

Research Foundation for SUNY Procurement Policy Updates

Implementation July 1, 2018



Learning Objectives

- To provide a general overview of the Research Foundation for SUNY's procurement policy
- View recent procurement related changes to OMB Uniform Guidance
- View updates to policy



RF Procurement Mission

- To promote open and free competition in procurement transactions to the maximum extent practical
- To ensure that procurements are priced competitively and meet or exceed any technical, programmatic, and performance requirements
- Designed to comply with OMB Uniform Guidance
- Governs all procurement transactions made by all RF operating locations and the central office

Procurement Policy Overview

- The Procurement Policy is designed to provide requirements for purchasing items through the RF
- Ensures compliance with federal regulations and sponsored agreements
- Applicable to all RF purchases



When Bids and Proposals are Required

- Solicitation of bids or proposals are required as follows:
 - The “Total Purchase Amount” must be based on the reasonably expected aggregate total dollar amount of the purchase of the specified goods or services from the specific vendor or supplier within a twelve (12) month period commencing on the date of purchase
 - If expected to continue longer than 12 months, the Total Purchase amount must be based on the reasonably expected value as specified.

Bids and Proposals Requirements using *Federal or Federal Flow-Through Funds

- Up to \$10,000
 - No requirement for solicitation of bids/proposals
 - When using same suppliers repeatedly, need to review price/quality of the goods/services and maintain in procurement file
- \$10,000 to \$250,000
 - Solicitation of bids/proposals and requires a selection from a minimum of two written or verbal quotes
- Over \$250,000
 - Solicitation of written bids or proposals and requires a selection from a minimum of three written bids/proposals; requires cost or price analysis as well

Bids and Proposals Requirements using *Non-federal Funding Sources

- Up to \$50,000
 - No requirement for solicitation of bids/proposals
 - When using same suppliers repeatedly, need to review price/quality of the goods/services and maintain in procurement file
- \$50,000 to \$250,000
 - Solicitation of bids/proposals and requires a selection from a minimum of two written or verbal quotes
- Over \$250,000
 - Solicitation of written bids or proposals and requires a selection from a minimum of three written bids/proposals

Non-competitive Procurements

- Purchases made under NYS contracts, consortiums, or through campus central stores or service centers
- Purchases up to \$200K with certified small business or M/WBE
- Purchases that qualify as either Single/Sole source procurements



CAMPUS
STORES



SINGLE/SOLE SOURCE



Single & Sole Source Procurements

- Single Source

- Purchases that qualify because of limited circumstances
 - Item available only from a single source;
 - Public exigency or emergency requirement;
 - Awarding agency or pass-through agency expressly authorizes non-competitive proposals in response to written request;
 - After solicitation of a number of sources, competition deemed inadequate

- Sole Source

- Purchases that qualify because the product or service procured is unique to one source or the requirements for the product or service can only be met by one supplier

RF Single/Sole Source Justification form



SINGLE/SOLE SOURCE DOCUMENTATION

THIS FORM IS TO BE SUBMITTED WITH ANY PURCHASE REQUISITION THAT EXCEEDS AN AGGREGATE VALUE OF \$10,000 OR ABOVE WHERE COMPETITIVE BIDS HAVE NOT BEEN SOLICITED (OR ARE NOT AVAILABLE)

CHECK THE APPROPRIATE BOX AND ATTACH ADDITIONAL DOCUMENTATION AS REQUIRED

Vendor: Requisition Number: PO Number:

Department Name: Project: Task: Award:

Please check the appropriate justification(s) below which exempt formal competition:

- 1. Product or service is available from only one vendor.
- 2. Only one source can provide the product/service in the time frame required.
- 3. Written pre-approval from the Federal awarding agency.
- 4. Competition is deemed inadequate, after solicitation attempts through one of the other methods.
- 5. Other - please provide specific information and circumstances in justification below.

Detailed justification: (please elaborate on your justifications designated above by providing specific details)

Fair and/or reasonable price analysis: (describe or attach any communication with other sources contacted or used to determine that the cost is reasonable)

Certification: I certify that the above statements are accurate and that this is requested procurement does not violate the Research Foundation for SUNY's [Conflict of Interest Policy](#).

Signature: _____

Date:

Principal Investigator/Campus OM or Designee



Additional changes

- Vendor Consideration
 - Use responsible vendors who will be able to adhere to the terms and conditions
- Certification of Credibility
 - Suppliers selected for purchases/services that exceed the small purchase threshold (\$250K) on a federal award, must certify that they are not debarred or suspended
 - PO Terms and Conditions – Certification Regarding Debarment or Suspension



Additional changes cont'd

- Price or Cost Analysis
 - Cost or price analysis must be performed on every purchase above the Simplified Acquisition Thresholds (\$250K)
 - Price Analysis – quotations, prices paid in the past, published price listings or catalogs
 - Cost Analysis – review and evaluation of cost to determine reasonableness, allocability and allowability. Obtain cost breakdown from supplier in order to perform

Additional changes cont'd

- Bonding Requirements
 - For construction or facility improvement contracts/subcontracts exceeding the Simplified Acquisition Threshold (\$250K)
 - Documentation requirements – History of the procurement for all purchases over \$10,000 (federal) and \$50,000 (non-federal)
 - Rational for the method of procurement; selection of contract type, contractor selection or rejection and basis for price
 - If lowest bidder was not chosen, then explanation should include specific reasons

P-card transactions

- Central office will be modifying limits on p-cards by placing a \$10,000 transaction limit on any p-cards that have a credit limit of \$10,000 or greater
- This will help mitigate risk of any over the threshold purchases being made on p-cards



Cost transfers

- If expenditure will potentially be moved to a federal award, ensure that the proper solicitation guidelines were followed
- Ensures no room for disallowance



Bids and Proposals Requirements (Oracle)

- Descriptive flex-field (DFF)

Bids and Proposals Requirements (DFF)		
Notes	Bids	Description
Remains the same	Miscellaneous Encumbrance	Miscellaneous Encumbrance
Remains the same	Purchased on State Contract	Purchased on State Contract
Remains the same	Sole/Single Source Vendor	Sole/Single Source Vendor
Remains the same	Subcontractor	Subcontractor
New	Min of 2 Written or Verbal Bids (federal)	Purchase Orders exceeding \$10,000 but less than \$250,000 (federal or federal flow-through funds)
New	Min of 3 Written Bids (federal)	Purchase orders exceeding \$250,000 (federal or federal flow-through funds)
New	Min of 2 Written or Verbal Bids (other funding)	Purchase Orders exceeding \$50,000 but less than \$250,000 (non-federal funding sources)
New	Min of 3 Written Bids (other funding)	Purchase Orders exceeding \$250,000 (non-federal funding sources)
New	Other	Purchase Orders exceeding \$10,000 but less than \$50,000 (non-federal funding sources)

Helpful Links

- [Code of Federal Regulations](#)
- [Federal Register](#)
- [Memorandum M-18-18](#)



Questions



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