

Suffolk University Policy: Policy on Policies and Procedures

Policy Category: Operational Policies -- University

Subject: Procurement Policy

Office Responsible for Review of this Policy: Campus Services

Procedures: n/a

Related University Policies: n/a

I. SCOPE

This policy guides the procurement of goods and services on behalf of the University. Procurement Authority, Legal and Ethical conduct are covered as well as the processes and guidelines for covered acquisitions. This policy applies to any individual or department responsible for acquiring goods or services as part of their operations. Questions regarding this policy can be directed to the Procurement and Payment Services Department.

II. POLICY STATEMENT

The purpose of this Policy is to clarify the requirements of acquiring goods and services on behalf of the University and establish the rules and expectations of the University on individuals granted that responsibility.

III. DEFINITIONS

- **Awarding Agency:** The controlling source of grants or other awarded funds provided to the University.
- **Annual Contract Value:** For the purposes of administering this policy, the annual contract value is the total cost of the expected spend under contract divided by the contract term. For example, a three-year contract with expected expenditures of \$75,000 in year one, \$100,000 in year two, and \$125,000 in year three would have an annual contract value of \$100,000.
- **Minority Business Enterprise:** a business or company that has a minority owner with a 51% or greater ownership stake.
- **Procurement Credit Card (PCard):** The University has implemented a credit card program through MasterCard. It provides cardholders a method to acquire products and services, including travel expenses. Card transactions are integrated with Workday Expense for ease of processing. For more information about the University's card program, please contact the Procurement and Payment Services Office, purchasing@suffolk.edu .
- **Procurement Record:** This term is used to refer to the various systems the Procurement and Payment Services Office uses to track and process contracts and purchases. These systems include Workday, the Agiloft contract system, or emails sent to our Procurement and Payment Services Office. All of the systems use are electronic means of storing and recalling data around the purchases the University makes.

- **Punch Out Purchases (e-Procurement):** Punch Out suppliers have electronic integrations with Workday Financials, which allows University users to access supplier catalogs through Workday and process the procure-to-pay process within Workday directly.
- **RFP / RFQ:** Request for Proposal and Request for Quote are formal methods the University uses to obtain competitive pricing for products and services. RFQ refers to the process for requesting simple quotes from suppliers. RFP refers to the more formal process of requesting competitive bids from suppliers. Typically, RFPs are more extensive and include detailed specifications and requirements.

IV. POLICY

PROCUREMENT OVERVIEW

Procurement of goods and services for Suffolk University (the University) must be conducted in an open and competitive environment to ensure the best value for the University. Procurement activities are conducted by the Procurement and Payment Services Office as well as by academic and administrative department employees. Procurement activities require proper transaction documentation, fiscal responsibility, ethical behavior, a commitment to diversity and inclusion in the selection of suppliers, adherence to government regulations, and compliance with University policies.

Procurement and Payment Services provides support to the University community in the selection, acquisition, use and disposal of goods and services by:

- Maximizing the University's procurement power by focusing on strategic sources and obtaining the best value.
- Leveraging its expertise in contract negotiations and supplier management to the advantage of the University.
- Streamlining processes and investing in new technologies to provide administrative efficiencies.
- Ensuring that purchases are made in accordance with all applicable University policies and city, state and federal laws, regulations, codes and ordinances.
- Minimizing risk exposure while maintaining flexibility in procurement activity.

II. PROCUREMENT AUTHORITY

Under authority granted pursuant to the University's By-laws, only specific officers and their delegees may enter into financial transactions on behalf of the University. The business processes developed in Suffolk University's Workday Financials platform align with this granting of authority and provide appropriate authorizations required for purchase orders, invoice requests, and spending approvals. The Employee Travel and Expense Policy governs the authorizations for travel and other reimbursable expenses.

III. LEGAL AND ETHICAL CONDUCT

It is the policy of Suffolk University to comply with all laws governing its operation, to conduct its affairs in keeping with the highest moral, legal and ethical standards, and to assure that its employees do not seek to realize personal profits from their positions with the University.

Conflict of Interest

The University maintains a Conflict of Interest Policy (“COI Policy”). The COI Policy provides for all members of the Board of Trustees and certain employees to disclose transactions, arrangements, relationships or business affiliations that may be actual or potential conflicts with their University responsibilities and for those actual or potential conflicts to be managed so that the University’s interests are upheld. The standards outlined in the COI Policy apply to all University employees in their conduct of University business.

The Conflict of Interest Policy is found here. Questions concerning the Conflict of Interest Policy should be directed to the Office of the General Counsel at OGC@suffolk.edu.

An employee who is concerned about a conflict of interest or perceived conflict of interest when dealing with a supplier should first contact their supervisor in writing of the situation. In addition, the employee must inform the Office of the Senior Vice President for Finance and Administration/ Treasurer (add email) and the Manager of the Procurement and Payment Services Department that they cannot be involved in transactions with this particular supplier and must recuse themselves from any decision-making or oversight in relation to that supplier.

Violations of Suffolk University’s Procurement Policy

Violations of this policy may include, but are not limited to, disregarding the procurement guidelines, concealing a relationship that creates a conflict of interest, willful failure or refusal to cooperate with an approved plan to manage conflicts or any other violation of the COI Policy. Violation of this policy may subject the employee to disciplinary action up to and including termination.

DIVERSITY AND INCLUSION, STEWARDSHIP

The University has a commitment to directing its procurement spend to businesses with minority ownership and ownership from traditionally underrepresented groups. When possible, departments are expected to consider diverse suppliers in their sourcing process. This includes requests for quotes, bids, and formal requests for proposals. The University has also traditionally emphasized placing business with local firms, reflecting the University's commitment to supporting the greater Boston business community.

Suffolk University similarly emphasizes sourcing from firms whose services and products further Suffolk's environmental stewardship goals. This emphasis includes demonstrated superior long-term sustainability, energy efficiency, and pollution minimization in product production and usage life cycles while optimizing overall value to the University. To emphasize this commitment to local, environmentally conscious and diverse businesses, the University will provide an award allowance for these businesses. Such a designated supplier may be awarded a contract if their proposal is within 3% (not to exceed \$5,000) of other supplier proposals.

PROCUREMENT METHODS

The procurement methods below are utilized by the University. Employees who purchase goods or services on behalf of the University should use one of these methods.

1. Purchase Orders
 - a. Typically, a purchase order is used for one-time purchases or establishing a maximum limit for the purchase of services over time.

2. Procurement Credit Card (PCard)
 - a. If an individual is approved for a procurement credit card, the individual may use the PCard for travel expenses and purchases related to University business. PCard use is subject to the PCard policy and procedures [FOUND HERE]. The PCard is the responsibility of the individual and no other individuals are allowed to use the card. The PCard is not to be used for large purchases of goods or services, as set forth in the PCard policy.

3. eProcurement (Punch Out)
 - a. Currently, the University uses the following suppliers for punch-out purchases. Instructions for how to use the Workday Punch Out system may be found by clicking this [link](#).
 - b. W. B. Mason – office supplies
 - c. Fisher Scientific – scientific/ lab supplies
 - d. The Fenway Group - stationery
 - e. Amazon – small purchases

4. Consortium or Cooperative Procurement
 - a. On occasion, the University will utilize the pricing agreements of consortia or cooperatives to which the University belongs. Some of the consortia utilized by the University are The Boston Consortium for Higher Education (TBC) and the Massachusetts Higher Education Consortium (MHEC). The Procurement and Payment Services Office can help direct purchases to these advantageous arrangements.

5. Procurement Contracts

Purchases which do not fall within the categories described above require a formal contract, which must be processed through the University's contract review process and Agiloft contract management software. Employees may not enter into contracts on behalf of the University without explicit written authority to enter into a contract on the University's behalf. The contract review process includes review of information technology security, legal, and risk issues. For information on the process, reach out to the Procurement and Payment Services Office. Procurement contracts must fall within one of the categories described in Section VI, below.

PROCUREMENT THRESHOLD OF GOODS AND SERVICES

The thresholds below apply to the procurement of goods and services for the University under Section V, above. All supporting documentation for these purchases must be presented to the Procurement and Payment Services Office at time of purchase.

Note: For federally funded purchases, competition is required for purchases and must follow the Post-award Management - Suffolk University policy for government sponsored funds at the University.

- Under \$10,000 - Single Quote

A single quote is allowable for purchases of goods and services under \$10,000, unless those goods come from a contracted supplier, which includes those available through our Workday Financials punchout, those that utilize consortium or cooperative contracts for pricing, or those that have a standalone special pricing agreement with the University. For a listing of approved suppliers with contracted pricing, contact the Procurement and Payment Services Office.

- \$10,001 to \$150,000 single purchase or annual contract value - Competitive Quote (RFQ)

Requires written quotes from at least three suppliers for goods and services (prefer one quote from a certified Minority Business Enterprise), unless those goods come from a contracted supplier: either those available through our Workday punchout, that utilize consortium contracts for pricing, or have a standalone special pricing agreement with the University. For a listing of approved suppliers with contracted pricing, contact the Procurement and Payment Services Office.

- \$150,001 and Over, single purchase or annual contract value - Competitive Proposal (RFP)

A request for proposals (RFP) is a process by which the University seeks bids from qualified contractors for the provision of goods or services. A formal competitive proposal needs to be drafted and at least three qualified suppliers contacted to bid. At least one bidder must be a certified Minority Business Enterprise. A contract will be generated once the winner of the bid is chosen.

After the bids received are reviewed, the University will select a successful bidder based on factors identified in the RFP documents, and the University and contractor will enter into an agreement for a specific time period. For more information on the RFP review process, contact the Procurement and Payment Services Office.

When the provision of goods or services is sought for more than a single purchase or limited time period, the University will normally not enter into a term for more than a three-year initial period of performance, which may be renewable at the University's option for as many as two additional years without rebidding. At the conclusion of a contract term, or after five years of continuous service on a contract and in the best interest of the University, a new bid will be required. Should it be deemed in the University's best interest to enter into a longer-term agreement, or negotiate an additional renewal, it must be approved by the Senior Vice President for Finance and Administration/Treasurer.

The current supplier may be one of the requested bidders if in good standing with the University. Whenever practicable, an RFP processed for the University shall seek a proposal from at least one (1) qualified Minority Business Enterprise. An emphasis should be placed upon sourcing minority businesses from the greater Boston area. For assistance sourcing suitable minority businesses, please contact the Procurement and Payment Services Office.

- Sole or Single Source Procurement

In certain special circumstances, one supplier of goods or services (a “sole source”) may offer a unique product or a singular service capability not otherwise available in the marketplace via a competitive bidding process. One of the following conditions must exist for a sole/single source procurement to be considered:

- o The item (or functional performance) is available only from one source
- o An emergency situation where loss of life or property could be caused by the delay involved with a bidding process
- o The Awarding Agency expressly authorizes a non-competitive procurement
- o After solicitation of a number of sources, competition is deemed inadequate

Where sole source procurement is initiated at the departmental level, written documentation to justify a waiver of the competitive bidding policy is required to establish the basis for awarding the purchase to a sole source and substantiate that the non-competitive price was fair and reasonable under the special circumstances.

A single source procurement is one in which two or more vendors can supply the commodity, technology and/or perform the services required by the University, but the Suffolk selects one vendor over the others for reasons such as expertise or previous experience with similar contracts. Circumstances leading Suffolk to select this method of procurement may include, for example, need for a specific consultant firm where a number of firms are available to perform the work. In such a case, the University can demonstrate a rational basis for selecting a single vendor because of specific factors such as past experience with a particular issue, familiarity with University operations, experience with similar projects at other universities (members of The Boston Consortium, for instance), demonstrated expertise, or capacity and willingness to respond to the specific situation.

In a single source procurement, the Procurement and Payment Services Office must document the following items in the Procurement Record: (i) the circumstances leading to the selection of the vendor, including the alternatives considered; (ii) the rationale for selecting the specific vendor; and (iii) the basis upon which it determined the cost was reasonable and how that conclusion was reached. All such documentation is required by the University in order to review the proposed contract.

PROCUREMENT WITH SPONSORED FUNDS

Purchases using government sponsored funds must be made in accordance with OMB issued Title 2 CFR Part 200. Purchases to be made with sponsored funds must be reviewed by the University’s Office of Research and Sponsored Programs. No procurements utilizing government sponsored funds can be made from parties that have been debarred or suspended from performing federally funded work. Before engaging a vendor, the Procurement and Payment Services Office shall search the government System for Award Management (SAM) to be certain the entity has not been debarred or suspended. Specific government regulations pertain to government grants or other government-awarded projects. As with all contracts, no employee, officer, or agent of the University may participate in the selection, award, or administration of a contract supported by a Federal,

state or local government award if he or she has a real or perceived conflict of interest. See Section III above for more information on the University's Conflict of Interest Policy.

BEST PRACTICES

Suffolk University continually strives to improve its practices to ensure the integrity and effectiveness of its procurement processes. The University's operations are periodically monitored by an independent internal audit group (The Boston Consortium), which provides feedback on areas requiring improvement.

V. EFFECTIVE DATE(S)

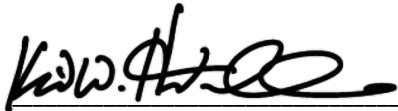
This Policy is effective June 1, 2023.

VI. SIGNATURE, TITLE AND DATE OF APPROVAL

This policy needs to be signed by the appropriate officer(s) (listed below) before it is considered approved.

Approved:

Approval Date:



June 1, 2023

Policy Owner