5,000**. Invoices received against a blanket purchase order which exceed that amount will be submitted to the department for written justification. If a department continues to ignore this requirement, the blanket purchase order will be automatically cancelled by the Office of Procurement.
4. The period covered by a blanket purchase order can be for the entire fiscal year or a shorter period as deemed appropriate by the requesting department.
5. Blanket purchase orders cannot cross fiscal years **except** where federal funds or grants are being used, (i.e. If a grant begins on May 1st and expires on April 30th, the department may establish a blanket order to cover that period of time which is covered by the grant).
6. Blanket purchase orders should not be used to circumvent the procurement process in regards to competitiveness.

E. Standing Purchase Orders are competitive and operate in a similar fashion as blanket purchase orders. A standing order is used when a department knows what is to be ordered, an approximate quantity and, in some instances, a scheduled interval for desired shipments. All of the following are examples of standing orders:

1. Student Health Services wants to order no. 200 tongue depressors. The estimated usage during the year is approximately 350 cases; vendor stocks the items and department orders as needed.
2. Biological Sciences wants to order test tubes. Estimated quantity for the year is 300 cases to be shipped bi-weekly, 12 cases per shipment, same as above, except to be shipped as required.

The advantage of using a standing purchase order for the above instead of procuring these types of requirements on a blanket purchase order arrangement, is that it would be possible to obtain competitive prices and lock in those prices for the entire period. Often savings to the department can be realized because you are able to give the vendor an idea of usage over a period of time and get a larger discount.

Another advantage is that since standing purchase orders are competitive, there is no limit on the dollar value that can be established by the department. It could be set up for any amount over \$10,000 in a fiscal year and the \$5,000 per invoice policy does not apply.

The period covered by a standing purchase order can be for the entire fiscal year or a shorter period as deemed appropriate by the requesting department.

F. Sole Source Requests

Procurement without competition is authorized under limited conditions and subject to written justification documenting the conditions which preclude the use of a competitive process. If the procurement indicates that there is only one source that will satisfy the requirements and/or circumstances present, the Office of Procurement may negotiate if applicable and award a contract without competition to the sole source vendor.

Requisitions exceeding \$10,000 which are submitted requesting a sole source procurement with regard to manufacturer, vendor, service to be provided, etc. **must** be accompanied by a signed sole source justification form (see Appendix A) or letter from the end user if the request exceeds \$100,000. The justification letter should include a statement as to why the sole source is being requested, why the service, equipment or vendor is unique, what the item is to be used for within the department and a brief statement as to the impact of not obtaining the item/service requested. Additional justification may be requested if the justification submitted is not determined to be sufficient by the Office of Procurement.

A sole source form must accompany the requisition and may be obtained from the Office of Procurement or **forms may be obtained by accessing the UMES Procurement website at umes.edu/procurement**.

The dollar categories for sole source requests are listed below.

- 1. Requests under \$25,000** – additional documentation IS NOT required (no form required).
- 2. Requests Exceeding \$25,000 - \$100,000** – KFS requisition must be accompanied by a sole source form and proper documentation from the vendor to verify address, price, and services.
- 3. Requests Exceeding \$100,001 - \$1,000,000** – requisition must be accompanied by a **letter of justification** and proper documentation to verify price and services must be attached. The Office of Procurement is responsible for reporting these types of

requests to the Vice Chancellor of Administration and Finance – University System of Maryland, additional approval is required if request exceeds \$500,000.

- 4. Requests Exceeding \$1,000,000** - requisition must be accompanied by a letter of justification and proper documentation to verify price and services must be attached. Requests that fall into this dollar category must be approved by the Board of Public Works prior to releasing the contract (turn around time may be 4-6 weeks).

All such requests are subject to the review and approval of the Director of Procurement.

G. DISBURSEMENT VOUCHER (DV KFS Form - Confirmings and Check Requests)

A disbursement voucher is a processing vehicle that has many uses. For Procurement, the forms processed by initiating a DV are the Confirming and Check Request forms. **The type of request should be indicated in the description area so it can be easily identified and processed accordingly.**

DV/Confirming Requisition – is submitted to pay medical, utilities such as sewer, water and advertisement expenses; these type of services do not require a purchase order or a letter of justification. The department must initiate a confirming which is a KFS disbursement voucher (DV) and indicate in the description that it is a “confirming”. An original invoice must be attached. The DV will transmit electronically for approvals. Once Procurement receives and approves the DV, it will route to Accounts Payables for further processing relating to payment.

AFTER-THE-FACT Confirming Requests – These are requests that have been ordered/received due to certain circumstances that were not properly obtained by way of a purchase order, check request or the PCard which results in the requestor submitting a confirming/KFS disbursement voucher (DV). The requestor must initiate a DV and indicate in the description that it is a “confirming requisition”. An original invoice and letter of justification addressed to the Office of Procurement explaining why this request was placed with a vendor without initiating the appropriate paperwork to obtain prior authorization from the Office of Procurement must be attached to the KFS confirming. Once Procurement has approved the DV/Confirming, it is routed to Accounts Payable for further processing.

NOTE: Orders placed without a legitimate purchase order or check request may result in the requestor using personal funds to pay for items ordered or services rendered.

A check request must be submitted to purchase goods and services if the vendor does not accept a University purchase order or the Purchasing Card.

DV/Check Request is submitted for items/services by initiating a Disbursement Voucher only when the vendor will not accept the Purchasing Card or University Purchase Order. Proper documentation must be attached to verify the requestor's address, items and/or service, and price. A federal identification number or social security number must appear on all check requests. **NOTE:** If the requestor has a VISA Purchasing Card and the vendor accepts VISA, it must be used to purchase items if the amount is within their single purchase limit and request is applicable in accordance with the VISA Procurement policies and procedures. Payment will be mailed to the vendor by the State which may take 3-4 weeks.

In some cases, departments may prefer to mail or present the check to a vendor directly after a service; in this case, departments must indicate on the DV/check request **“RETURN CHECK TO CAMPUS”**. Otherwise, the Comptroller's Office will receive the check and forward it to the Office of Procurement; the requesting department will be notified by Procurement when the check has been received. The requesting department must pick up and sign for the check for release to the vendor.

H. Procurement Methods

The University may use one of the generally accepted methods of procurement. These methods may be adjusted from time to time and are in the best interest of the University to reflect current business practices, additional methods may be found on the USM website: www.usmd.edu

The Office of Procurement may expedite the processing of orders using any one of the following procurement methods as deemed appropriate:

1. **Purchasing Card** – is the preferred method of purchase in accordance with the policies and procedures set forth for requests under \$5,000.
2. **Simplified Procurement Non-competitive (under \$25,000)**

Where the simplified procurement order does not exceed \$25,000 competition is NOT required but preferred and encourage.

3. **Simplified Procurement – Competitive (\$25,000 - \$200,000)**

Competition shall be sought to the extent practical, as determined by the Office of Procurement, considering such factors as the availability of vendors, dollar value of the procurement, cost of administering the procurement, time available to make the procurement including delivery time, and sound business judgment, consistent with the above. The requesting department must provide detailed specifications for soliciting purposes.

Competition may be obtained by written quotes, competitive sealed bids, or request for proposals.

3.b Procurements Exceeding \$200,000 must be Competitive Unless Otherwise Noted

Competition may be obtained by competitive sealed bids, request for proposals or multi-step sealed bidding (sole source requests excluded).

The requesting department must provide detailed specifications for soliciting purposes.

4. Competitive Sealed Bids

This method consist of a one-step bid process whereas bids are sent to an adequate number of bidders to ensure competition. Detailed specifications are required to accompany the bid documents and is awarded to the lowest bidder who is responsive and responsible; meeting the specifications set forth in the bid documents. Requests in this category may be advertised depending on the nature of the request. The Director of Procurement will make this determination based on the nature of the procurement. Bids are usually processed within 15-30 days.

5. Competitive Sealed Proposals (Request for Proposal)

Request for Proposals consist of a two-step bid process whereas proposals received are evaluated on the basis of factors that include but are not limited to price. Proposals may be submitted in two (2) separate volumes (technical and financial) at the same or different date and time. Proposals are evaluated and ranked accordingly. An award for this process is usually based on factors other than cost. Solicitations may be advertised and an award may take 30-90 days.

6. Emergencies

An emergency is a sudden and unexpected occurrence or condition which the University reasonably could not have foreseen that requires an action to avoid or to mitigate serious damage to public health, safety or welfare. It is a situation whereas if not resolved immediately, would threaten the well-being and safety of the community or cause a department to stop operating completely. AN EMERGENCY IS NOT A SITUATION

WHICH ARISES AS A RESULT OF POOR PLANNING OR LACK OF FUNDS but is due to immediate action that is required for the unforeseen condition.

During normal working hours, contact the Office of Procurement as soon as the emergency is known and describe the situation. Departments are not authorized to proceed without the prior approval of Administrative Affairs or the Office of Procurement.

For any emergency as described above, the department should take whatever steps are necessary to insure that its normal operations continue.

7. **Sole Source**

Procurement without competition is authorized under limited conditions and subject to written justification documenting the conditions which preclude the use of a competitive process. If Procurement determines that there is only one source that will satisfy the requirements and/or circumstances present, Procurement may negotiate if applicable and award a contract without competition to the sole source vendor.

8. **Unsolicited Proposals**

At the recommendation of the procurement officer, the University may accept an Unsolicited proposal for evaluation if the proposal is (a) innovative and unique; (b) was independently originated and developed by the Proposer; (c) was prepared without the supervision of the University; (d) include sufficient detail to permit a determination that University support would be worthwhile; and (e) shows that the proposal would benefit the University.

9. **Cooperative Procurement Agreements from Other States and University System of Maryland Institutions**

The Office of Procurement may combine procurement requests with the needs of other institutions, State agencies or governments to promote efficiency and savings. The University may use previously bid contracts from other institutions within the University System of Maryland or State agencies as long as a requirement is inserted into the bid documents permitting other State agencies to use the contracts that have been awarded and issued. The benefit in using a contract under this category is that it reduces processing time and cost savings may be more effective.

Occasionally, State agencies and Universities within the University System of Maryland may have contracts that other entities may piggy back on, meaning no competitiveness

will be required since the State or University has previously bid the services and/or items.

A list of Cooperative, State, and University contracts frequently used by the University are indicated on this website. State of Maryland contracts procured by the **Department of General Services** may be obtained by accessing: <https://dgs.maryland.gov>.

COMPETITIVENESS IS NOT REQUIRED WHEN USING SOME STATE AND UNIVERSITY CONTRACTS.

Use of Contracts Established by Other Organizations, Institutions or Agencies

The University may use contracts established by other Organizations, Agencies or Institutions provided that the use of the contract is in the best interest of the Institution and provided that the contract was awarded after a procurement process. Contracts that are acceptable for use include but are not limited to: Educational and Institutional Cooperative (E&I), US Communities/National IPA, Maryland Educational Enterprise Consortium (MEEC), Internet 2. Other contracts may be found on the USM Policies and Procedures website.

State Socioeconomic Programs

State law requires that the Universities within the University System of Maryland support the State of Maryland socioeconomic programs by issuing orders to Maryland Correctional Enterprises (MCE) formerly State Use Industries, Certified Sheltered Workshops; Minority Vendors, and Small Business Vendors as opportunities exist.

Maryland Correctional Enterprises (MCE)

State of Maryland contracts exist for several State vendors. One mostly used by the University is Maryland Correctional Enterprises (MCE) due to a State mandate; this vendor provides quality products and services for use by government and non-profit agencies. It is requested that MCE be given serious consideration on all requests whenever the opportunity arises.

MCE must be contacted for furniture request and related items. Requested items for this vendor are submitted on a requisition form – MCE’s delivery time is usually 45 days unless it’s a quick ship item which may be 1-2 weeks. If MCE does not carry the items or can not provide the items within the given time period, they will issue a waiver to the Office of Procurement; Procurement may then solicit prices from other vendors in regards to the request and proceed accordingly. Catalogs are available in Procurement for departmental pick-up or one can visit their website at: <http://www.mce.md.gov>

Blind Industries Services of Maryland

Blind Industries and Services of Maryland is pleased to announce that all of our products have been consolidated under one State BPO Master Contract List.

The Associates of Blind Industries and Services of Maryland are committed to providing you with high quality, competitively priced, environmentally preferable products, supported by knowledgeable sales representatives and friendly, efficient customer service; www.bism.org

State of Maryland Programs

Minority Business Enterprise, Disadvantaged Businesses, Sheltered Workshops

In accordance with **COMAR TITLE 21.11.01.02** (State of Maryland Procurement Regulations), the University System of Maryland policies and procedures, it is the policy of the State of Maryland and the University to encourage, solicit and promote participation by minority business enterprises, disadvantaged businesses and sheltered workshops. Whenever possible, the Office of Procurement will include these businesses in all solicitation requests and encourage the departments to assist in this effort.

It is the goal of the University to achieve an overall minority participation in its procurement activities of **at least 29%**.

A list of minority businesses certified by the Department of Transportation may be found at this website: www.mbe.mdot.maryland.gov The Office of Procurement has compiled a list of most frequently used State certified minority vendors; please refer to the UMES website: www.umes.edu/procurement.

Small Business Reserve Program

The Small Business Reserve Program requires state agencies to reserve 15 percent of its contracting dollars for bid solely by small businesses. This program allows small businesses to bid for state/university contracts without competing with larger, more established businesses.

Departments and are encouraged to solicit business from Small Businesses when applicable. The Office of Procurement solicits quotes/bids from small businesses when applicable. A directory of small businesses may be found on the website: <https://emma.maryland.gov> or contact the Office of Procurement at X7940.

I. Surplus Property

Periodically, the departments will find equipment and supplies that are no longer of value or needed for normal operation within their department, (i.e. inoperable, or being replaced with new equipment or supplies). These surplus items shall be reported to the Office of Procurement and subsequently removed from the department.

A Surplus Property Disposal Form that identifies the equipment, serial number, location, condition, etc. must be completed. Forms may be obtained from the Office of the Comptroller's website: <https://umes.edu/comptroller>.

Upon receipt of the Surplus Property Disposal Form, Procurement will, after reviewing the surplus form, determine if it is re-saleable. The department may request to have a public sale. The public sale will be advertised on campus and in the local newspaper if desired.

PROCEDURE (to be performed in accordance with procedures given by the Comptroller's Office – Please access the Comptroller's Website)

1. Transferring of Equipment – Comptroller's Website
2. Disposal of Equipment – Comptroller's Website
3. Selling of Equipment – The Office of Procurement will bid out the equipment and send to bidders on the surplus bid list. Requests for bids are due back within 7-10 days of its release by 2:00 p.m. University employees may bid on these items. The department will be contacted to approve the selling price of all equipment.

The bidder offering the highest bid will be notified in writing of the University's acceptance of any item(s) and is requested to submit a certified check in the amount offered. Upon receipt of check, the awardee will be sent a letter, signed by the Office of Procurement, authorizing the bidder to remove the equipment from the University. The Physical Plant Department will receive a copy of this letter to better assist the awardee in regards to the location of the surplus property for removal purposes.

The department may request to have a public sale. The public sale will be advertised on campus and in the local newspaper if desired.

4. Donation of Equipment - the department may donate the property to a non-profit charity-type organization within the State of Maryland if the equipment can not be sold. Non-profit organizations must be officially registered as such in the State of Maryland. The department must submit a letter of this intent and the recipient must also submit a letter identifying the surplus item and requesting the donation.

The Vice President for Administrative Affairs must approve this request. Once approved, the Office of Procurement will contact the department so that arrangements may be made

for the organization to pick up the donated equipment. The Physical Plant Department will also be contacted so they may respond accordingly.

The surplus forms and all information pertaining to must be recorded and filed accordingly.

J. Entertainment Contracts

Entertainment contracts are initiated when a department has a request for a vendor who will be rendering entertainment services to the University. This may include but is not limited to speakers, performers, disc jockey, bands to name a few. There is no certain dollar amount for this category.

The requestor must initiate a DV/check request and attach the vendor's proposal. The vendor's proposal must indicate the services to be rendered, date of service, price, and federal identification or social security number. Once this request is received by the Office of Procurement, Procurement will prepare the entertainment contract to include all applicable information. The requestor must print the DV/check request cover sheet and appropriate documentation and forward to Accounts Payable so the check can be ordered after approval. This usually takes 3-4 weeks. Procurement will forward a copy of the original entertainment contract to the vendor for review and approval.

Payment will be mailed to the vendor by the State which may take 3-4 weeks.

In some cases, departments may prefer to mail the check to the vendor or present the check to a vendor directly after a service; in this case, departments must indicate on the DV/check request "RETURN CHECK TO CAMPUS". The Comptroller's Office will receive the check and forward it to the Office of Procurement; the requesting department will be notified by Procurement when the check has been received. The requesting department must sign for and pick up the check for release to the vendor.

NOTE: Such checks are not released from the Office of Procurement until the vendor returns a signed entertainment contract.

K. Departments and Vendors

Departments are free to contact salespersons or vendors directly to obtain literature, information or assistance. However, all negotiations and contracting with vendors is to be done by the Office of Procurement.

Departments are **NOT AUTHORIZED** to sign any contracts or agreements of any kind which may be binding upon the University or any of its departments. All contracts related to

procurement matters should be directed to the Director of Procurement for review of legal form and sufficiency and will be signed by that office, unless consideration is required at another level of the University. Contracts signed at the department level will not be binding on the University and will render the agreement and/or the transaction null and void, or in some instances, may be considered personally binding for the person whose signature is on the document.

If you are contacted by a vendor concerning a bid or solicitation which has been issued by the Office of Procurement, refer the call to the Office of Procurement. Do not answer any questions or give out any additional information relating to specifications, acceptance of alternates, etc. Adherence to this procedure will avoid misunderstandings and provide an equal opportunity to all vendors. The Office of Procurement is responsible for obtaining and distributing responses to all vendor inquiries concerning bids or solicitations. If needed, the Office of Procurement may contact the using department to obtain a response to the inquiries and will insure that all prospective bidders are provided with the information.

Do not accept any offers, tokens, free gifts of any kind from vendors who are seeking to do business with the University. Faculty/staff should contact Procurement if a vendor offers any of the above.

If your department has a problem or concern regarding a particular vendor, please do not hesitate to contact the Office of Procurement as soon as possible.

The following guidelines are suggested when dealing with VENDORS:

1. Do not commit the University by telling a salesperson he or she has the order. Only a signed purchase order or written authorization from the Office of Procurement can commit the University.
2. **NEVER** accept gifts or gratuities of any kind from vendors.
3. Guard against over-reaction to a vendor-created crisis - "Price goes up the end of the month...This is the last one left in stock..."
4. Don't wait until the last minute to submit your requisitions. The more time the Office of Procurement can have to process your request, the more efficient we can be in providing for your needs.
5. Orders as a result of unsolicited phone calls should not be placed. Such items have been found to be overpriced and/or of poor quality on many occasions.

VENDOR'S PERFORMANCE - The extent to which a vendor has met their previous obligations to UMES, vendor performance may be related to, but not restricted to, the following areas:

- A. Timeliness of deliveries, backorder record and policy.
- B. Substitution or exchange policy.
- C. History of competitive, stable pricing commensurate with the prevalent market conditions.
- D. Shipping reliability and adequate response to emergency requests.
- E. Prior notification of price changes.
- F. Continued service such as, but not limited to, periodic sales calls, updating of literature or catalogs, etc.

Please report vendor performance concerns to the Office of Procurement as soon as possible!

Additional information may be found at the website umes.edu/procurement.

Questions or if additional information is required concerning the Procurement policies and procedures, please contact the Office of Procurement at extension 7940.

