



UNIVERSITY
of ARKANSAS
AT PINE BLUFF

1873

PROCUREMENT USER MANUAL

Department of Finance & Administration

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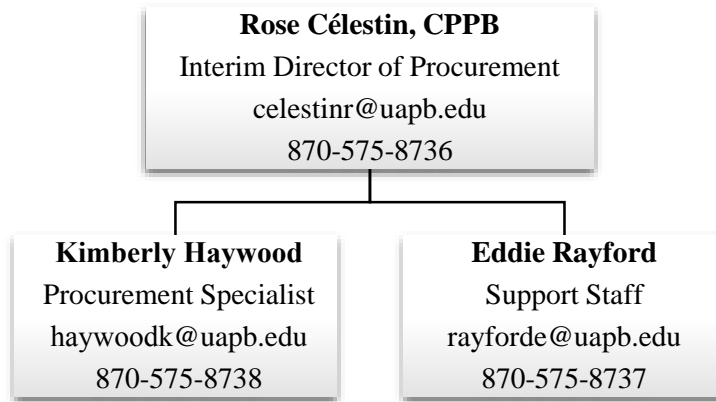
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OVERVIEW

THE STAFF



LOCATION

The Office of Procurement is located in the Administration Building, on the corner of Watson Boulevard and University Drive, in room 102.

ROLE OF PROCUREMENT

The Office of Procurement provides support to the University in the selection, acquisition, and overall direction for campus wide procurement policy, regulations, and procedures by promoting economy, efficiency, transparency, and effectiveness in acquisition processes.

Agency Procurement Official

The procurement of goods and services is the responsibility of the Agency Procurement Official. Procurement activities of the University are conducted in a centralized procurement manner. Procurement activities include fiscal obligation, ethical conduct, compliance to state and federal regulations, and adherence with University and board policies.

End User

Department end users may commit funds on behalf of the University through an approved purchase requisition. It is the responsibility of the department end user to understand and uphold the University's obligations under the purchase order and associated agreements. It is also the responsibility of the department end user to oversee the vendor's performance and notify the Agency Procurement Official of any significant performance issues.

LEAD TIME SCHEDULE

Procurement	Lead Time
Airfare	Immediately
Emergency & Special Purchases	1 Day
Small Orders (up to \$10,000)	1 Day
Quotation Bids (\$10,000 - \$50,000)	10 Days
Competitive Sealed Bid (>\$50,000)	2 Weeks
Sole Source	1 Week
Job Order Contracts (< \$20,000)	1 Week
Job Order Contracts (> \$20,000)	3 Weeks
Construction & Facilities (> \$750,000)	8 Weeks
Competitive Sealed Proposals	Up to 6 months

This lead time schedule assumes that all appropriate approvals have already been obtained and that all associated accounts are pooled and authorized at the time of processing.

PROCUREMENT POLICIES

ETHICAL STANDARDS

Code of Ethics

The Agency Procurement Official for UAPB shall conduct business in a manner that is consistent with the strategic goals of the University and the NIGP Code of Ethics.

The following ethical principles, provided by the National Institute of Governmental Purchasing, should govern the conduct of every person employed by a public sector procurement or materials management department:

- Seeks or accepts a position as head (or employee) only when fully in accord with the professional principles applicable thereto and when confident of possessing the qualifications to serve under those principles to the advantage of the employing organization.
- Believes in the dignity and worth of the service rendered by the organization, and the societal responsibilities assumed as a trusted public servant.
- Is governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served.
- Believes that personal aggrandizement or personal profit obtained through misuse of public or personal relationships is dishonest and not tolerable.
- Identifies and eliminates participation of any individual in operational situations where a conflict of interest may be involved.
- Believes that members of the Institute and its staff should at no time, or under any circumstances, accept directly or indirectly, gifts, gratuities, or other things of value from suppliers, which might influence or appear to influence purchasing decisions.
- Keeps the governmental organization informed, through appropriate channels, on problems and progress of applicable operations by emphasizing the importance of the facts.
- Resists encroachment on control of personnel in order to preserve integrity as a professional manager.
- Handles all personnel matters on a merit basis, and in compliance with applicable laws prohibiting discrimination in employment on the basis of politics, religion, color, national origin, disability, gender, age, pregnancy and other protected characteristics.
- Seeks or dispenses no personal favors. Handles each administrative problem objectively and empathetically, without discrimination.

Conflict Of Interest

In accordance with Ark. Code Ann. §19-11-705:

(a) CONFLICT OF INTEREST.

(1) It shall be a breach of ethical standards for any employee to participate directly or indirectly in any proceeding or application, in any request for ruling or other determination, in any claim or controversy, or in any other particular matter pertaining to any contract or subcontract, and any solicitation or proposal therefor, in which to the employee's knowledge:

(A) The employee or any member of the employee's immediate family has a financial interest;

(B) A business or organization has a financial interest, in which business or organization the employee, or any member of the employee's immediate family, has a financial interest; or

(C) Any other person, business, or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is a party.

(2) "Direct or indirect participation" shall include, but not be limited to, involvement through decision, approval, disapproval, recommendation, preparation of any part of a procurement request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity.

(b) FINANCIAL INTEREST IN A BLIND TRUST. Where an employee or any member of the employee's immediate family holds a financial interest in a blind trust, the employee shall not be deemed to have a conflict of interest with regard to matters pertaining to that financial interest if disclosure of the existence of the blind trust has been made to the Director of the Department of Finance and Administration.

(c) DISCOVERY OF CONFLICT OF INTEREST, DISQUALIFICATION, AND WAIVER. Upon discovery of a possible conflict of interest, an employee shall promptly file a written statement of disqualification with the director and shall withdraw from further participation in the transaction involved. The employee may, at the same time, apply to the director in accordance with § 19-11-715(b) for an advisory opinion as to what further application, if any, the employee may have in the transaction, or for a waiver in accordance with § 19-11-715(c).

Employee Disclosure Requirements

In accordance with Ark. Code Ann. §19-11-706:

(a) DISCLOSURE OF BENEFIT RECEIVED FROM CONTRACT. Any employee who has or obtains any benefit from any state contract with a business in which the employee has a financial interest shall report such benefit to the Director of the Department of Finance and Administration. However, this section shall not apply to a contract with a business where the employee's interest in the business has been placed in a disclosed blind trust.

(b) FAILURE TO DISCLOSE BENEFIT RECEIVED. Any employee who knows or should have known of such benefit and fails to report the benefit to the director is in breach of the ethical standards of this section.

Gratuities and Kickbacks

In accordance with Ark. Code Ann. §19-11-707:

(a) GRATUITIES. It is a breach of ethical standards for any person to offer, give, or agree to give any employee or former employee, or for any employee or former employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim, or controversy, or other particular matter, pertaining to any contract or subcontract and any solicitation or proposal therefor.

(b) KICKBACKS. It is a breach of ethical standards for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor, or any person associated therewith, as an inducement for the award of a subcontract or order.

Competition

All procurement transactions will be conducted in a manner providing full, open, and free competition, and include enough qualified sources to ensure maximum competition, consistent with the State of Arkansas Procurement Laws and Rules.

In order to ensure objective and impartial contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirement, scope of work, or invitations for bids or requests for proposals will be excluded from competing for such procurements.

UAPB will conduct procurements with federal funds in a manner that prohibits statutory preference in the evaluation of bids or proposals and preclude potential bidders from qualifying during the solicitation process, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference.

Penalties for Ethical Misconduct

In accordance with Ark. Code Ann. §19-11-702:

Any employee or nonemployee who shall knowingly violate any of the provisions of this subchapter shall be guilty of a felony and upon conviction shall be fined in any sum not to exceed ten thousand dollars (\$10,000) or shall be imprisoned not less than one (1) nor more than five (5) years, or shall be punished by both.

FUNDRAISING ACTIVITIES

Solicitation and Fundraising Activities, Board Policy 225.1

The buildings and grounds owned by the Board of Trustees of the University of Arkansas exist for, and are exclusively devoted to use for, the conduct of an organized and approved University program of higher education. As such, these buildings and grounds are committed to being used for the non-profit, tax-exempt use of the official program of the University. Therefore, private business activities are not permitted on University premises. However, in certain limited areas, the University contracts with private firms to provide needed on-campus services for the convenience of students, faculty, and staff which contribute to the accomplishment of the University's educational purposes.

Apart from prohibiting profit-making commercial business activities, the University also regulates, within limits, under separate policies, and consistent with the above policy, any use of its buildings and grounds for solicitation, including fund-raising activities.

OFFICIAL FUNCTION POLICY

Official Functions, Board Policy 260.1

An approved official function form is required for all official functions.

Events falling within the "Official Functions" designation fit one or more of these categories:

- (1) Meetings of official institutional (in-house) committees and advisory groups;
- (2) Meetings of official external committees and advisory groups;
- (3) Receptions, honors, and staff functions;
- (4) Faculty and staff functions;
- (5) Student functions;
- (6) Official Board functions; or
- (7) Miscellaneous functions in support of the University's mission not obviously fitting one of these categories.

Examples of appropriate expenditures include, but are not limited to, those for refreshments or meals for groups which include institutional representatives and persons being considered for employment; persons conducting accreditation visits; persons meeting as volunteers giving their time in an advisory capacity to the institution; special guests or awardees; students at banquets or awards ceremonies; faculty and staff at a limited number of functions; and persons involved in meetings or events associated with the work of the Board of Trustees.

Expenditures of state-appropriated funds for official functions should never include:

- (1) Expenses for individuals related to membership in clubs, social, or community organizations;
- (2) Dues for individuals to professional organizations (except where approved by the President through applicable Universitywide Administrative Memorandum);
- (3) Holiday cards or other similar printed greetings to individual constituents;
- (4) Alcoholic beverages; or
- (5) Expenses associated with any event which primarily celebrates the anniversary, wedding, or other significant moment in the life of an individual employee.

FREEDOM OF INFORMATION ACT (FOIA)

Freedom of Information Act (FOIA)

Procurement information shall be public record to the extent provided in the Freedom of Information Act of 1967, § 25-19-101 et seq., except as otherwise provided in this subchapter and the Arkansas Procurement Law, § 19-11-201 et seq.

ADVISORY OPINION

In accordance with Ark. Code Ann. §19-11-715:

Prior to contracting with an employee of a state agency or any immediate family member of the same, the Agency Procurement Official will need to have on file an advisory opinion from the State Director of Finance and Administration as further explained below:

1. **ADVISORY:** On written request of employees or contractors and in consultation with the Attorney General, the director may render written advisory opinions regarding the appropriateness of the course of conduct to be followed in proposed transactions. Such requests and advisory opinions

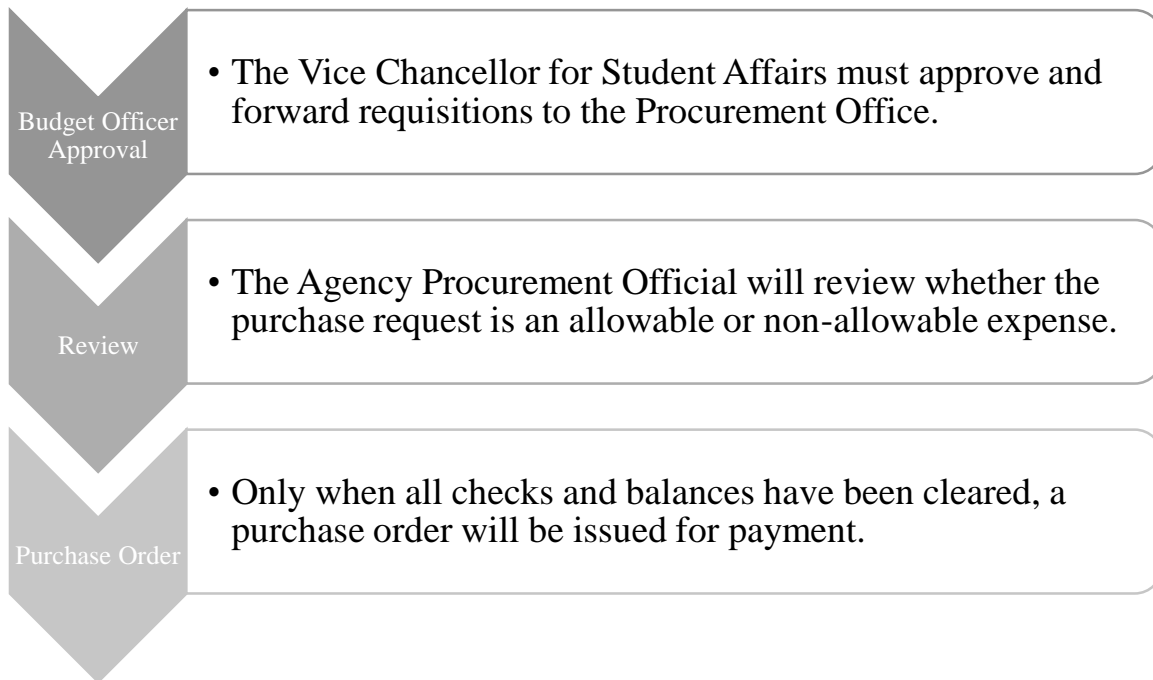
may be duly published in the manner in which regulations of this state are published. Compliance with the requirements of a duly promulgated advisory opinion of the director shall be deemed to constitute compliance with the ethical standards of this subchapter.

2. **WAIVER:** on written request of an employee, the director may grant an employee a written waiver from the application of Ark. Code Ann. §19-11-705, which refers to employee conflict of interest, and grant permission to proceed with the transaction to such extent and upon such terms and conditions as may be specified. Such waiver and permission may be granted when the interests of the state so require or when the ethical conflict is insubstantial or remote.

STUDENT GOVERNMENT ASSOCIATION (SGA)

Student fees are cash funds like tuition and are public funds, as are general revenues. Cash funds and general revenues are appropriated but only general revenues go through the State Treasury and the Revenue Stabilization Act. Procurement law applies to public funds as defined (exemptions: grants, donations, etc.). They are public funds to be spent according to law and regulations. If there is no statutory or regulatory exemption, then the end user should be able to justify spending public funds as being for a legitimate public purpose.

Routing Flow for All 910-Appropriated Requisitions



Allowable Expenses

1. Food request to Thompson’s Hospitality-(However, these require an Official Function Letter that has been pre-approved by Chancellor Alexander, pursuant to Board Policy 260.1.
 - We recommend that you list all of your annual official functions and get them approved under one letter. Each time a request comes through for one of the function listed thereon attach a copy of the letter and highlight the function name.

2. Plaques to student or speakers (non-state employees only) for events if the event has been declared an official function (recommend you add this to your letter above).
3. Annual Yearbook
4. Travel where students are participants in “academic events”
5. Travel for top officers in academic related events or for participation (may require the 3P Justification if more than the President or Ms. SGA)
6. Clothing like sweat or tee shirts for officers or advisors in an official capacity (not for games or non-academic occasions)
7. Printing (wet ink processing) Xeroxing – (dry ink processing) –official business only. If not done on campus must be prior bid by the Office of Procurement
8. Promotional items designed with the intent to recruit
9. Memberships in academically related associations
10. Badges for officers and staff
11. Stipends for student participation. (Ex: Yearbook; Golden Ambassadors, Arkansawyer)
12. Movies and games for students (reasonable costs)
13. Rental of plants for official meetings
14. Ad and radio, television spots that promote recruiting
15. Furniture and office supplies
16. Performers, speakers for official business
17. Vehicle rentals, official business (must be via campus Motorpool and Enterprise Rental)
18. Sports and recreational items for intramural sports(minimal reasonable costs)
19. Reimbursement to student for theft or damages where it is apparent that the fault lies with an agent of UAPB.
 - Pest spray damaged a student’s clothes or books, damage to a student’s car due from lawn work or painting or other. Written, documentation required to include date, summary of the incident, police report if applicable, eye-witness statement or other, to include estimated cost of damages. Signatures required: Student, Supervisor, and appropriate Vice Chancellor. Receipts are preferable, however the final determinate of the amount to be reimbursed will be at the discretion of the Chancellor or his designee and may be with the advice of General Counsel.

PROCUREMENT GUIDELINES

TRAVEL

In accordance to University Policy 8.4:

Members of the teaching, research, administrative, and extension staffs are encouraged to attend professional meetings, when attendance is beneficial to both the employee and the University. Brief leaves from official duties may be granted by your department head for attendance at such meetings when circumstances permit. The University will reimburse you for part of the travel expenses when travel funds are available and to the extent allowed by University travel regulations. Applications for leave and for travel allowances in connection with attendance at professional meetings must be approved in advance. If you are a non-exempt employee, Human Resources can provide information about Fair Labor Standards Act provisions for travel time.

Object Category Code

The object category code for all travel categories is 51000.

Travel Authorization

All expenditures associated with a trip must have prior approval in its entirety before a purchase order will be issued on any one part (the ticket, registration, meals, lodging, expense to drive, etc.), without exception. If funds are insufficient for any one part, no part should be authorized. A travel authorization form must be attached to the purchase requisition.

Authorization for permission to travel should be submitted at least two (2) weeks in advance of the trip where possible. All travel authorization forms must have the signature of the requester, the requester's supervisor and/or budget office, and the appropriate Vice Chancellor and/or Chancellor (*three separate signatures*).

TR1 Reimbursement

A TR1 Reimbursement form with receipts and/or other supporting documents is required and must be submitted to Accounts Payables **before** any travel reimbursement can be made.

Airfare

All requisitions for airfare funded by the University must be made payable to US Bank (vendor ID: 164123). A copy of the airline confirmation must be attached to the requisition.

Lodging

All requisitions for lodging funded by the University must be made payable to US Bank (vendor ID: 164123). A copy of the hotel confirmation must be attached to the requisition.

Meals

All requisitions for meal reimbursements must be made payable to the traveler. A copy of the travel authorization must be attached to the requisition.

Meal Reimbursements:

A receipt is required for all meal reimbursement expenditures. These receipts must be submitted with the TR1 form immediately upon returning from travel.

Per Diem Meals:

A receipt is not required for per diem meals, however, employee must adhere to GSA Per Diem Guidelines and Rates found at <https://www.gsa.gov/portal/category/26429>.

Webinars/Online Courses

Webinars, online courses, etc., which do not require an employee to leave the campus, **do not** require a travel authorization.

Ground Transportation

A receipt is required for all ground transportation expenditures. These receipts must be submitted with the TR1 form immediately upon returning from travel.

Relocation Expenses for New Hires

Arkansas Code 19-4-522 (5) (e) allows the payment of employee moving expenses from state funds by institutions of higher education. Within the fiscal limitations of departmental units of the University of Arkansas a dean, director, or department head may pay up to 10% of the annual salary in moving expenses for new faculty or professional staff employees. The Chancellor, Provost, or a Vice Chancellor may authorize payments greater than this amount. The terms of agreement for payment of moving expenses should be included in the letter of appointment.

When agreement has been made to pay moving expenses the University will pay for the following:

- Moving the employee's household goods and personal effects, including in-transit or foreign-move storage expenses, and
- Travel, including lodging but not meals, from the former residence to the new residence. This includes one night's lodging upon arrival at the new home destination. Subsequent nights of lodging are the responsibility of the employee.

The University has a moving company whose use is recommended and preferred, but not mandatory. Move scheduling should be done as soon as possible upon acceptance of employment, within one year from start of employment. If the University's contracted moving company is not used, but the estimate for moving services is under \$10,000 without tax, you may proceed. However, if the initial estimate for moving services is over \$10,000, three written moving estimates (including an estimate from our recommended and preferred provider) must be secured and justification provided if the firm with the lowest estimate is not selected.

NOTE: The department should enter a requisition directly to the contracted moving company when possible instead of a personal reimbursement. Receipts are required for all reimbursements.

Guest Meals

Reimbursement of guest meals for non-state employees are allowable expenditures. A list of names of individuals for whom meals were purchased and an explanation of the nature of the function should be attached to the requisition. Meals for University employees may not be included unless there was an overnight stay. Charges for alcoholic beverages and gratuities are not allowable expenses.

Vehicle Rentals

All vehicle rentals must be pre-approved by the Motor Pool Supervisor. No rental can exceed 30 days without prior approval from the Legislative Counsel.

SERVICES

Object Category Code

The object category code for all service categories is 52000.

Advertisement

The placement of advertisements via periodicals, television, internet, billboards, or other media is exempt by law, and no bids will be required.

Marketing

The use of a marketing agency and related service provider to develop, market, and plan all creative strategies is a biddable service.

Broadcasting

Drops, promos, selling or pitching the University in a series or in prolonged radio messages to an audience is a biddable service.

Building Rentals (Leases)

Leases for building rentals must be renewed yearly. Once the Agency Procurement Official has been notified by DFA that a lease must be renewed, a Tenantable Condition of Property Checklist will be forwarded to the department end user to be completed to obtain a new lease.

Copier Rentals

The Office of State Procurement (OSP) has established a copier rental contract available for use to all state agencies with the following stipulations:

1. Copiers must be leased from a state-approved vendor for a 36-month period (3 years).
2. At installation, requestor must make sure they have a new surge protector for their rental. Replacement will be at no cost to the requestor if it is proven that the rental is defective or has reached its useful life.
3. At the end of the leasing period, the requestor must submit a requisition to initiate a new 3-year leasing term.
4. Replacement cost may be assessed to the requestor if:
 - a. The usage has exceeded the original volume limit and provider recommends an upgraded machine.
 - b. Requests for an upgraded machine before the end of the leasing term

The Agency Procurement Official will automatically renew the rental agreement for the life of the lease unless otherwise notified by the requestor in writing of cancellation. A penalty will be imposed for cancelling during the three (3) year contract period.

The department end user will be billed separately by the company for those months exceeding usage as specified in the rental plan. The requestor is required to attach the overage invoice(s) to a purchase requisition to cover the overage amount. Overages will not be charged against your monthly billing plan.

Vehicle Rentals

No legislative approval is required for the rental of a vehicle that is thirty (30) days or less, only an approved. All requests for vehicle rentals should be routed through the Motor Pool supervisor. If he or she

determines that we cannot provide the needed vehicle(s) from our fleet, the supervisor would then submit a requisition to the Agency Procurement Official to rent whatever additional vehicles are needed. Such requisitions will be charged to Motor Pool and the Motor Pool supervisor will then bill the end user department.

Vehicle Lease

Before an end user shall lease any motor vehicle or renew any existing lease for a motor vehicle, the end user shall submit a written request to the Director of State Procurement of the Department of Finance and Administration identifying the motor vehicles sought to be leased by the agency and all facts and circumstances. The Director of State Procurement may request to enable him to determine the economic need and feasibility of leasing the motor vehicle.

Upon receipt, the Director of the Office of State Procurement shall review the request to lease the motor vehicle, and if it is determined that the lease is in the best interest of the State and that the agency has adequate funds to pay the lease, the request may be approved, but only if he shall have first received the approval of the Legislative Council.

After receiving the approval of the Legislative Council, the Director of the Office of State Procurement shall stamp his approval on the request and return it to the Agency Procurement Official, which may then proceed to enter into the lease as proposed and approved by the Director of the Office of State Procurement.

If the Director of the Office of State Procurement shall disapprove a proposed lease of a motor vehicle, he shall stamp his disapproval on the request and return to the state agency. It shall be unlawful for the state agency to proceed to lease the motor vehicle.

Submit to the Agency Procurement Official the following:

1. An approved requisition listing
 - a. Destination
 - b. Number of days requested
 - c. Type of vehicle request (year, make, and model)
 - d. Total cost of the lease
2. A completed Vehicle Lease Request Form

Catering

All catering services must be rendered exclusively by the University's food service provider, unless prior approval from the food service provider on contract is granted to the end user to seek catering elsewhere.

All catering events will require an approved Official Function Form.

Referees & Officials

Game Day Workers: Requisitions for game day workers require the following supporting documentation:

1. Conflict of Interest Form
2. Invoice
3. W9 Form
4. Ethnicity

SWAC Officials: Requisitions for SWAC officials require the following supporting documentation:

1. Official's Payment Voucher
2. W9 Form
3. Ethnicity

Sub-Award Agreements

Requisitions for sub-awards over \$25,000 require the following supporting documentation:

1. Fully executed sub award agreement
2. Sub award payment request/invoice form
3. W9 Form
4. Conflict of Interest Form
5. A copy of the company's Equal Employment Opportunity policy (EEO)
6. Illegal Immigrant Certification
7. Contractor's Grant and Disclosure Form

Printing

Printing services must be rendered by the UAPB Printing Services located in the Rust Technology building. If they are unable to accommodate you, written approval to secure printing services off campus must be obtained from the printing supervisor.

In instances where in-house printing services cannot be rendered, the next option is to submit an approved requisition for payment to another state agency, example: Cooperative Extension, Department of Corrections, UAMS, UAF, UALR, etc.

Outsourced printing services are subject to bid if the total cost of services rendered for the calendar year exceeds \$10,000.00. The Agency Procurement Official is responsible for soliciting quotes for outsourced printing services.

Printing which has been procured with state or federal funds should never be resold for profit with the expectation that the revenue will be deposited into a private account, example: souvenir booklets, brochures, etc.

Repairs

All requisitions for repairs and maintenance to University buildings, grounds, property, etc. shall be approved by the Director of Facilities Management prior to submitting the requisition to Procurement.

Speakers

A sole source 3P justification form must be completed, and attached to an approved requisition prior to the speaking engagement. They must have uniqueness unto themselves. If the speaking engagement is subject to terms and conditions, the contract must be prior approved by General Counsel. Please allow up to 2 weeks for thorough legal review. The end user is permitted to pay a small holding fee, no greater than 33% of the total cost, to reserve a speaker.

Cellular Phone Allowance

Monthly cellular allowances are given to full-time employees at their request and/or approval by his/her supervisor. The allowance amount is set by the supervisor. State and federal deductions will be applied to the employee's pay and is reportable year end as income. The allowance is included in the bi-monthly payroll check.

All requests for initiation or cancellation of a cellular allowance must be directed to the Agency Procurement Official.

By receiving an allowance from the State, your mobile device becomes property of the State and will be subject to audit at any point in time.

SUPPLIES

Object Category Code

The object category code for all supplies categories is 53000.

Non-Capitalized Equipment

Non-capitalized equipment is defined as a supply item less than \$5,000.00 that

State Property

It is prohibited by state law to give away state property and/or to give gifts to state employees for personal use when purchased with state or federal funds.

It is a prohibition of state law to take or sell state merchandise regardless of the dollar amount for personal gain or profit. When state property (equipment or supplies) has fulfilled its useful life or intended purposes there are guidelines for proper disposal. All disposal of state property must be carried out by the University's Central Stores and Receiving. Some examples of items that are commonly overlooked but are affected by this directive are: T-shirts, audio visual supplies or equipment (tapes, camera equipment, VCRs, DVDs), promotional items, printed material, student programs or brochures, and etc. (not an exhaustive listing) are not intended for resale.

Promotional Items

T-Shirts purchased with the expressed purpose of giving them away to prospective students is permissible.

Holiday Paraphernalia

The purchase of holiday paraphernalia, including ground and building decorations is prohibited, pursuant to Ark. Code Ann. §19-5-522.

Gifts

State law prohibits use of state funds to purchase gifts for state employees or a former employee (those whose separation date is less than twelve (12) calendar months). Such items include but are not limited to: gifts plaques, medallions, certificates, monetary gifts, flowers, etc.

Purchasing of gifts for non-state employees must adhere to the following:

- A list of all recipients. The list of recipients must be the same in number as the quantity requested on the requisition.
- A statement confirming that all recipients are non-state employees. This statement must be signed by the budget officer for the account to be expensed.

Gifts to non-state employees must be purchased for immediate use. No stocking of gift purchases is allowed.

Uniforms

Pursuant to Ark. Code Ann. §19-4-522(q)(i)&(ii):

Uniforms that the University requires its employees to wear as part of the job are permitted.

Clothing items purchased for employees and not required to be worn during working hours, or which are purchased for the promotion of the University, **shall not** be sub classified as an operating expense.

Awards & Plaques

The purchase of award items with state funds is prohibited for all state employees.

Award items for non-state employees and board members are limited to \$20 per individual.

The department end user must attach a list of recipients and written verification that the individual(s) listed or their immediate family members are not employed by any agency of the State of Arkansas.

Personal Items

Items intended for personal use, such as but not limited to: Personal Hygiene Products, Snacks, Beverages (including water bottles) are prohibited purchases in accordance to 19-4-522. *Maintenance and general operation.*

IT Purchases

All IT requisitions must gain VPAT, state contract, and all other approval measures used by the Director of Technical Services before submission to the Procurement Office.

Voluntary Product Accessibility Template (VPAT) Act 308 of 2013 of the Ark. Law requires that prior to contract consummation, that the product for which is being purchased is VPAT compliant.

STIPENDS

Object Code

The object code for all stipends is 55110.

Pursuant to Ark. Code Ann. §19-11-709(2)(D)(1):

Stipends are approved for eligible students for program participation only.

The department end user shall submit the following to the Agency Procurement Official to initiate the process for stipend payments:

1. An approved requisition
2. Invoice (if non-student); Certificate of Stipend (if student)
3. Conflict of Interest form (for non-students only)
4. W9 Form
5. Ethnicity

CAPITAL PURCHASES

Object Category Code

The object category code for all capital purchases is 56000.

Definition

A capital purchase is defined as goods of considerable value and durability, other than real estate or software, that are used to provide a service or to make, market, keep or transport products. A capital purchase must have a unit cost of \$5000 or more and has an extended lifetime of over one year.

Vehicles

An approval to purchase a vehicle must first be granted by the Department of Motor Pool. If the department end user is trading a vehicle, the Agency Procurement Official must have a description of the vehicle being turned in as a trade for the vehicle requested to be purchased. Identify where the funds are coming from in the request for approval to purchase a vehicle. Once approved by DFA, a purchase

requisition shall be submitted with supporting documentation for payment. A hard copy of check shall be hand delivered by the end user to DFA to complete the purchase of said vehicle.

Job Order Contracts (JOC)

In addition to submitting an approved requisition for Job Order Contracts, a Job Order Estimate sheet must be approved by the Director of Facilities Management and attached to the requisition.

1. Job Order Estimates **under \$5,000** will be issued a purchase order without Systems approval.
2. Job Order Estimates **above \$5,000, but less than \$20,000** must be forwarded to the University of Arkansas Systems office for approval before purchase order issue.
3. The total amount on the Job Order Estimate must match the total amount on the requisition.

Facility Contracts

Requirements for Construction or Facility Improvement Contracts:

Performance and Payment Bond

Performance and payment bond will be required for construction or facility improvement contracts or subcontracts exceeding \$20,000 in accordance with Arkansas laws and rules, pursuant to Arkansas Annotated Code §19-4-1405 and §22-9-203 and §22-9-401 et seq and §18-44-503(a)(b). The bond must be filed in the county where the work is to be performed.

License

Contractor must be properly licensed with the Contractor's Licensing Board, pursuant to Ark. Code Ann. §17-25-101 et Seq., and should indicate on his bid form the current license number as issued by the applicable licensing entity. This license is only required on projects of \$50,000.00

Subcontractors

List of subcontractors are required under Arkansas Code Annotated §22-9-204.

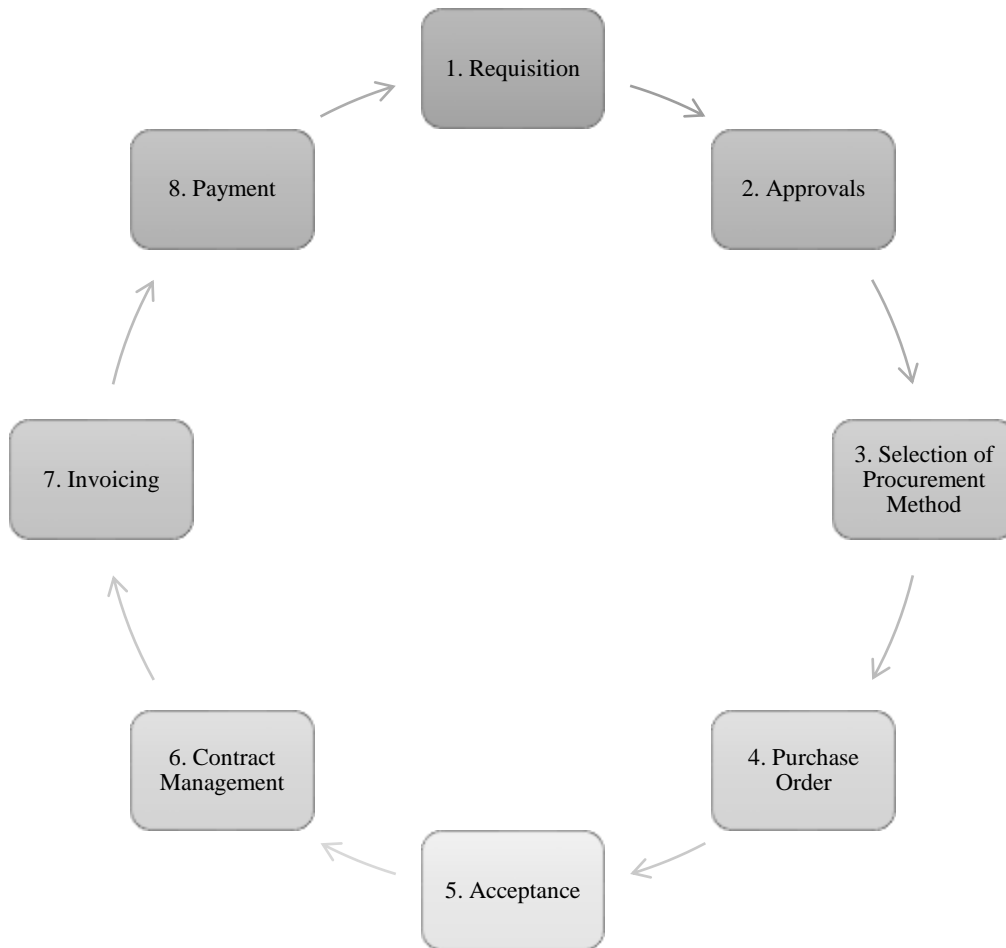
Executive Order 98-04

Failure to execute the contract, submit and file an acceptable payment and performance bond, obtain proof of liability insurance, provide illegal immigration certifications and disclosure documents pursuant to EO 98-04, within the time specified in the bid documents after the intent to award has been issued to the bidder shall be just for cancellation of the award and forfeiture of the bid security which shall become to property of the institution, not as a penalty but in liquidated damages sustained. Award may then be made to the next lowest responsible bidder, or the work may be rebid and constructed under contract or otherwise as the institution determines. The responsible low bidder who fails to execute the Contract will not be considered for an award of any contract or any subsequent bid of that project.

Reference: Executive Order 98-04

<http://www.dfa.arkansas.gov/offices/internalaudit/Documents/eo9804.pdf>

PROCURE TO PAY



REQUISITION

A sourcing need must first be established by the submission of a purchase requisition to the Office of Procurement. The requisition must be neatly printed on the official University requisition form, with all required supporting documentation attached. (See Purchasing Guidelines)

Before requisition entry into Ellucian Colleague, the end user must first be thoroughly trained to enter specifications into the system, print out requisitions, conduct requisition inquiries, and manage their department encumbrances and budget.

The mnemonics required for all employees designated for requisition data entry are:

1. REQM
2. RINQ
3. RQSP
4. PINQ

APPROVALS

Budget Officer

All requisitions must be approved by the appropriate budget officer or designee. A signature authorization form must be completed by all budget officers and their designees and submitted to the Agency Procurement Official.

Vice Chancellor/Chancellor

In addition to Budget Officer approval, all requisitions over \$2,500.00 must receive additional approval from the appropriate Vice Chancellor (or Chancellor, where applicable) before submission to the Agency Procurement Official.

General Ledger

If a GL Account Number is over-budget or an object code is not authorized, the requisition will be rerouted to a Fiscal Support Specialist for account approval, before a purchase order can be issued.

PROCUREMENT METHODS

Based on the type and estimated cost of goods and/or services, the Agency Procurement Official will determine the procurement method that will result in a best value acquisition for the University, in accordance to state laws, regulations, and best practices.

Small Procurements

Pursuant to Ark. Code Ann. §19-11-231, 19-11-204(13): Any procurement not exceeding a purchase price of ten thousand dollars (\$10,000).

Small purchases may be procured without seeking competitive bids or competitive sealed bids, however, procurement requirements shall not be artificially divided to constitute a small procurement. Exempt commodities/services and items under state contract are excluded.

Competitive Bidding

Pursuant to Ark. Code Ann. §19-11-229:

Bids will be publicly solicited and a firm fixed price contract (lump sum or unit price) will be awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price.

The department end user must outline and submit to the Agency Procurement Official the detailed specifications, performance standards, and scope of work of the goods or services needed. These items should be generic in nature to allow for sufficient competition in meeting them. If a vendor's assistance is required to develop the bid specifications, that vendor cannot submit a bid without approval of the Agency Procurement Official and all materials gathered or prepared must be shared with all potential bidders.

Competitive Sealed Proposals

Pursuant to Ark. Code Ann. §19-11-230:

The Agency Procurement Official may use this method when conditions are not appropriate for sealed bids. The Agency Procurement Official will establish and solicit written mandatory requirements and selection criteria that will be used to evaluate bids.

The Agency Procurement Official will work with the department end user to assess each proposal to determine which represents the best value to the University by providing an open and competitive procurement environment that requires members of the evaluation committee conduct themselves ethically always.

Sole Source, Emergency Procurements, and Special Procurements

UAPB may make a noncompetitive award for any amount, pursuant to Ark. Codes Ann. §19-11-232, 19-11-233, and 19-11-263. The Agency Procurement Official must ensure that proper documentation is contained in the procurement records when a noncompetitive contract is awarded for a biddable commodity and/or service.

Emergency procurement is defined as the acquisition of commodities or services which, if not immediately initiated, will endanger human life, health, state property, or the functional capability of UAPB.

PURCHASE ORDER

The purchase order is the primary accepted business standard of UAPB for transmitting ordering information to a supplier.

UAPB will award contracts only to responsible vendors possessing the ability to perform successfully under the terms and conditions of the proposed procurement. In awarding contracts, UAPB will consider a vendor's:

- Compliance with public policy
- Record of past performance, and
- Financial and technical resources

Without a duly authorized purchase order, the University shall not be fiscally liable or legally obligated for goods/services accepted by any other means.

Blanket Purchase Order

To accommodate repetitive sourcing for similar types of commodities or services, the Agency Procurement Official will establish a blanket purchase order.

Cancellation

Purchase order cancellations are limited to cases of default by the vendor or by mutual agreement of the contracting parties. All cancellations must be approved by the Agency Procurement Official.

ACCEPTANCE

Ten (10) days without any challenges to delivery (excluding latent damages) is considered acceptance of goods by the University. End users are encouraged to check for damages immediately after goods have been received and notify the vendor and central stores supervisor if damages are found.

Goods

Upon receipt of purchased goods, a campus mail courier or central receiving employee will deliver the item(s) to the end user's department specified on the purchase order.

Services

An intent to award notification will be issued by the Agency Procurement Official to the vendor prior to commencement of services.

CONTRACT MANAGEMENT

Contracting Authority

In accordance to UA Board Policy 300.1:

No University employee may execute any contract purporting to be on behalf of the University unless he or she has been delegated signature authority to do so. **No contract signed by a person without signature authority shall be binding upon the University or the Board of Trustees of the University of Arkansas.**

The University is not bound by and does not recognize as binding any promise or obligation made by an unauthorized person. Those signing external agreements or attempting to bind the University by any other means without authority may be subject to legal and/or disciplinary action up to and including termination.

All documents legally binding UAPB must first be forwarded to the Agency Procurement Official for review and consideration. After legal review by the General Counsel, the document will then be submitted to the Vice Chancellor for Finance and Administration (or Chancellor, where appropriate) for final approval.

*A fully executed agreement **does not** fiscally obligate UAPB for goods and/or services, in the absence of an approved purchase order.*

Contract Administration

The Agency Procurement Official will be responsible for award contracts and the end user will be responsible for administration and contract compliance for the life of the contract.

Contract Period

All fully executed agreements shall be renewable for up to seven (7) years. No contract shall be renewed past seven (7) years. In the event that there is a reduction of appropriation of funds, the contract administrator may choose not to renew the contract for the fiscal year(s) in which the reduction takes effect. A minimum of thirty (30) days notification of such action is required.

Change Orders

Change Orders must be reduced to writing and justified to the Agency Procurement Official. If justified, an approved requisition will be prepared for the associated cost changes for payment. Once the vendor is in receipt of the purchase order, they may commence with the additional services.

Repository

The Agency Procurement Official will retain and store all contracts and supporting documents for an additional three (3) years after expiration.

INVOICING

All invoices and proforma invoices must be signed and dated by the budget officer, then attached to the purchase requisition to be processed for payment.

Invoices in triplicate must be sent to the University of Arkansas Pine Bluff. You must indicate on the invoice the purchase order number you received prior to commencing service.

Invoices must be sent to:

Accounts Payable
Office of the Controller
1200 North University Drive
Mail Slot 4984
Pine Bluff, AR 71601

PAYMENT

Once a purchase order has been issued, the Agency Procurement Official will forward a copy of the purchase order with the invoice attached to Accounts Payable for payment.

Payments will be paid to the vendor by UAPB net thirty (30) days after approval by the end user and receipt of invoice with documentation.

VENDOR MANAGEMENT

VENDOR REGISTRATION

In order to be considered in any bid processes with the University of Arkansas at Pine Bluff, the Online Vendor Registration Form must be completed online at www.uapb.edu/purchasing.

It is mutually understood and agreed that it is the intent of UAPB that an independent contractor relationship be established, under the terms and conditions of the resulting contract with the successful bidder.

Contractor will be required to assume prime contractor for responsibility and will be the sole point of contact with regard to the services to be performed pursuant to the resulting contract. There will be no separate payments to staff or other employees of the contractor.

SMALL & MINORITY BUSINESSES

UAPB will take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible. Affirmative steps will include placing qualified small and minority businesses and women's business enterprises on solicitation lists and assuring that small and minority businesses and women's business enterprises are solicited whenever they are potential sources, pursuant to Ark. Code Ann. §15-4-311.

STATE CONTRACTS

End users are encouraged to pursue state contract goods and services as frequent as possible, where applicable in order to promote economic efficiency.

Act 557 of 2015 requires that state contract and cooperative spend be reported to the Office of State Procurement every quarter.

PROTEST PROCEDURES

In the case of a protest, the protest will be resolved by the Vice Chancellor for Finance and/or the Office of State Procurement.

Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation of a contract may protest by presenting a written notice at least seventy-two (72) hours before the filing deadline for the solicitation response to the State Procurement Director or the Agency Procurement Official.

Any actual bidder, offeror, or contractor who is aggrieved in connection with the award of a contract may protest to the State Procurement Director or Agency Procurement Official.

The protest shall be submitted in writing within fourteen (14) calendar days after the aggrieved person knows or should have known of the facts giving rise to the grievance.

Prior to the commencement of an action in court or any other action provided by law concerning the controversy, the director, the head of a procurement agency, or a designee of either officer may settle and resolve a protest concerning the solicitation or award of a contract.

This authority shall be exercised in accordance with laws governing the Arkansas State Claims Commission and the regulations promulgated by the director.

Protest Resolution

If the protest is not resolved by mutual agreement, and after reasonable notice to the protestor involved and reasonable opportunity for the protestor to respond to the protest issues according to the regulations promulgated by the director, the Agency Procurement Official, the director, or a designee of either officer shall promptly issue a decision in writing.

The decision shall state the reasons for the action taken.

A copy of the decision shall be mailed or otherwise furnished within five (5) days after it is written to the protestor and any other party intervening.

A decision shall be final and conclusive.

In the event of a timely protest the state shall not proceed further with the solicitation or with the award of the contract until the director or agency procurement official makes a written determination that the award of the contract without delay is necessary to protect substantial interests of the state.

When the protest is sustained and the successfully protesting bidder or offeror was denied the contract award, the protesting bidder or offeror may be entitled to the reasonable costs incurred in connection with the solicitation, including bid preparation costs, through the commission.

DEBARMENT AND SUSPENSION

Debarment

Debarment means the disqualification of a person to receive invitations for bids or requests for proposals or the award of a contract by the state for a specified period of time commensurate with the seriousness of the offense or the failure or the inadequacy of performance. Debarment shall not be for a period of more than three (3) years.

Prior to any debarment hearing, the suspended contractor will be afforded an opportunity to discuss with the Agency Procurement Official the circumstances which led to the suspension and to potentially reach a settlement.

Suspension

Suspension means the disqualification of a person to receive invitations for bids, requests for proposals, or the award of a contract by the state for a temporary period pending the completion of an investigation and any legal proceedings that may ensue because a person is suspected upon probable cause of engaging in criminal, fraudulent, or seriously improper conduct or failure or inadequacy of performance, which may lead to debarment. The suspension shall not be for a period exceeding three (3) months.

Prior to any suspension, the vendor will be afforded an opportunity to discuss with the Agency Procurement Official the circumstances which led to the possible suspension and to potentially reach a settlement.

In the event a vendor is suspended, a written determination shall be made by the State Procurement Director or Agency Procurement Official concerning the facts of any allegation or claim that a bidder has

done any action in Ark. Code Ann. §19-11-245(b) and shall be sent to the bidder at the address shown in the procurement agency's records.

Past performance evaluation should not take the place of suspension or debarment procedures.