

**University of Northern Iowa
Purchasing Guidelines & Procedures
Updated May 11, 2017**

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1 Introduction

1.1 [Procurement Services](#)

Administers the procurement of products and services for all University departments by the authority delegated through the President by The Board of Regents, State of Iowa. Procurement Services adheres to the State Code of Iowa, Board of Regents, State of Iowa and University of Northern Iowa policies. The University also follows the Code of Ethics of the National Association of Educational Procurement (NAEP). Departmental requesters play a key role in the purchasing process, and these guidelines are written to assist all individuals with responsibility and authority in the University's purchasing process. Individuals acting on behalf of the University in authorizing purchases have the responsibility to ensure compliance.

1.2 [Applicability](#)

The following guidelines and procedures apply to all University accounts including research, grants, gift, federal and state appropriated fund sources.

Exclusions: These procedures do not apply to the following situations:

- Capital Improvement Projects under the responsibility of Facilities Planning.
- The transaction is between the University and another state entity.
- The procurement is for the lease, sale, purchase, transfer, disposal or any other transaction involving an interest in real property.
- The procurement is for property insurance or most other non-group insurance coverages. Coverages coordinated through Procurement Services include group health, flexible spending, long-term care and international evacuation.

2 Authority and Responsibility

2.1 [Authority for Procurement](#)

The Board of Regents, State of Iowa is authorized by statute to contract for goods, services, and capital improvements. The Board delegates authority to approve agreements and contracts for all goods and services purchased by the institution, except for capital improvements, fire protection, legal services, and engineers. [\(681 IAC 8.2\(3\)\)](#)

[Board of Regents, State of Iowa Policy \(2 6.B.v\)](#) requires goods and services to be purchased through UNI Procurement Services on the basis of competitive procedures. All individuals acting on behalf of the University, in authorizing purchases, have the responsibility to ensure compliance with the applicable federal, state statutes, and Board of Regents, State of Iowa guidelines.

2.2 [Authority to Commit University](#)

As outlined in [UNI Policy 10.02](#) purchasing authority is delegated, from the University President, to division heads, with further delegation to employees who have fiscal officer authority for contracts and agreements to be paid from the accounts over which they have fiscal authority.

Each department is responsible for establishing who within their organization shall have authority to purchase, and the dollar limits at which various approvals are required. Procurement Services works with these departments to set the departmental purchasing hierarchy.

Procurement services also reviews and approves purchases, reviews contract terms and conditions, and must cosign all procurement contracts for goods and services over \$10,000.

2.3 [Budget/Budget Year](#)

The University operates on a fiscal year of July 1 to June 30. Each department requesting to purchase goods or services must have an account that is budgeted and funded within the university system. No expenditures may occur against accounts that have insufficient funding. As relates to procurement, all general fund accounts need to be committed and items received/delivered by June 30 of each fiscal year. If a department anticipates any special purchases for either supplies or equipment, contact Procurement Services, in early June, so that appropriate bids can be generated. The bid process takes approximately four weeks, depending on the complexity of the item requested, and does not obligate the department to place an order; it only prepares the department for the possibility should year end funding become available. As a general guideline, all equipment purchases should be placed by May 15, and most supplies by May 31 in order to guarantee delivery by June 30.

2.4 [Unauthorized Purchases](#)

Except for delegated purchasing authority, (purchasing card or certain small dollar professional services agreements, etc.), no person may obligate the University to a purchase without first receiving approval from Procurement Services. All purchases of the University, as a general rule, must have a public purpose. The personal use of the purchasing or payment systems is prohibited by law and can result in discipline, up to and including dismissal from employment.

2.5 [Sales Agreements](#)

It is in the best interest of the University, for individual departments to refrain from signing supplier sales agreements and/or contracts regardless of the dollar amount. If a supplier requires a document to be signed, the appropriate procurement official will sign for the University.

3 Procurement Methods and Competitive Processes

3.1 [Competitive Thresholds and Bid Limitations](#)

\$4,999 or less: Campus departments have been delegated low dollar purchasing authority, via p-card, when operating consistently with procurement card policies and adhering to the preferred use of Master Agreements and other applicable procurement contracts.

\$5,000 to \$25,000: Department must obtain a minimum of one phone, facsimile, or written bid for encumbrance purposes.

\$25,001 - \$50,000: Purchases of goods and services between twenty five thousand and one (\$25,001) and fifty thousand (\$50,000), per transaction, may be purchased through an informal bid with an adequate number of vendors (a minimum of three quotes is preferred). In relation to services, the \$50,000 threshold is not based on a one-time cost, but rather on a cumulative cost for on-going services under the terms of the project engagement or extension of the project engagement. Procurement services should be contacted in advance and must review informal bids (quotes).

\$50,000 and above: Purchases of goods and services shall be purchased through a formal competitive bid process. It is helpful to include procurement services at the start of the process if you are planning a large purchase with an expected cost close to \$50,000 or above.

3.2 [Not Currently in Use](#)

3.3 [Informal Bid Process](#)

This is a request for prices or quotations that are mailed, faxed, emailed, or otherwise delivered electronically with due date and time noted. The quotes should contain:

- A complete description of the commodity or service needed, using generic, functional specifications.
- Indicate any special circumstances, e.g., critical delivery times, site preparation, special packing, etc.
- State the University requesters name and department information.
- Advertise the bid, if applicable, on the TSB 48-hour website.

3.4 [Formal Competitive Bid Process](#)

Formal competitive bids, as outlined herein, are required on items or services costing in aggregate more than \$50,000. Procurement Services will prepare a written, "Request for Quotation" or "Request for Proposal", document that shall contain, at a minimum, the following information or require the steps stated below:

- Include a Form of Bid, Form of Proposal or similar form, which requests pricing and the items necessary to evaluate the bid responses.
- Provide Bid or Proposal Instructions with a stated time and due date.
- Include a complete description of goods/services needed, using functional specifications.
- List any special circumstances, i.e., critical delivery times, site preparation, special packing, etc.
- State the evaluation criteria upon which the bid solicitation will be evaluated.
- Provide the Purchasing Agent's name and contact information.
- Post the bid solicitation on the Procurement Services website.
- Advertise the bid on the TSB 48-hour website through the link from the 48-hour website.

The general expectation is sealed bids will be scored solely on price will be publicly opened and read aloud. If a Purchasing Agent believes there are valid reasons why bids should not be publicly opened and read aloud, a decision can be made to avoid the public opening. These types of bids generally involve subjective evaluations that will be scored by a committee.

Bids opened publicly and read aloud are to be tabulated and the tabulation made available to all interested parties upon their request. Other than the bid tabulation, the contents of the quotations or proposals are not to be viewed by bidders until an award is made. Bids not opened publicly and read aloud should not be publically viewed, or shared with other bidders, until an award is made.

In addition to contacting potential vendors through electronic mail, all bids shall be posted on the UNI Procurement Services website for the period of time the bids are open. This site affords interested suppliers the opportunity to access and download bids electronically. In some cases, after consulting with the Assistant Vice President of Finance and Operations, the purchasing

agent may determine, at their discretion, the need to utilize available print and internet media to advertise the bid. Advertisements should include:

- Solicitation Number.
- General description of commodity to be purchased.
- Phone number of purchasing agent responsible for bid.
- Procurement website where bids can be accessed and downloaded by suppliers.
- Date of bid acceptance.
- Time of formal bid opening (if applicable).

The TSB 48 hour website shall link to the UNI bid solicitation website for current and accurate information on all solicitations.

3.5 Request for Proposals

The purpose of a Request for Proposal (RFP) is to provide the supplier with sufficient information about a requirement for technical equipment or professional services so that the supplier may propose a solution to the requirement. Such proposals should include, at a minimum, the following:

- Instructions for attending a pre-proposal conference (at purchasing agents discretion).
- Purpose, intent and background of the requirement.
- Key dates in the proposal-award process.
- Administrative requirements for submitting a proposal and format for the proposal.
- Contractual terms and conditions.
- Scope of work, or description of desired outcome and performance requirements that the supplier must meet.
- Evaluation criteria and method(s) of evaluation.

Bids are tabulated in Procurement Services. A purchasing agent tabulates the scoring of price and either makes the award decision or consults with the requesting department(s) for assistance in the decisions.

3.6 Waiver of Bid Requirements

Any of the following conditions, when documented, may preclude bidding requirements:

Immediate Need: It can be demonstrated without question that the department could not have foreseen the required purchase in sufficient time for normal purchasing procedures to be used.

Emergency Need: Life will be endangered, property will be destroyed, or considerable cost will be incurred because of events beyond the control of the department if the procurement is not completed immediately.

Sole Source: The Board of Regents, State of Iowa has acknowledged occasions when products/services must be purchased from one specific source or manufacturer. Requests for a sole or single source must include a written explanation documented on the "sole source purchase justification" form, to support the request. The purchasing agent is required to verify information. Sole source procurements may be approved based upon compatibility with existing equipment, compatibility for instructional purposes, compatibility for research, or when only one supplier can be identified to supply a compliant product or service. All sole source procurements greater than \$25,000 require approval by the Assistant Vice President of Finance and

Operations or designee. Sole source purchases may not be made from a Conflict of Interest Supplier.

Noncompetitive Justification: The following may be reasons for using noncompetitive procurement methods: Patent rights, copyrights, secret processes, the control of basic raw materials, or the need to match existing equipment, research, or processes may preclude competition, although they do not in and of themselves always justify using noncompetitive procurement. Specifying patented products or processes, when not necessary to meet functional requirements, is not acceptable as a sole source justification.

Negotiation: Competitive and non-competitive negotiation may replace competitive bidding when in the best interest of the university. Justification for such use must be documented and available upon request.

3.7 [Purchases from Cooperatives, Consortia or Group Purchasing Organizations](#)

Some contracts available through cooperatives, consortia or group purchasing organizations (GPO's) were developed as a result of competitive negotiation. These contracts may be accessed and used if procurement services has determined that the contracts were produced using a competitive process. No further competition is required for these orders, but the Purchasing Agent will have discretion to seek competition.

3.8 [Purchases from Department of Administrative Services and Other State Agencies](#)

Competitive Bids are not required, for orders exceeding the bid threshold, when such items are included on State of Iowa contracts, provided such contracts were bid in a competitive process. When acquiring services from another state agency, a contractual agreement should still be completed.

3.9 [Iowa State Industries \(a.k.a. Iowa Prison Industries\)](#)

Items that can be supplied by Iowa Prison Industries should be considered, unless there are extenuating circumstances such as quality, price, or inability to supply the needed items in a timely manner. Please contact procurement services to determine the appropriate supplier when Regent Master Agreements exist or in extenuating circumstances.

3.10 [Obtaining Equipment on a Trial Basis](#)

Equipment requested by University departments from suppliers on a trial, loan, demonstration, or evaluation basis does not constitute a commitment to purchase said equipment. The requesting department must inform Procurement Services before any equipment with a fair market value exceeding \$25,000 is to be tested or evaluated.

All moving, handling, transportation and applicable installation costs associated with equipment of this nature are the sole responsibility of the supplier. The University will not incur any costs associated with equipment on trial, loan, demonstration, test, or evaluation.

3.11 [Vehicle Purchases](#)

The University purchases cars, trucks, and vans cooperatively with the Iowa Department of Administrative Services and the Iowa Department of Transportation. Specifications and bids are prepared jointly each fall for new models. Departments planning to purchase a new vehicle must seek approval of the division head and contact either Procurement Services or the Transportation Manager no later than July 1 so the request can be included in the cooperative purchase specifications.

4. Bids/Solicitations

4.1 [Solicitation Notification](#)

Public posting on the Procurement Services website is the required method for advertising competitive bids/solicitations for goods and services made through Procurement Services. Other methods of solicitation notification may also be used at the discretion of the purchasing agent, provided the bid document is publicly posted on the Procurement Services website.

4.2 [Specification Development](#)

Purchasing agents shall issue goods and services specifications which are not unduly restrictive. Brand name specifications shall be used to reference a level of quality, not restrict bidding. Supplier assistance in specification preparation shall only be allowed if that supplier does not participate in the bid process.

4.3 [Pre-proposal or Pre-bid Conferences](#)

Pre-proposal or Pre-bid Conferences may be conducted for the benefit of all potential bidders to explain procurement specifications and requirements. Such conferences shall be announced in the bid or proposal solicitation document. The bidder's conference should be held long enough after the bid solicitation document has been issued, to allow suppliers to become familiar with it, but with adequate time before the solicitation due date, to allow supplier consideration of the conference results, in preparing their response. Nothing stated at the conference shall change the solicitation document, unless a change is formalized, by written addendum posted on the electronic solicitation notification system.

4.4 [Addenda to Solicitations](#)

Addenda issued to modify bid solicitations shall be identified by bid solicitation reference number and may require that the supplier acknowledge receipt of all addenda issued. Addenda shall be posted on the electronic solicitation notification system with sufficient time to allow suppliers to consider them in preparing their response. If the established due date and time, in the opinion of the Purchasing Agent, will not permit such preparation, the due date may be extended.

4.5 [Tie Bids](#)

Procurement Services will resolve bids that are equal in all respects and tied in price by drawing lots. Whenever practical, the drawing will be held in the presence of the suppliers who are tied in price. If this is not feasible, the drawing will be made in front of at least three (3) persons and said drawing documented. The following only applies in purchases where funding agency rules do not prohibit consideration of location in awarding contracts. Whenever a tie bid involves an Iowa firm and firm outside the State of Iowa, the Iowa firm will receive preference. Whenever a tie involves one or more Iowa firms and one or more firms outside the State of Iowa, the drawing will be held among the Iowa firms only. Tie bids involving Iowa produced or manufactured products and items produced or manufactured outside the State of Iowa will be resolved in favor of the Iowa product.

4.6 [Withdrawal of Bids](#)

Requests to withdraw bids shall be submitted in writing to the purchasing agent by the supplier seeking relief. Only in the event of an obvious and documented error where it would be a manifest injustice to require the supplier to perform, can a supplier withdraw a bid after the time

set for receipt of bids. A request shall include documentation of the alleged error and the supplier's rationale why they believe they would be unable to honor the original bid submitted. Each request for withdrawal will be considered on its own merit.

4.7 [Late Bids](#)

Generally, bids received after the published date and hour specified for receipt, will not be considered and will not be returned to the supplier.

Prior to bids being opened, or before 5:00 PM Central time the next work day after the due date and time, a supplier must timely advise their bid will be or was late, because of extenuating circumstances. If these circumstances can be documented, in hard copy form, that through no fault of the supplier, and that because of circumstances beyond the supplier's control, they were precluded from having their original bid delivered on time, an exception may be made. Generally, this would result from an act of God, e.g., snowstorms, ice, etc., or a courier service delivering the bid to the wrong address. However, this does not include accepting late bids that are the result of a supplier's equipment malfunctioning, e.g., copiers or computers.

4.8 [Cancellation of Bid Solicitations](#)

Any bid solicitation may be cancelled at any point in the process when it is in the best interest of the University as determined by the Procurement Services Manager. Approval to cancel will be obtained prior to cancellation and a notice of the solicitations' termination shall be sent to all suppliers that submitted bids or proposals. The reasons(s) for terminating the solicitation process shall be made part of the file and may include the following:

- The University no longer requires the goods or services;
- The University no longer can reasonably expect to fund the procurement;
- Proposed addenda to the solicitation would be of such magnitude that a new solicitation is desirable;
- Ambiguous or otherwise inadequate specifications were part of the solicitation;
- The solicitation did not provide for consideration of all factors of significance to the University;
- The purchasing agent became aware of factors after the bid solicitation was issued that make it imprudent to continue the process;
- Prices exceed available funds and it would not be appropriate to adjust quantities or qualities to come within available funds;
- All otherwise acceptable bids or proposals received are at clearly unreasonable prices;
- The University has reason to believe that the bids or proposals may not have been independently developed in open competition, may have been collusive, or may have been submitted in bad faith;
- The number of responses is not sufficient to ensure adequate competition;
- Any other reason, in the judgement of the Procurement Services Manager, that requires the bid to be cancelled in the best interest of the University.

5. Requirements Within Bid or Proposal Solicitation Documents

5.1 [Bid Security](#)

Bid security is to be used in cases where the purchasing agent determines there is a need to protect the interest of the University. The need for bid security may be determined by the size of the proposed purchase, the item or items being bid, the competitive conditions surrounding the

purchase, and the history of such purchases including general reliability of suppliers being requested to bid a particular purchase.

Bids will be accompanied by and secured only by a cash deposit, cashier's check, certified check, or a bid bond in an amount of (5%) of the bid. Certified checks and cashier's checks shall be made payable to University of Northern Iowa. When retained, bid security in the form of cash deposit, cashier's check, or certified check is to be returned within forty-eight hours after the contract has been executed.

The use of bid bonds will be at the purchasing agent's discretion and can be used with either the formal or informal solicitation of quotations.

5.2 [Insurance](#)

Certain items that are highly susceptible to damage, while in transit, may be insured. These items would include certain high cost computers, extremely sensitive scientific equipment, diagnostic equipment, etc.

Work to be performed on campus by outside contractors will require evidence of appropriate insurance coverage in the form of a certificate of insurance listing UNI, the State of Iowa and the Board of Regents, State of Iowa as additional insureds with the proper endorsement to the policy providing coverage to the aforementioned parties. UNI must also have contractual right to the supplier's insurance through language in an agreement or purchase order. Procurement Services and Risk Management shall maintain a current file of certificates of insurance.

6. Supplier Selection

6.1 [Awards](#)

Awards where (1) no award criteria are stated or (2) no award criteria are stated other than compliance with specifications and cost, shall be made to the low compliant bidder offering goods and/or services. Awards where multiple criteria of award are stated shall be evaluated on each stated criterion and the award made to the supplier whose proposal provides the most value and benefit to the institution, considering cost and all other factors stated in the bid solicitation. The purchasing agent shall document evaluations involving multiple criteria.

6.2 [All or None Bids](#)

Purchasing may award either by item or by lot, whichever is to the advantage of the University.

6.3 [Acceptance of Other Than Lowest Bid](#)

Purchasing agents are not required to accept offers based solely on price, unless the original bid solicitation specifically indicated otherwise or no criteria of award was stated in the bid solicitation. Generally, it is not advisable to state that price alone will be the sole determinant. Whenever acceptance of other than the low compliant and responsible bid is recommended by the purchasing agent, a documented rationale should be provided to the Procurement Services Manager for approval.

6.4 [Additional Factors in Supplier Selection](#)

Freight terms may be specified in the solicitation and may be considered in the overall determination of award. Cash discounts or prompt payment discounts may be considered in determining the lowest responsible bidder. Cost and length of warranty coverage offered may

also be considered. Total cost of ownership when the equipment is expected to be used over a period of time and energy consumption, maintenance, and other operating costs represent a significant portion of the total cost to the University can be considered in overall determination of award.

6.5 [Price Reasonableness](#)

When there is no competition (such as a sole source procurement) or when only one response is received to a solicitation, the purchasing agent should ensure that the price the University is paying is fair and reasonable by completing a price cost analysis. If, after analysis, the purchasing agent does not feel the price is fair and reasonable, he/she will do one of two things:

- Seek competition; or
- Negotiate with the supplier to lower the price.

6.6 [Use of Licensed Suppliers – Trademarks](#)

All purchases of items using the University marks shall comply with the rules of the UNI Trademark Licensing Program.

6.7 [Endorsements](#)

In order to limit liability and maintain a non-partisan position with all suppliers, neither purchasing staff nor university departmental personnel shall endorse suppliers, their products, or services.

7 Types of Procurement/Contracts

7.1 [Multi-Term Contracts](#)

Purchasing may enter into multi-year contracts for goods or services subject to funding availability. Contract periods should be consistent with industry practices for the goods or services being provided and/or allow sufficient time for the supplier to be able to recoup their investment. Any multi-year contracts that cross fiscal years and are funded by appropriated funds must contain a cancellation clause that protects the University in the event insufficient funds are appropriated. Language should also be included that addresses cancellation, should program requirements or program direction change, regardless of the funding source.

7.2 [Master Agreements](#)

To obtain the best pricing and overall value for the university, Procurement Services may bid and award Master Agreements for goods or services intended for use by all University Departments. Master Agreements may include, but are not limited to, University-initiated agreements, Board of Regents, State of Iowa agreements and other cooperative agreements. The purposes of such agreements are to promote efficiency and savings that can result from strategically leveraging the University's buying power.

Master Agreement pricing is based on the University's overall anticipated volume of purchases during the agreement period. In order to maintain this pricing for the University, all University departments are expected to order needed goods or services from Master Agreements where applicable.

7.3 [Professional Services](#)

Professional Service Agreements are contracts for unique, technical and/or infrequent functions performed by an independent contractor qualified by education, experience and/or technical

ability to provide services. In most cases, these services are of a specific project nature, and are not a continuing, on-going responsibility of the institution.

Professional service agreements for greater than \$50,000 must be selected through a competitive Request for Proposal (RFP) process unless the service is a sole source purchase that is appropriately documented and approved. The \$50,000 threshold is not based on a one-time cost, but rather on a cumulative cost for on-going services under the terms of the project engagement. Professional service agreements, which are less than \$50,000 over the course of service, may be entered into without using the required competitive bidding process unless a response from a Conflict of Interest Vendor is expected. If this is possible, the dollar threshold reduces to \$2,000. Selection of a professional service provider should be made on a variety of criteria.

- demonstrated competence,
- knowledge,
- references and unique qualifications to perform the services,
- reasonable price consistent with current market conditions,
- additional criteria as appropriate to the circumstances.

7.4 [Revenue Generating Contracts](#)

Revenue generating contracts should be competitively bid to allow all competing suppliers an opportunity to perform services that create a shared revenue situation. Utilizing a State of Iowa contract or other cooperative contract is permissible if, in the determination of the Procurement Services Manager the bid was conducted in a competitive fashion. Commissions or rebates are often based on a percentage of gross receipts, but other financial arrangements are possible. The contract administrator must assume responsibility for contract performance. Disposition of any purchased capital equipment at termination and additions to real property during the term of the agreement must also be addressed in the contract.

7.5 [Leases/Rental Agreements](#)

All forms of true lease or rental agreements for materials or services need to be signed on behalf of the University by Procurement Services, prior to the execution and issuance of any purchase order or contract order referencing the lease or rental agreements. Lease, lease-rental and rental of equipment, supplies, etc. are subject to the same acquisition process including competitive bids that apply to regular purchases.

7.6 [Lease of Land or Real Property](#)

The authority to lease land or real property, either as the lessor or lessee, is vested with the Board of Regents, State of Iowa. Therefore, all property lease agreements must be coordinated through the Controller. Property lease agreements will be placed on the docket for ratification by the Board of Regents, State of Iowa, at a regularly scheduled meeting.

8 Equipment Purchases

8.1 [Equipment](#)

Equipment Definitions:

- Moveable Equipment: Moveable property valued at a unit acquisition cost above \$5,000 which is identifiable, not a replacement part, and has a useful life greater than one year.
- Fixed Equipment: Permanently affixed/installed furniture, fixtures and equipment. Examples include but are not limited to: elevators, kitchen cabinets, laboratory casework,

building directories, library shelving, drinking fountains, signage, plumbing fixtures, building mechanical systems, fixed electronic equipment, and fixed theater or classroom seating, as well as other fixtures and equipment installed with the intent of permanent use in that location.

Fixed equipment, which is part of a capital project approved and reported to the Board of Regents, State of Iowa is exempt from the requirements of the following subsection.

Equipment purchases of either moveable or fixed equipment are subject to the following review procedures prior to the issuance of a purchase order or any other purchase commitment by the institution.

Equipment with a unit cost of less than \$1,000,000: Purchased by Procurement Services after obtaining all required departmental and administrative authorizations.

Equipment with a unit cost greater than \$1,000,000: Submitted to the Vice President for Finance & Operations, or designee, for approval.

Equipment costing more than \$2,000,000: Submitted to the Vice President for Finance & Operations, or designee, for approval. It will be at the discretion of the Vice President for Finance & Operations, or designee, to submit the equipment purchase to the Board of Regents for approval at a Board meeting, once the acquisition can be docketed. Generally docket agenda items are submitted one month prior to the Board meeting, so prior planning is recommended to ensure delays do not occur.

A summary of all equipment purchases of \$1,000,000 or more will be provided to the Board of Regents, State of Iowa on a quarterly basis.

Any request submitted to the Board Office for approval pursuant to above sections will include the following information regarding the equipment to be purchased:

- Description of the equipment.
- Justification of the need for the equipment.
- Any known alternatives to the equipment proposed.
- Estimated cost and source of funding.

Submission to the Board Office shall be coordinated by the Purchasing Agent working with the requesting department to provide the above justification. Upon completion, a draft of the justification shall be reviewed by the Procurement Services Manager and forwarded to the Vice President for Finance and Operations. Upon receipt, the Vice President for Finance and Operations will submit the request to the Board Office. Equipment orders may be placed only after receipt of appropriate approval.

8.2 [Purchase of Used Equipment](#)

Used equipment may be bid against new equipment, however, the option must be clearly explained in the bid document and information regarding the status of the equipment must be clearly defined, i.e. less than five years old.

Used equipment may be purchased on a noncompetitive basis if the following criteria are met:

- A market analysis conducted by the purchasing agent supports that it is clearly to the University's advantage (cost).

- We can verify age, condition and seller's legitimate ownership of the equipment
- The supplier can provide clear title free of liens and encumbrances or an appropriate arrangement can be made to process payment jointly to the supplier and the lien holder, which addresses all the concerns. Purchasing Agent shall determine the existence of liens when buying used equipment and take appropriate action.

8.3 [Demonstration Equipment](#)

Demonstration equipment may be bid against new equipment to determine feasibility of purchase; however, the option must be clearly explained in the bid document. Suppliers should be made aware of policy that nonexpendable goods are subject to competitive bid procedures, if offers are made to supply units for demonstration purposes and possible sale.

9 Remedies, Protests and Disputes

9.1 [Remedies for Failure to Deliver or Delivery of Nonconforming Goods or Services](#)

In any case where the supplier has failed to deliver, has delivered nonconforming goods or services, or has breached an agreement, the Purchasing Agent shall be informed and will utilize all measures to achieve supplier conformity. The Procurement Services Manager and University legal counsel shall be advised and utilized at the earliest appropriate time.

9.2 [Debarment](#)

A supplier may be debarred for any of the following reasons:

- Conviction of a criminal offense in relation to obtaining or attempting to obtain a University contract or in the performance of such contract.
- Conviction under Federal antitrust statutes arising out of the submission of bids or proposals;
- Willful material failure to perform in accordance with the terms of one or more contracts following notice of such failure, or a history of material failure to perform, or of materially unsatisfactory performance on one or more contracts;
- The supplier is currently under debarment by another governmental entity.

A written notice of debarment shall be sent to the debarred supplier stating the debarment period, no business may be conducted with the University by any person(s) representing the debarred supplier during the debarment period and that any solicitation response received from the debarred supplier during the debarment period shall not be considered.

9.3 [Vendor Appeal Procedures](#)

As outlined in Board of Regents, State of Iowa Policy (2 2.6.Cxii, a-d) the following procedures shall be used by any Vendor who wishes to file a complaint regarding the award of a competitively bid contract, with the exception of disputes involving the terms, conditions, obligations and interpretations of executed contracts or purchase orders; including, but not limited to, change orders. If an executed contract or purchase order contains a dispute resolution clause, that clause shall apply and not the procedure outlined in this section. The filing of a complaint shall not delay the award process if it is determined to be in the best interest of the University of Northern Iowa. Failure to raise a timely complaint in accordance with the following procedure shall be deemed a waiver of the right to contest the matter further.

- a. **Informal Dispute Resolution with the University Department:** A Vendor who has a concern with a decision made by a Purchasing Agent shall contact the Purchasing Agent

within five (5) working days of when the Vendor became aware, or reasonably should have become aware, of the decision or action which forms the basis of the concern. The Purchasing Agent shall discuss the issue(s) with the Vendor in an attempt to resolve the dispute.

b. Initiation of Complaint to University Administration:

1. Within five (5) working days of discussing the matter with the Purchasing Agent, a Vendor (hereinafter "Complainant") shall outline the concern in writing to the Manager of Procurement Services.
2. The complaint shall be in writing and shall include the following information:
 - a. Name, address, and contact information of the Complainant;
 - b. Identification of the purchasing action complained of, including the RFQ/RFP number if available;
 - c. A detailed statement of the legal and factual grounds of the complaint, including copies of relevant documents;
 - d. The specific relief requested; and
 - e. Signature of the Complainant.
3. Upon receipt of the complaint, the Manager of Procurement Services shall conduct a review of the complaint and render a decision within ten (10) working days. Where information needed for the decision must be obtained from sources outside Procurement Services, the university's response may be delayed up to ten (10) additional working days.
4. The Manager of Procurement Services' decision shall be in writing and shall contain the name and contact information of the individual to whom the decision may be appealed.
5. The decision of the Manager of Procurement Services is final unless written appeal is filed with the individual identified in the written decision to receive the appeal. The appeal must be filed within five (5) working days of receipt, and shall contain the specific grounds upon which appeal is made.

c. Appeal to University Administration:

1. Upon receipt of the appeal, the Vice President of Finance and Operations, or his/her designee, shall conduct a review of the written record of the complaint and render a decision in writing within ten (10) working days.
2. Copies of the decision shall be provided to the Complainant and the Procurement Services Manager.
3. The written decision of the Vice President of Finance & Operations shall be final unless written appeal is filed with the General Counsel for the Board of Regents, State of Iowa.
4. Should the complaint be affirmed at any stage of institutional review, the institutional representative responsible for reviewing the complaint may, in his/her discretion, grant the requested relief or fashion an alternate remedy as deemed appropriate. The issuance of a specific remedy shall not be subject to appeal under this procedure.

5. Copies of any written complaint received by the institution and any decision rendered pursuant to this procedure shall be forwarded to the Office of the Board of Regents, State of Iowa.

Additional steps to be taken would be at the discretion of the Board of Regents, State of Iowa as outlined in Regent Policy.

10 Ethics, Conflict Of Interest and Open Records

10.1 [Code of Ethics](#)

Procurement Services and all purchasing agents acting on behalf of the University of Northern Iowa are expected to conduct themselves within the guidelines established by the procedures set forth in the "Code of Ethics" published by the National Association of Educational Procurement (NAEP). These following standards are posted on the NAEP's website:

1. Give first consideration to the objectives and policies of my institution.
2. Strive to obtain the maximum value for each dollar of expenditure.
3. Decline personal gifts or gratuities.
4. Grant all competitive suppliers equal consideration insofar as state or federal statute and institutional policy permit.
5. Conduct business with potential and current suppliers in an atmosphere of good faith, devoid of intentional misrepresentation.
6. Demand honesty in sales representation whether offered through the medium of a verbal or written statement, an advertisement, or a sample of the product.
7. Receive consent of originator of proprietary ideas and designs before using them for competitive purchasing purposes.
8. Make every reasonable effort to negotiate an equitable and mutually agreeable settlement of any controversy with a supplier; and/or be willing to submit any major controversies to arbitration or other third party review, insofar as the established policies of my institution permit.
9. Accord a prompt and courteous reception insofar as conditions permit to all who call on legitimate business missions.
10. Cooperate with trade, industrial and professional associations, and with governmental and private agencies for the purposes of promoting and developing sound business methods.
11. Foster fair, ethical and legal trade practices.
12. Counsel and cooperate with NAEP Members and promote a spirit of unity and a keen interest in professional growth among them.

10.2 [Use of Confidential Information](#)

It shall be a breach of ethical standards for any employee or former employee to use confidential information for actual or anticipated personal gain, or for the actual or anticipated personal gain of another person.

10.3 [Gifts and Gratuities](#)

Purchasing policy is to accept no gifts or gratuities. This includes luncheon appointments and meals with sales representatives. A gift is anything of value given for which nothing of equal or greater value was given in return. The law prohibits public officials, public employees, candidates for public office, and members of their immediate families from soliciting or accepting

a gift from a supplier. Items available free of charge to members of the general public and non-monetary items worth three dollars or less, such as pencils or notepads would be acceptable to receive.

10.4 [Release of Bid Information](#)

The Iowa Fair Information Practices Act requires the contents of bids to be placed in the public domain immediately after the bids have been evaluated and an award has been made. This law applies to both formal and informal bids. Any person may ask to review bids and has the right to do so and to request photocopies. University officials and purchasing agents responsible for the opening and handling of bids are charged with: (1) reviewing the bids to identify and protect proprietary content and (2) ensuring items protected by Iowa law are not released or copied for public distribution. Individual social security numbers should not appear on any copies viewed by the public or released for public distribution. Charges for photocopies (as well as time spent to redact proprietary information and postage) may be applied if significant copies and/or time are involved.

10.5 [Conflict of Interest Bids](#)

It is the policy of the Board of Regents, State of Iowa that employees of a Regent Institution are required to comply with Iowa Code § 68B.2A: Conflicts of Interest.

When the potential for doing business with a Conflict of Interest supplier exists, Procurement Services should receive a narrative submitted by the conflict of interest supplier that explains why the employee's position within the university does not create a conflict of interest situation through which the supplier will benefit from their position with the university. In addition, Procurement Services must have authorized the University to purchase from the conflict of interest supplier, before an order can be made. Except as part of official state duties, a state employee shall not sell, in any one occurrence, any goods or services having a value in excess of two thousand dollars unless the sale is made pursuant to an award or contract let after public notice and competitive bidding.

11 Procure to Payment Process

11.1 [Requisitions](#)

As a general guideline, request for purchase of goods or services over \$5000 shall be submitted on an electronic requisition using the Oracle e-Business suite application. Access is limited to users who have a username and password that provides security to departmental accounts.

Before creating a requisition, a supplier should be selected; departments purchasing from a new supplier must submit a completed Supplier Information Form to the Office of Business Operations before the requisition can be completed.

11.2 [iProcurement](#)

iProcurement is an easily accessible web-based shopping site located in Oracle eBiz. iProcurement is available to all employees through the "Purchasing User" responsibility, and is a way to conveniently purchase through contracted suppliers. Users search and procure products from a punchout catalog.

11.3 [Purchase Orders \(PO\)](#)

Purchase Orders are issued by Procurement Services and are generated from the department requisition. All suppliers who have supplied goods or services to the University are required to submit a billing (invoice) to initiate payment.

11.4 [Receiving on Purchase Order](#)

Upon receipt of merchandise from the supplier, the department must then 'receive' on the corresponding purchase order for the items that have been received. The receiving information must be entered in the Oracle system in order for payment to be initiated to the supplier.

The date of receipt is critical, specifically, at year-end when general fund accounts must have merchandise received by June 30 in order to be encumbered from the present fiscal year monies in accordance with State of Iowa Code.

11.5 [Blanket Orders](#)

Blanket orders are purchase orders which are good for a specific period of time and allow departments to purchase frequently used items as needed without submitting a requisition for each occurrence. Departments may specify a "not to exceed" dollar limit on blanket orders.

11.6 [Payment of Interest Claims](#)

Generally, the University is not required to pay interest claims, contact the [Office of Business Operations](#) (OBO) for additional details.

11.7 [Sales Tax](#)

The University is exempt from state sales and use tax in Iowa and several other states. A copy of the Sales Tax Exemption form can be found on the [OBO - Accounts Payable Webpage](#).

11.8 [Prepayments](#)

Prepayment is defined as any payment made prior to the receipt, whether in whole or in part, of goods or services ordered. As a general rule, prepayments of any kind are not encouraged, but may be authorized when such prepayment is determined to be in the best interest of the University and the State of Iowa.

Prepayments must be approved by the Controller of the University.

11.9 [Customs Import Expenses](#)

When ordering scientific instruments, educational or other goods from foreign countries, departments must apply for duty-free entry into the United States. For information on how to apply for duty-free entry, contact Procurement Services. Such charges are to be considered in evaluating competing bids between domestic and foreign suppliers.

12 Sustainability and Social Responsibility

12.1 [Supplier Code of Conduct](#)

The University is committed to socially and environmentally responsible purchasing consistent with the values in our strategic plan. We expect high quality in the products, services and business practices of all business partners. This commitment enjoys broad support on campus.

12.2 [Biodegradable and Recycled Product Procurement](#)

All state agencies including the Board of Regents, State of Iowa institutions are required to meet the following goals:

- Starch-based degradable plastic bags shall be used for all trash and garbage when economically feasible.
- Only degradable foam products shall be used as food and beverage containers. Paper substitutes are recommended.
- Purchase of recycled paper products for the purpose of writing, typing and printing shall be 90% by January 1, 2000.
- Purchase of recycled tissue products is 100%.
- Bags and paper should be ordered from the Master office Supplies contract and/or Campus Supply (where applicable).

13 Small Business Program

13.1 [Iowa Targeted Small Business Program](#)

The Iowa Targeted Small Business (TSB) procurement program exists to promote the growth, development, and diversification of Iowa businesses owned by minorities and women. The University has implemented a program to award a portion of the University's annual purchases of goods and services, including construction services to certified TSB's. Whenever possible, Procurement Services will utilize TSB's for bid solicitations and awards.

14 Federal Requirements

14.1 [Federal Grants](#)

The University of Northern Iowa Procurement Services has delayed the implementation of the Uniform Guidance Procurement Standards until July 1, 2017, as provided by the waiver of the procurement rules stated in the [COFAR FAQ, Section 110-6](#) [PDF], released in September 2015. In the interim, the existing UNI policies and procedures and the OMB Circulars will continue to apply. Purchasing agents and departments are responsible for complying with applicable federal provisions when establishing contracts or issuing purchase orders for partially or fully federally funded acquisitions.

14.2 [Federal Contracts](#)

When the University enters into an Agreement with either the U.S. Government, or another entity who has itself entered into an Agreement with U.S. Government, that agreement requires certain federal contract provisions be made a part of any subsequent purchase order issued by the University related to furthering the performance or deliverables required under that agreement.

Please contact Procurement Services regarding questions involving federal contracts.