

**UNIVERSITY OF MASSACHUSETTS
PURCHASING POLICY**

I. PURPOSE

The purpose of this policy is to govern purchases of goods for the University.

II. SCOPE

In accordance with the provisions of Section 3 and Section 13 of Chapter 75 of the General Laws, as amended, all purchases irrespective of source of funds under the provisions of said Section 13 shall be governed by this document subject to subsequent amendment, revision, or repeal, from time to time, by the Trustees. This policy shall also apply to agreements or franchises for the use of or access to University premises or facilities.

III. DEFINITIONS

Operational Services: Those services that are required for the routine operation of the University or maintenance and repair of University property or facilities but that cannot be provided by University employees and are instead provided by independent contractors. Operational services are to be distinguished from Consultant Services of a professional advisory nature, which are governed by the provisions of Appendix D.

IV. POLICY

General Bid Requirements

The University shall obtain all supplies, printing, equipment, and other property at the lowest cost to the Commonwealth and the University as is consistent with the quantity, quality, durability, availability, serviceability, and other factors affecting service and use as required by the using department of the University. In complying with this policy, the cost of acquisition and the delivery time required shall be considered as well as the cost of the item being purchased.

Advertisement for and receipt of competitive bids shall be used whenever practicable, or when required by law. Invitations to bid shall be posted on a publicly displayed bulletin board at the respective University campus, and when deemed desirable, or as required by law, may be advertised in newspapers and trade journals in the state.

Bid forms and specifications shall be drawn on a basis to encourage open competition; provided, however, that the specifications shall be written so as to assure the quality and features needed by the using departments of the University. Provisions may be made for the submission of samples that may be examined, tested, and analyzed to determine if they meet the specifications.

Provisions shall be made for maintaining a list of all persons and firms who wish to bid on University purchases and the classes of items on which they have requested permission to bid. Invitations to bid shall be sent to all who have asked to be placed on the list and to such others as may be determined necessary to stimulate competition.

University personnel responsible for purchasing shall, to the greatest possible extent, inform themselves of prices and specifications of items available through the Commonwealth of Massachusetts, Division of Procurement and General Services Price Agreements and may use them whenever it would be to the advantage of the University.

When practicable, requisitions and orders shall be grouped to take advantage of quantity discounts.

The University's commitment to the principles of Affirmative Action shall be applied to purchasing with the objective of achieving and fostering greater minority and women-owned business enterprise participation in University procurement activity and encouraging socially or economically disadvantaged business owners to respond to invitations to bid on University business.

Exceptions to Bid Requirements

- a. Subject to provisions of Section 13 of Chapter 75 as amended, the purchase of supplies and other property without advertising and competitive bids shall be limited to:
 - i. Orders five thousand dollars (\$5,000) and under in value;
 - ii. Those cases where competitive bidding would be impracticable;
 - iii. Emergency situations.
- b. The purchase of any Labor and Materials Construction project without advertising and competitive bids shall be limited to ten thousand dollars (\$10,000) and under, and shall further comply with the provisions of any applicable Massachusetts General Laws.
- c. Contracts for Operational Services (not to be confused with Consultant Services - See Appendix D) shall be subject to competitive bidding whenever practicable, when the projected fee is more than twenty-five thousand (\$25,000) or shall require sole source justification.
- d. For purposes of administration of this policy, each campus may determine within the established ranges, outlined within this section, its own dollar limit on purchases requiring a bidding procedure.

Purchasing Administration

No person is authorized to obligate the University without encumbering, in advance, sufficient funds to meet the obligation.

The Vice President for Management and Fiscal Affairs and Treasurer, under the direction of the President, is designated as the officer of the University responsible for formulating and maintaining guidelines to implement these policies.

Each campus shall be responsible for maintaining a central procurement department.

The President shall appoint a Purchasing Council consisting of the directors of the campus Procurement/Purchasing Departments which shall meet at least annually to discuss system-wide procurement issues and to maximize economies through cooperative efforts when possible. The Board of Trustees encourages the continued use and expansion of the mission of the Massachusetts Higher Education Consortium.

Each Chancellor may delegate responsibility for procurement and implementation and enforcement of approved purchasing policies and procedures.

Where deemed appropriate and in the best interest of the University, contracts should be reviewed by the University General Counsel's office.

Delegation of Purchasing Authority

The President of the University is hereby delegated the following purchasing authority, with authority to re-delegate solely to the Chancellors, their designee(s), or such other officers as the President sees fit:

- (a) Authority to enter into contracts for labor and materials exceeding \$25,000.
- (b) Authority to enter into leases of equipment for periods exceeding one year, irrespective of amount.
- (c) Authority to enter into leases of real property.

The President of the University and the Chancellors are hereby delegated the following purchasing authority for University-wide or President's Office matters and campus matters, respectively, with authority to re-delegate to the Treasurer, purchasing directors, and such other officers as they see fit:

- (a) Authority to sign purchase orders irrespective of type or amount.
- (b) Authority to enter into leases of equipment for periods that do not exceed one year, irrespective of amount.
- (c) Authority to enter into contracts for labor and materials and contracts for services under \$25,000.

All delegation of purchasing authority shall be made in writing and forwarded to the office of the University Vice President for Management and Fiscal Affairs (with a copy to the General Counsel's Office).