

Policies of the University of North Texas Health Science Center	Chapter 10 – Fiscal Management
10.103 PURCHASING & CENTRAL SERVICES: Purchasing: General	

Policy Statement.

Only the Board of Regents, the Chancellor, and the President have the authority to incur any obligation or enter into a contract, agreement, or purchase on behalf of the University of North Texas Health Science Center (UNTHSC) unless this authority has been specifically delegated to a designee by one of them in writing.

No commitment for materials, equipment, or services may be made without an approved purchase order or negotiated written contract signed by one of the authorized signatories. The designated agents for signing purchase orders on behalf of the University of North Texas Health Science Center are the Chancellor, President, and their designees including the Executive Vice President for Finance and Administration, Associate Vice President for Finance, Director of Purchasing, and designated purchasers.

General policies concerning purchasing apply to all funds of the Health Science Center regardless of source and must be handled consistently in accordance with established fiscal policy.

1. Creation of an Obligation

The Health Science Center is obligated to make payment for goods and services only when the Purchasing Department, by issuing an order, obligates the funds. Any other commitments are considered as unauthorized purchases and the individual making an unauthorized commitment may incur a personal obligation to the vendor. “After the Fact” or “Confirmation Orders” sent to Purchasing after the fact, as a general rule, should be avoided. In emergency situations, employees may be eligible for reimbursement on items personally purchased for the UNTHSC. See Section 30. Reimbursement to Employees (Non-Travel).

2. Competitive Bidding

Competitive bidding is the statutory foundation for purchases made for the State of Texas and its agencies and institutions of higher education. All purchases shall be in accordance with established procedures, with procedural flexibility based on funding source as deemed by the Director of Purchasing and Central Services. When possible, vendors contacted for bids should be selected from the State of Texas’ “Centralized Master Bidders List (CMBL)” maintained by the Texas Comptroller of Public Accounts (Comptroller). Prospective vendors will be identified through other sources, in addition to the Comptroller list.

The formal written bid process must be conducted under the direction of a designated purchaser of the UNTHSC.

3. Excess Obligations Prohibited

No department shall incur an obligation in excess of the amounts appropriated to it for the respective objects or purposes named. In the event this provision is violated, the State Comptroller shall deduct an amount equivalent to such over-obligation from the salary or other compensation due the responsible

requisitioning or disbursing officer or employee. (Reference #1)

4. General Purchasing Information

Purchasing is responsible for performing the purchasing function on behalf of the Health Science Center. Purchases are made in compliance with all current rules and regulations based on funding source.

All purchases of supplies, equipment and services with the exception of food for meal service, bookstore items for resale, books for the library, and interdepartmental orders, shall be made through the Purchasing Department.

Purchasing Contract Administration

Contracts, which involve the obligation of UNTHSC funds, must be reviewed by the appropriate Purchasing staff members for compliance with applicable statutes and with the University of North Texas System, Regents Rule 03.900 Delegation of Authority for Contracts and Agreements prior to their submission for signature by those with authority to sign such documents for the University. All proposed contracts involving expenditures should be attached to a requisition and submitted to Purchasing for handling via the electronic purchasing system. It is the responsibility of the Purchasing Assistant Director, Contract Administration to coordinate the processing of contracts with the Office of General Counsel. Purchase orders involving contracts will not be issued until the contract is properly executed and signed.

5. Requisitions for Supplies and Equipment

Requests for supplies, equipment and services, including repairs to buildings and equipment, must be submitted on the official requisition form and approved by the authorized budget administrator or designee. Requisitions are actual obligations of departmental funds and they must show the actual or estimated cost.

6. Requests for Corrections on Purchase Orders

Requests for cancellation, deletion, or modification of purchase orders must be made to the Purchasing Department in writing.

7. Advertisements, Classified

Human Resource Services must approve advertisements for faculty and staff positions before they can be processed by the Purchasing Department. Marketing and Communications must approve advertisements to be placed in local, state, and national media representing the Health Science Center before they can be processed by the Purchasing Department. Individual departments are not authorized to place such ads on their own. See Institutional General Policies 3.0.

8. Animals

The care and use of vertebrate animals at the Health Science Center is supervised by the Institutional Animal Care and Use Committee (IACUC), a lab animal technician, and a veterinarian. In order to assure the approved space is available for newly purchased animals and to ensure that animals are purchased from approved vendors, all purchase orders for live, vertebrate animals must have the written approval of the technician or veterinarian. This approval may be electronically attached to the requisition.

9. Blanket Purchase Order

The Health Science Center encourages the use of blanket orders for items purchased on a repetitive basis, and is limited primarily to those items, that cannot be purchased with the procurement card. Blanket orders may not cross fiscal years, cannot exceed bid limits for a particular funding source, and cannot be backdated to cover a previous purchase.

10. Bid Requirements

State and Institutional Funds:

- \$0 - \$5,000.00 One Verbal Bid (Departments are encouraged to contact HUB vendors on orders requiring one verbal bid. Order should be awarded to the vendor that provides the best value to the institution.)
- \$5,000.01 - \$25,000.00 Informal Bid (Purchasing must attempt to obtain at least three verbal bids, including a minimum of two bids from HUB certified businesses. Price quotes may be taken by phone, by fax, or in writing.)
- Over \$25,000.00 Formal Bid (The bid is requested by sealed envelope on a prescribed format and will be opened at a specified date and time. Purchasing must attempt to obtain at least three formal bids, including a minimum of two bids from HUB certified businesses.)

11. Business Transactions with Employees

Purchases from and sales to employees. No purchase of any kind shall be made from any officer or employee of the State of Texas or any of its agencies unless the cost of the goods or services is less than they can be purchased from any other source and no sales of equipment shall be made to such persons unless the price is more than can be obtained from any other known source.

12. Conflict of Interest

Purchases are not permitted from any employee of UNTHSC when: 1.) That employee or member of their immediate family has an actual or potential financial interest in the transaction, 2.) That employee is in a position to influence the transaction, and 3.) The transaction does not involve employee authored intellectual property. (For example, a department ID holder for the Health Science Center should not authorize purchase orders to companies owned by themselves or members of their immediate family.) However, the Health Science Center recognizes that on occasion there may be a circumstance that requires such a transaction. In such cases the Compliance Officer of the university will review the transaction and make a determination.

13. Consulting Contracts

All orders for Consulting Services must come through Purchasing for review and approval prior to any obligations being made for the Health Science Center. Consulting Services are defined as the practice of studying an existing or a proposed operation or project of an agency and advising the University with regard to the operation or project. NOTE: For an institution of higher education, consulting contracts exceeding \$25,000 require publication in the Texas Register 30 days prior to award; and require approval of the agency head. ALL consulting contracts must be reviewed by the Office of General Counsel, then signed by the authorized signatory in order to be a binding contract. See Section 36. Use of Consultant

and Professional Services.

14. Debarment and Suspension

No contract shall be made to parties listed on the General Services Administration's List of Parties Excluded from Federal Procurement or Non-procurement Programs in accordance with E.O. 12549 and 12689, "Debarment and Suspension". This list contains the names of parties debarred, suspended or otherwise excluded by agencies, and contractors declared ineligible under statutory or regulatory authority other than E.O. 12549.

15. Department ID Holder Responsibility

It is the responsibility of each department ID holder to ensure all funds entrusted to them are managed in accordance with state law, federal law and the Health Science Center policies and procedures. As custodian of those funds, the department ID holder takes full accountability for all processes and personnel that might affect them. The department ID holder must ensure that personnel who have delegated budget authority, and those who are processing purchasing or accounting documents, are fully trained by utilization of training seminars sponsored by the Health Science Center Finance Division and/or individual on-site departmental training conducted by appropriate individuals.

16. Emergency Purchase

An emergency is defined as the need of supplies and/or services by a requisitioner to the extent that if not procured immediately, serious financial or operational loss will occur. Emergencies can be caused by breakdown of essential equipment, weather damage, sudden illness, epidemics, etc.

Submission of emergency purchase requisitions must be accompanied by a written justification from the requesting department that includes the nature of the emergency purchase and what caused the emergency situation; and the estimated impact or damage either financial or otherwise that will occur by following normal procurement practices (general statements of loss or nominal damage are not acceptable).

17. Food

Payments to vendors or reimbursements to employees for meals or food purchases will normally not be made unless individuals who are neither employees nor students of the Health Science Center also participate and Health Science Center business is transacted. Only local funds may be used for these payments.

- In situations involving only employee and/or student participation, reimbursement for the meals may be made if one of the following conditions exist: (local funds only)

1. Meal expenses are directly related to business meetings.
2. Meals are provided to employees on the campus for the Health Science Center's convenience, meaning that there must be a substantial business reason for providing the meals; and

3. Expenses related to providing occasional recreational, social or similar activities for employees (i.e. Health Science Center-sponsored picnics, etc.)

- Documentation must be provided with the requisition (if reimbursing an employee) that supports the fact that the expenses are directly related to or associated with the conduct of Health Science Center business.
- This policy does not affect reimbursements related to travel or classroom academic activities.
- A list of attendees must be provided which identifies the participants by name and designation sufficient to establish business relationship to the Health Science Center. In situations involving large groups of people, such as a reception for an event, a general description of the category of guests (i.e. faculty, staff, alumni, ticket holders, etc.) may be included in lieu of an itemized list.

18. Grant and Contracts

All purchase requisitions on grants and contracts will be reviewed by the Office of Grant and Contract Management for allowable cost and approved before being forwarded to Purchasing.

19. Hazardous Materials, Controlled Items, and Radioactive Materials

Department ID holders are responsible for submitting requisitions for purchases of hazardous materials, controlled precursor chemicals, items considered a controlled laboratory apparatus, and radioactive materials according to applicable Health Science Center policies and procedures including those detailed in the UNT Health Science Center Biosafety Manual, the UNT Health Science Center Radiation Safety Manual, and the UNT Health Science Center Safety Manual. Required approvals may be electronically attached to the requisition.

20. Higher Education Assistance Funds (HEAF)

Higher Education Assistance Funds can only be spent for the following five (5) purposes:

1. acquiring land, either with or without permanent improvements,
2. constructing and equipping buildings and other permanent improvements,
3. major repair or rehabilitation of buildings or other permanent improvements,
4. acquisition of capital equipment, and
5. library books and library materials. (Reference #2)

Facilities Management administers the department IDs used for the purposes of acquiring land,

constructing and equipping buildings, and major repair or rehabilitation. The Library administers the department IDs for the acquisition of library books and materials. Department IDs administered by other Health Science Center departments are limited to the purchase of capital equipment.

21. Interagency Contracts

Interagency agreements involving payment of funds from the Health Science Center to another state agency will require a purchase order regardless of the amount. If an interagency contract (IAC) is involved, the IAC number must be noted on the purchase order. When work is completed or goods received, notification referencing the purchase order number must be sent to Accounting. The other state agency should be instructed to submit an invoice, referencing the purchase order number, for payment to the Accounting Office, 3500 Camp Bowie Boulevard, Fort Worth, Texas 76107-2699.

If all items are in order, the Accounting Office will process for payment.

Under the Uniform Statewide Accounting System (USAS) these transactions are referred to as Interdepartmental Transfer Vouchers (ITV).

If the Health Science Center is receiving payment from another State agency, the Accounting Office must be contacted in order to set-up the transaction in USAS.

22. Lease of Space

The Health Science Center may process leases of space regardless of the fund source. The designated leasing liaisons for UNTHSC are the Chancellor, the President, and their designees.

23. Membership to Professional Organizations

Memberships in Professional, Educational and/or Learned Organizations are, in general, payable from institutional or State Appropriated funds. Payments for such memberships should be submitted by entering a requisition that must contain the information listed below. Memberships purchased with state funds should be in the name of the institution. Individual memberships may be paid using institutional funds if adequate justification for expenditure is provided by the department ID holder or project ID holder. If only an individual membership is available, and the membership is fundamental to the employee's position, state appropriated funds may be used. This justification will be required as a part of the requisition.

The following is an example of the correct membership name and address format that should be followed when state funds are used to secure a membership. While not a requirement, it is suggested that this format also be used with institutional funds.

University of North Texas Health Science Center

Representative: Dr. John Doe, Dean

3500 Camp Bowie Blvd.

Fort Worth, TX 76107

The order must include the complete name of the organization, the inclusive dates of the membership period, membership number if available, and representative's name. Any purchase order issued on state funds for membership must have the signature approval of the President or designee. (Reference #3)

Note: Electronic approval of the requisition by the President or designee will be accepted for this purpose.

For all funding sources the requisition must include a statement or other information describing the benefit of the membership to the University of North Texas Health Science Center. An invoice or other official documentation from the vendor describing the membership fee must be submitted with the requisition.

If paying with state funds, payment of a membership cannot be made more than six weeks in advance. This restriction does not apply to institutional funds.

State funds may not be used to pay membership dues to an organization that pays part or all of the salary of a person who is required by Chapter 305 to register as a lobbyist. (Reference #4)

24. Prepayments

Except for those instances where prepayment is specifically authorized by statutes, payment shall be made from state appropriated department ID's only after authorized personnel have certified that the goods and services for which payment is being made have been received. Texas statutes authorize prepayment to Federal, Texas and agencies of other states for merchandise purchased from such agencies when the advance payment will expedite delivery of the merchandise. Prepayment for merchandise from designated and restricted funds may be authorized prior to issuance of the purchase order, by the Health Science Center Associate Vice President for Finance or his designated representative with the understanding that appropriate institutional funds will be used to supplant expenditures for un-received and non-conforming goods and services. Contact the Purchasing Department for assistance if prepayment is required.

25. Procurement Method

As a State institution of higher education, the Health Science Center may acquire goods or services by the method that provides the best value to the institution, including:

1. competitive bidding;
2. competitive sealed proposals;
3. a catalog purchase;
4. a group purchasing program; or
5. an open market contract.

In determining what is the best value to the institution, the Health Science Center shall consider:

1. the purchase price;
2. the reputation of the vendor and of the vendor's goods or services;
3. the quality of the vendor's goods or services;
4. the extent to which the goods or services meet the institution's needs;
5. the vendor's past relationship with the institution;
6. the impact on the ability of the institution to comply with laws and rules relating to historically underutilized businesses and to the procurement of goods and services from persons with disabilities;

7. the total long-term cost to the institution of acquiring the vendor's goods or services;
8. any other relevant factor that a private business entity would consider in selecting a vendor; and
9. the use of material in construction or repair to real property that is not proprietary to a single vendor unless the institution provides written justification in the request for bids for use of the unique material specified.

The Health Science Center must also follow the laws or rules relating to contracting with HUBs or relating to the procurement of goods and services from persons with disabilities. (Reference #5)

26. Products and Services Provided by Other HSC Departments

It is the policy of the University of North Texas Health Science Center that products or services available from service departments must be ordered from the appropriate department. This includes but is not limited to Biomedical Communications, Central Receiving, Human Resource Services, Information Technology Services, Lab Animal Medicine, Pharmacy, Facilities, and Print Services. To purchase items or services from off campus vendors, the items or services must be functionally different from those available on campus. The difference must be cited on any requisition submitted to Purchasing. Exceptions will be limited to emergency situations with center-wide significance.

Purchase of materials or services from a Health Science Center service department are handled as interdepartmental orders. Using departments must follow the appropriate procedures for the service department. Most service departments require an order form, which must be processed by the using department, approved by the appropriate personnel, and submitted directly to the department furnishing the products or services.

27. Professional Services

All orders for Professional Services must come through Purchasing for review and approval prior to any obligations being made for the Health Science Center. A "Professional Services Contract" may be required to accompany the requisition and must be reviewed by the Health Science Center's Office of General Counsel, then signed by the Chancellor, the President or their designees in order to be a binding contract. Some specific Professional Services are exempt from bidding by law, and are outlined in Section 36. Use of Consultant and Professional Services. (Reference #6)

Services rendered on a fee, contract, or other basis by a person, firm, corporation, or company recognized as possessing a high degree of learning and responsibility are usually considered to be "**other professional services**". These services are **not exempt** from bidding requirements.

28. Proprietary Purchases

If a department has analyzed its needs and considered similar products or services, but a particular feature or performance is not available from other providers to allow competition, then the department must decide whether conditions exist to justify and request a proprietary or sole source purchase from only one company. If conditions exist, the requisitioner must provide an explanation of the need for the proprietary specifications and/or conditions of purchase; the reason(s) competing products (manufacturers) are not satisfactory and; any other information pertinent to the transaction deemed important. (Reference #7) The acceptance of the sole source or proprietary justification is the responsibility of the Director of Purchasing and Central Services or the Director's designee.

29. Purchase for Personal Use

The Health Science Center does not make purchases of merchandise for resale to employees or permit personal purchases with departmental or project funds.

The Health Science Center's letterhead shall not be used for ordering personal items to be paid for by an individual.

Use of State postage for personal use is prohibited by Texas law.

30. Reimbursement to Employees (Non-Travel)

Employees should purchase items through the normal purchasing procedures and processes established at the Health Science Center. However, should an emergency situation occur that necessitates the employee purchasing goods for reimbursement by the Health Science Center, the following rules will apply in order to obtain reimbursement:

- Employees MUST follow all purchasing regulations required of the particular type of purchase and fund source being used.
- Employees will be reimbursed for sales tax only for off-campus business meals on institutional department ID's.
- Due to tax implications, employees will not be reimbursed for payments to an independent contractor.
- Employees will be reimbursed for payments to individuals for services, regardless of the source of funds, only if a true emergency exists.
- Reimbursements should be requested within 60 days from the date expenses were incurred. Purchases made in July and/or August should be submitted for reimbursement not later than 30 days after the Health Science Center's fiscal year-end, August 31, so that the expenditures can be charged to the appropriate fiscal year. Under IRS regulations, expense reimbursements that are not made to an employee within a reasonable period of time (60 days) may be reported as income on the W-2 and subject to withholding and all payroll taxes.
- Explicit receipt documentation will be required which will serve as an invoice from the employee, and the individual receipts must have all the attributes of a standard invoice. Proof of payment will also be required.
- Food Policy, Section 17, must be followed for food related reimbursements. Exorbitant expenditures for food may be reportable to the IRS as income.
- The purpose, and reason for the emergency expenditure, must be noted on the purchase.
- This policy does not pertain to employee travel items. See the Fiscal Regulations Manual for detailed Travel Policy.
- This policy does not pertain to student refunds, unless it is a reimbursement for items purchased on behalf of the Health Science Center and the student is also an employee.
- If a non-employee purchases something on behalf of the Health Science Center, the reimbursement should be filed on a purchase order. All items above apply except/or in addition to

the following:

- ---- If tax issues are involved, the filing will be accomplished on a 1099.
- ---- A statement explaining why the non-employee made a purchase for UNTHSC will be required.
- This policy does not apply to refunds for items an employee or individual has paid to the Health Science Center.

31. Restocking Charges

If the return or cancellation is requested through no fault of the supplier, the supplier may assess a restocking charge or cancellation fee and expect the ordering department to absorb the cost of the return freight. Charges or fees of 15% or less of the original cost of the materials are generally considered reasonable.

32. Subscriptions

Subscriptions to magazines, newspapers, professional journals, educational and/or learned publications are, in general, payable from institutional or State Appropriated funds, provided that the document remains on reference and as property of the Health Science Center. Payment for the initial subscription and renewal subscriptions should be processed by submitting a requisition that must contain the information listed below. All subscriptions must be in the name of the University of North Texas Health Science Center if state funds are used. Individual subscriptions are considered a personal expenditure and, as such, are not payable from State Appropriated funds. Individual subscriptions may be paid using appropriate institutional funds if documentation is provided that indicates a savings by purchasing the subscription as an individual rather than as an institution; or if documentation is provided that indicates only individual subscriptions are available, and that the document remains on reference and as property of the department.

Example of correct subscription:

University of North Texas Health Science Center

% Dr. John Doe, Dean

Department of _____

3500 Camp Bowie Blvd.

Fort Worth, TX 76107

An invoice or other official documentation from the vendor stating the subscription rate must be submitted as supporting documentation for the requisition.

If paying with state funds, payment of a subscription cannot be made more than six weeks in advance and the service length cannot be for more than two years. This restriction does not apply to institutional funds.

33. Trade-In of Existing Equipment

Departments interested in purchasing new equipment, and also offering trade-in of old equipment of the same or similar type, must state the following conditions on the requisition and attached supporting documentation: **“Trade-in at State's option to be picked up by the successful bidder ‘where is, as is’”**. Equipment must be fully identified as to make, model, serial number, the Health Science Center property number, age, condition, estimated value, and location. Proprietary purchases offering trade-in of old equipment must have acceptable justification. It is encouraged that the old equipment be retained and not released to the vendor until the new equipment arrives and is accepted.

34. Used Equipment

Departments should seek to procure new equipment to meet their needs. However, under some circumstances the purchase of used equipment can be authorized with proper justification and documentation. Departments interested in purchasing used equipment should contact Purchasing for specific processing requirements for each contemplated purchase. Purchasing must approve all purchases of used equipment prior to an order being placed with a vendor.

35. Vendor Disputes and Protests

Any vendor who is aggrieved in connection with the solicitation, evaluation, or award of a contract must follow the procedures outlined below.

1. Any actual or prospective bidder, offer, or contractor who is

aggrieved in connection with the solicitation, evaluation, or award of a contract may formally protest to the Director of Purchasing. Such protest must be in writing and received in the director’s office within 10 working days after such aggrieved person knows, or should have known, of the occurrence of

the action, which is protested. Formal protests must conform

to the requirements of this policy and shall be resolved in

accordance with the procedure set forth below.

2. In the event of a timely protest or appeal under this policy, the

Institution shall not proceed further with the solicitation or with the award of the contract unless the director, after consultation with the using department, makes a written determination that the award of contract without delay is

necessary to protect substantial interests of the State and

institution.

C. A formal protest must contain:

1. a specific identification of the statutory or regulatory

provision(s) that the action complained of is alleged to have violated;

2. a specific description of each act alleged to have

violated the statutory or regulatory provision(s) identified above;

- 3.) a precise statement of the relevant facts;
 - 4.) an identification of the issue or issues to be resolved;
- and
- 5.) argument and authorities in support of the protest.

4. The director shall have the authority, prior to appeal to the Executive Vice President for Finance and Administration, to settle and resolve the dispute concerning the solicitation or award of a contract. The director may solicit written responses to the protest from other interested parties as necessary.

4. If the protest is not resolved by mutual agreement, the director will issue a written determination of the protest.

1. If the director determines that no violation of rules or statutes has occurred, he/she shall so inform the protesting party, the using department, and other interested parties, as appropriate, by letter which sets forth the reasons for the determination.

2. If the director determines that a violation of the rules or statutes has occurred in a case where a contract has not been awarded, he/she shall so inform the protesting party, the using department, and other interested parties, as appropriate, by letter which sets forth the reasons for the determination and the appropriate remedial action.

3. If the director determines that a violation of the rules or statutes has occurred in a case where a contract has been awarded, he/she shall so inform the protesting party, the using department, and other interested parties, as appropriate, by letter which sets forth the reasons for the determination, which may include ordering the contract void to the extent permitted by law.

4. The director's determination on a protest may be appealed to the Executive Vice President for Finance and Administration. An appeal of the director's determination must be in writing and must be received in the vice president's office no later than 10 working days after the date of receipt by the aggrieved vendor of the director's determination. The appeal shall be limited to review of the director's determination.

4. The executive vice president shall review the protest, director's determination, and the appeal and issue a written decision on the protest.

4. Unless good cause for delay is shown or the executive vice president determines that a protest or appeal raises issues significant to procurement practices or procedures, a protest or appeal that is not filed timely will not be considered.

4. A decision issued in writing by the executive vice president, shall be the final level of appeal, and said decision shall be final.

36. Use of Consultant and Professional Services

A consulting service is defined by Texas Government Code, Chapter 2254 as “the human service of studying or advising an agency under a contract that does not involve the traditional relationship of employer and employee.” A state agency or institution may contract with private consultant only if:

A. There is a substantial need for the service and:

B. The agency cannot adequately perform the service with its own personnel or through another agency.

If the consulting service is reasonably foreseen to exceed \$25,000 for an institution of higher education during the term of the contract, including reasonably foreseeable renewals, the state agency will have pre-procurement and post-procurement oversight from the Legislative Budget Board (LBB) and the Governor’s Budget and Planning Office. The intent to contract and the award of the consulting contract must be published in the Texas Register (See Section 13. Consulting Contracts), and requires approval of the agency head prior to publication.

Texas Government Code, Chapter 2254 specifically empowers each agency to purchase professional services under the Professional Services Procurement Act (See Section 27. Professional Services). These procurements are exempt from the Comptroller’s review authority. Professional services means services:

(A) Within the scope of the practice, as defined by state law, of:

- i. Accounting;
- ii. Architecture;
- iii. Landscape architecture;
- iv. Land surveying;
- v. Medicine;
- vi. Optometry;
- vii. Professional engineering;
- viii. Real estate appraising; or
- ix. Professional nursing.

(B) Provided in connection with the professional employment or practice of a person who is licensed or registered as:

- i. a certified public accountant (CPA);
- ii. an architect;
- iii. a landscape architect;
- iv. a land surveyor;
- v. a physician, including a surgeon;

- vi. an optometrist;
- vii. a professional engineer;
- viii. a state certified or state licensed real estate appraiser; or
- ix. a registered nurse.

Consult Purchasing for guidance in procuring professional or consulting services.

Application of Policy.

All Faculty and Staff

Definitions.

1. Bid. "Bid" means an offer to contract with the State submitted in response to a bid invitation issued by the Comptroller or an issuing entity.
2. Centralized Master Bidders List (CMBL). "Centralized Master Bidders List (CMBL)" means a list maintained by the Texas Comptroller of Public Accounts containing the names and addresses of prospective bidders.
3. Interagency Contract (IAC). "Interagency Contract (IAC)" means an understanding between two or more agencies as authorized by Chapter 771 of the Texas Government Code.
4. Proprietary. "Proprietary" means products or services manufactured or offered under exclusive rights of ownership, including rights under patent, copyright or trade secret law. A product or service is proprietary if it has a distinctive feature or characteristic which is not shared or provided by competing or similar products or services.
5. Protest Procedures. "Protest Procedures" means the procedures for resolving vendor protests relating to purchasing issues.
6. Specification. "Specification" means a description of what the user requires and what a bidder or proposer must offer.

Procedures and Responsibilities.

Procedure / Duty

Responsible Party

- | | | |
|---|--|---|
| <ol style="list-style-type: none"> 1. Determine necessary purchasing policies and procedures in accordance with State of Texas | <p>statutes,
rules,
policies and
procedures.</p> | <p>Associate Vice President for Finance, Director of Purchasing, and Associate Director of Purchasing</p> |
| <ol style="list-style-type: none"> 2. Provide training opportunities to foster knowledge of appropriate policies. | | <p>Associate Vice President for Finance, Director of Purchasing, Associate Director of Purchasing, and Purchasing staff</p> |
| <ol style="list-style-type: none"> 3. Become familiar with purchasing policies and procedures. | | <p>Anyone involved in the procurement process</p> |

References and Cross-references.

1. Texas Constitution, Article XVI, Section 10
2. Texas Constitution, Article VII, Section 17
3. Texas Government Code, Section 2113.104
4. Texas Government Code, Section 556.005
5. Texas Education Code, Section 51.9335
6. Texas Government Code, Chapter 2254
7. Texas Government Code, Section 2155.067

University of North Texas Health Science Center at Fort Worth Purchasing Handbook

<http://intranet.hsc.unt.edu/departments/purchasing/purchasingdept/resources.cfm>

The State of Texas Procurement Manual

<http://www.window.state.tx.us/procurement/pub/manual/>

Forms and Tools. (optional)

Approved: 03/23/2009

Effective: 03/23/2009

Revised:

