I. SCOPE

This Competitive Bidding Policy for Purchases ("Policy") applies to all faculty, staff, students, and other individuals who purchase goods and services that support the University's educational and research mission. See Section IV for the definitions of capitalized terms used in this Policy.

II. POLICY STATEMENT

The purpose of this Policy is to delineate the competitive purchasing or Bidding/Quoting Process for the University. This policy applies to purchase requisition requests for a University issued purchase order.

The University obtains a wide range of goods and services in order to achieve its mission. Good stewardship requires that it do so in a way that results in the best quality product or service being provided to the University at the best affordable cost. Further, we must address our requirements in ways that are fair to all vendors, that are ethical, and that enhance the business reputation of the University.

The University's Purchasing Department provides guidance and develops policies to foster an environment of sound internal controls and compliance around processes that impact the University's financial statements. The TCGS Finance Office does the same for The College of Global Studies (TCGS). The main focus of its policies is to safeguard University assets, promote effectiveness and efficiency, and assist the University community in maintaining compliance with laws, regulations, and all University policies regarding contracting and purchasing.

Competitive bidding/purchasing at the University is intended to create an environment where fair, efficient, and cost-effective methods are used to (i) obtain services, materials, and supplies, (ii) award contracts, and (iii) engage qualified contractors and building trade professionals.

III. POLICY

It shall be the policy of the University to have the following organized and delineated Bidding/Quoting Process:

1. All purchasing will be conducted in a competitive manner to assure that the University receives the best overall value for resources expended.
2. When ordering goods or services, it is the individual department’s responsibility to prepare and secure competitive bids/quotes from vendors. All bid/quote documents and requests must be issued through, and all responses returned to, the appropriate staff member central to the bid/quote request. The Purchasing Department can assist, direct, or coordinate the Bidding/Quoting Process, as needed. Purchase requests should be submitted to the Purchasing Office using the Purchase Requisition Form. Purchase requests for TCGS should be submitted to the TCGS Finance Office.

3. Departments should develop and maintain a sufficient list of responsible vendors to assure competitive bidding/quoting. If the need arises, a department may ask the Purchasing Department to assist with vendor selection or the Bidding/Quoting Process. Requests involving TCGS vendors should be directed to the TCGS Finance Office.

4. Regardless of the dollar amount, supporting documentation for requested items and pricing must always be provided when a Purchase Requisition is submitted.

5. Goods and services valued between $0 and $5,000 require a written quote or documentation to support the purchase request to document the source, validity, and amount of the request.

6. The requesting department must obtain a minimum of three (3) written competitive bids required for all purchases in excess of $5,000, up to $24,999. Bid/Quote requests must be for the same or comparable items for proper comparison. Multiple requisitions may not be created to circumvent the University’s requirement for bids in excess of $5,000. Projects must be submitted in whole.

7. The Bidding/Quoting Process, including formal Request for Proposals (see paragraph 8 below), must be utilized in the following instances:

   a. If the anticipated annual value of the goods or services will exceed $25,000;

   b. If the purchase involves capital equipment, renovations, or construction expenditures; or

   c. If the Director of Purchasing and Contracts reasonably determines that a bid is necessary or if the TCGS Finance Office reasonably determines that is bid is necessary for TCGS requests.

8. Request for Proposal bids entail a more formal process and are defined in the Request For Proposal Policy and should normally be solicited through the use of the Postal Service, fax, or email (preferred) and should have a clear written response due date.

9. All bids/quotes must be secured prior to submitting a Purchase Requisition to the Purchasing Department or TCGS Finance Office. Copies of all bids/quotes should be attached to the Purchase Requisition so an official University Purchase Order can be generated and transmitted to the vendor for processing. No goods can be authorized for shipment and no services can commence until the official University Purchase Order has been issued.

10. Any qualified vendor should be permitted to participate in the bid/quote process with attention paid to supporting minority vendors, when possible. Vendors may be disqualified based on their inability to provide the required products or services, past poor performance, a pattern of past bids that were not competitive, financial instability, or an unwillingness to meet any University required
In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, invitations for bids and/or requests for proposals shall be excluded from competing for such procurements.

11. Exceptions to the Requests for Proposals or Bidding Process include:

a. The goods or services are available through a Group Purchasing Contract (preferred vendors). The University community is strongly encouraged to utilize preferred vendors. Vendors wishing to conduct business with Arcadia are encouraged to contact the Purchasing Office directly or if applicable, the TCGS Finance Office;

b. The goods or services are Sole Source purchases. Sole Source Purchases are purchases that only one supplier (source), to the best of the requester's knowledge and belief, based upon thorough research, is capable of delivering the required good or service. Sole Source purchases must be adequately justified by the requester and should be avoided if at all possible. It will be at the discretion of the Purchasing Department whether additional bids will need to be obtained in this instance. The Sole Source Justification Form must be submitted with the Purchase Requisition if bids are not obtained. Written justification explanations for Sole Source purchases should not be due to reasons of convenience or scheduling.

A vendor may be proposed as a sole source if:

- the requested product is an integral repair part or accessory compatible with existing equipment,
- the requested product has unique design/performance specifications or quality requirements which are essential to research or teaching needs and are not available in comparable products,
- the requested product is essential in maintaining research continuity and/or to remain in compliance with established university standards,
- the requested product is one with which staff have specialized training/extensive expertise and retraining would incur substantial cost in time or money,
- the requested provider of services has unique or exclusive capabilities that no other provider possesses;

c. The purchase of goods or services necessary to resolve an emergency (delays in approvals, ordering, paperwork, etc. are not considered emergencies under this provision). Note: A Purchase Requisition must still be requested after the emergency is resolved.

An emergency purchase is permitted only when there is a situation which creates a threat to public health, welfare, or safety such as may arise by reason of floods, epidemics, riots, equipment failures, fire loss, or such other reasons as may be proclaimed by the President of the University or designee. The existence of such conditions must create an immediate and serious need for supplies, services, information technology, or construction that cannot be met through normal procurement methods and the lack of which would seriously threaten the preservation of property, or the health or safety of any person;
d. Other goods or services, which the Director of Purchasing and Contracts and the requester, reasonably determine will be more advantageously acquired without a bid process. The TCGS Finance Office should be consulted regarding determination to proceed without a bid process for TCGS proposal or bidding activity.

12. Bids will normally be awarded to the lowest compliant bidder, however, as a private institution, the University is not required by law to select the "lowest" bid. Rather, we strive to obtain the "best evaluated" bid in terms of price, terms, satisfaction, adherence to specifications, ability to meet Arcadia’s needs, product or service quality, and ability to meet delivery requirements. Other factors, including but not limited to, past service, vendor reputation, locality of the bidder, the long-term cost of acquiring the product or service, and minority status may be considered when evaluating competing bids. Any award to a higher bidder may be subject to additional review by the President, Chief Financial Officer, or Provost at the discretion of the Director of Purchasing and Contracts. Any TCGS award to a higher bidder may be subject to additional review by the TCGS Chief Operating Officer or the Vice President of The College of Global Studies, at the discretion of the TCGS Finance Office.

13. The final decision to utilize a bid process for any particular acquisition rests with the Director of Purchasing and Contracts or the TCGS Finance Office, as applicable. The Director or TCGS representative will confer with the appropriate departmental and administrative staff prior to making this decision when there is a question or conflict regarding the use of the Bidding Process.

14. Bids must be given in confidence and should not be revealed to other suppliers or unauthorized persons. Under normal circumstances, bids will not be opened publicly nor will the bid amounts be shared with all bidders. All bidders may be notified of the outcome of the process. Any information shared regarding the reasoning of the decision may not be quantitative as bids are confidential to both the bidder and the University.

15. Requisitions submitted for the acquisition of goods or services using federal funds must be reviewed by the Principal Investigator to ensure conformance with the proposed work, Arcadia University policies and procedures, and current federal regulations as defined in the Uniform Administrative Requirements (UAR) 2 C.F.R.200.317 – 200.326. The Principal Investigator must flag the purchase requisition as a federal grant purchase and provide a copy of the supporting documentation for the purchase. The University Purchasing Department must also ensure the awarded vendor is not on any federal or state excluded, suspended, or debarred list. The University Purchasing Department should be included on all purchases utilizing federal funds over $5,000 to ensure that the purchase was done in accordance with applicable federal rules and regulations, and that the awarded vendor is not on any federal or state excluded, suspended or debarred list. The federal excluded parties list can be found at https://www.sam.gov.

IV. DEFINITIONS

**Bid/Quote:** A bid.quote is used mainly when the specifications of a product or service are already known and price is the main or only factor in selecting the successful vendor.

**Proposal:** A proposal is used where there is not a pre-defined product specification or service requirement, but rather a set of outcomes or deliverables needed to meet the project objective(s).

**Group Purchasing Contract (Preferred Vendors):** A contract for goods or services available
through a Group Purchasing Contract that is created to leverage the purchasing power of a specific group of businesses (i.e., higher education) to obtain discounts from vendors based on the collective buying power of the members.

Purchase Requisition: An internal document requesting the purchase of goods or services that provides information including all necessary approval signatures, budgetary codes, suggested vendors, items required, and pricing.

Purchase Order: An external document that provides University approval to authorize the purchase of goods or services at agreed upon terms.

Request for Proposal (RFP): An RFP is a formal process that outlines the required goods or services the University is seeking utilizing a defined structure to the procurement decision. The RFP is a tool for acquiring information, suggestions, and pricing from a vendor and is generally used when the user does not have exact specifications or plans finalized for a product, service, or project. An RFP provides an organized process to evaluate and compare the vendors and their responses to meet the need. Generally, the RFP process is used on larger and more complicated projects where greater flexibility is required to select a vendor. In their response, vendors can offer suggestions, ideas, or alternate proposals for consideration by the University. RFP’s are used to obtain the best overall value for the University through a process involving several possible sources and are generally used where greater flexibility is required to select the source. There usually, but not always, is a committee associated with an RFP related project to gain the added benefit from a broad spectrum of functional experts to ensure the solution chosen will meet the University’s requirements.

Bidding Process: A method used by businesses to acquire competitive goods and services to accomplish their mission in a cost-effective manner.

University: Arcadia University, its colleges, schools, affiliates, divisions and subsidiaries.

V. EFFECTIVE DATE

This Policy is effective on the date that it is signed by the President.

VI. SIGNATURE, TITLE AND DATE OF APPROVAL

By: Ajay Nair, President

Date: 7/3/18