

**University of Kansas  
Procurement Services**

**PURCHASING PROCEDURES MANUAL**

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## **1.0 DEPARTMENTAL PURCHASING AUTHORITY**

### **1.1 Introduction**

The University of Kansas (KU) Procurement Services is committed to supporting the instructional, research and public service mission of the University. This Purchasing Procedures Manual is provided for use in furtherance of KU Procurement Services' mission to develop and maintain a purchasing system that empowers our customers to make good business decisions and to pursue excellence while maintaining good internal controls to ensure accountability, compliance with all applicable laws, rules and regulations and the responsible stewardship of the university's resources.

### **1.2 Use of Mandatory Contracts and Preferred Agreements**

All University departments are required to obtain needed supplies, equipment, items (commodities) or services through KU Procurement Services' authorized suppliers when such items and services are available and will meet departmental business requirements. A current listing of these Mandatory Contracts and Preferred Agreements are available at The University of Kansas (KU) Procurement Services website under Contracts.

Departments are encouraged to utilize Mandatory Contracts and Preferred Agreements whenever feasible and are strongly encouraged to utilize the methods and sources specified in the KU Procurement Matrix. The Procurement Matrix can be found on the KU Procurement Services website.

#### **1.2.1 Exceptions**

Exceptions to use of Mandatory Contracts and Preferred Agreements (commonly referred to as, "off-contract purchases") are permitted where the required commodity or service is not available through the authorized suppliers or the department provides justification that the type available will not meet departmental business requirements. To obtain prior authorization for off-contract purchases, departments must complete and submit a Purchase Requisition Form in the KU eProcurement System.

#### **1.2.3 Other Contracts**

KU Procurement Services also maintains a list of other contracts (including Commodity Price Agreements and Master Services Agreements) that are available for use by departments on a preferred basis.

Refer to Section 4.5 Commodity Price Agreements and Master Service Agreements for additional information.

#### **1.2.3 Procurement Card (P-Card)**

Use of the KU P-card for purchases must be in accordance with the guidelines listed in the Procurement Matrix and comply with the University's Procurement Card Policy and Procedures.

University Departments shall have no other charge cards or credit/revolving store accounts with suppliers than the KU P-card.

The Procurement Matrix and Procurement Card Procedures can be found on the KU Procurement Services website.

### **1.3 Unauthorized Purchase Orders**

Departments may not issue self-generated purchase orders, and are prohibited from issuing or distributing other purchase related documents in the name of the University of Kansas or otherwise accept documents identified as orders on behalf of the University of Kansas. Payment authorization will be restricted only to purchase orders issued through the KU eProcurement System. Unauthorized purchase orders may be declined for payment by the Payables Office.

## **2.0 COMPETITIVE SOLICITATION THRESHOLDS**

### **2.1 Informal Methods- \$5,000 to \$50,000 (Small Purchases)**

“Small Purchases” are: Single off-contract purchases of goods and services costing more than \$5,000 but less than \$50,000 or contracts with a contract term of one year or less, having a total delivered cost within the \$5,000 to \$50,000 range. Small Purchases will be procured through an approved informal method to ensure proper source utilization and fair and reasonable price confirmation. KU Procurement Services or the requesting department may select a formal solicitation method if deemed appropriate.

Informal Methods for Small Purchases include:

- 1) **Informal solicitations** made by soliciting quotations from off-contract suppliers by telephone, telephone facsimile or e-mail. Any verbal quotations must be documented in writing for future evaluation (e.g., whom did you talk to, name of the business, phone number, price quoted, etc.). Documentation of informal solicitations must contain information regarding the specifications utilized, a listing of the suppliers who were solicited, the prices submitted by each supplier, a statement that indicates the basis for award. Informal solicitation documentation must be attached to the Purchase Requisition Form submitted through KU eProcurement System.
- 2) **Price and source validations** made by utilizing information available from on-line web searches, by accessing information available from peer institutions, or other documentation collected for recent comparable transactions must be documented and attached to the Purchase Requisition Form and submitted through KU eProcurement System.

### **2.2 Formal Solicitation Methods – over \$50,000 (Large Purchases)**

“Large Purchases” are: Single off-contract purchases of goods and services costing more than \$50,000 or contracts exceeding one year that have a total delivered cost that exceeds \$50,000. Large Purchases must be procured utilizing approved formal solicitation methods.

### **2.2.1 Notice and Posting Requirements for Formal Competitive Solicitations**

All formal competitive solicitations require at least seven-calendar day's public notice. Such solicitations must be in the form of a written specification, and the supplier's response must be submitted in accordance with the process and procedures contained in the solicitation document. For all formal solicitations, KU Procurement Services will document the specifications utilized, which suppliers were solicited, the responses submitted by each supplier, a statement that indicates the basis for award, and the purchase order issued. Such documentation will be maintained by KU Procurement Services in accordance with the established retention policy.

Upon the department's request, the KU Chief Procurement Officer may waive the seven-day posting requirement if the circumstances justify the waiver to be in the best interests of the University, as determined by the KU Chief Procurement Officer. If the posting requirement is waived, KU Procurement Services will prepare documentation in support of the waiver determination, which will be maintained in accordance with the established retention policy.

## **3.0 TYPES OF FORMAL COMPETITIVE SOLICITATIONS**

KU Procurement Services may utilize any of the following processes to conduct competitive formal solicitations. The KU Chief Procurement Officer will select the type of solicitation that is in the best interests of the University.

### **3.1 Competitive Reverse Auctions (CRA)**

[RESERVED]

### **3.2 Request for Quotation (RFQ)**

A RFQ is generally utilized when the supplies, materials, equipment, goods, property or services are to be acquired on a one-time basis.

### **3.3 Invitation for Bids (IFB)**

An IFB is generally utilized when the supplies, materials, equipment, goods, property and services to be acquired will be provided via contract on a recurring basis over a specified period of time.

### **3.4 Request for Proposals (RFP)**

A RFP is generally utilized when multiple factors exist that make it difficult or impossible to define a product or scope of work that will allow an evaluation to be made to determine the lowest responsive bid from a responsible bidder. Evaluations will be based on the factors set forth in the RFP in order to determine which proposal(s) best meet(s) the needs of the University.

The KU Chief Procurement Officer must provide a written determination prior to issuing the RFP that explains why the RFP is the proper method of solicitation.

A committee of no less than three individuals must evaluate all proposals received. These three individuals will include a member from the requesting department, the Chief Procurement Officer and KU Director of Procurement Services, or their designees.

### **3.5 Request for Qualifications (RFQual)**

An RFQual is generally utilized to identify a group of suppliers who meet a set of minimum qualifications. This may be done as the sole selection process for a project, or as the first part of a two-phase process to prequalify a group of suppliers based on qualification criteria listed in the RFQual, such as, past experience, resumes, portfolios.

The RFQual process as a single phase is widely used for selecting firms in the architectural and engineering services industries, but may be utilized if determined appropriate to obtain specific and specialized services.

In a two-phase process, only suppliers qualified through Phase 1 are permitted to submit project-specific proposals in Phase 2. This process is commonly used for projects that are expected to generate significant response.

The following procedures apply to RFQual solicitations:

- a) The requesting department and KU Procurement Services personnel will jointly develop a general scope of work (SOW) together with a set of questions to the prospective suppliers to evaluate supplier qualifications for the project.
- b) A committee of no less than three individuals must evaluate all qualification responses and subsequent proposals, if any. These three individuals will include a member from the requesting department, the Chief Procurement Officer, and KU Director of Procurement Services, or their designees.
- c) The committee will identify those suppliers who meet the minimum qualification requirements.
- d) For one-phase projects, short listed suppliers may be interviewed by the committee and a selection made. A second choice may also be identified in case negotiations fail with the first selection.
- e) For two-phase projects, only qualified suppliers will be invited to submit proposals as part of the Phase 2 solicitation process.
- f) When Phase 1 of the RFQual is concluded, the KU Chief Procurement Office will determine whether to proceed with issuance of a formal solicitation for Phase 2.

The KU Chief Procurement Officer must provide a written determination prior to issuing the RFQual that explains why the RFQual is the proper method of solicitation.

A committee of no less than three individuals must evaluate all proposals received. These three individuals will include a member from the requesting department, the Chief Procurement Officer and KU Director of Procurement Services, or their designees.

### **3.6 Request for Information (RFI)**

A RFI is a solicitation sent to a broad base of potential suppliers for the purpose of gathering information used in developing and identifying strategic options, analyzing lower cost alternatives, cost reduction opportunities or for building a database, which will be useful in

later solicitations. RFIs are also used to gather information to help decide what step to take next before embarking on negotiations. A RFI is usually the first step in a process which may lead to issuance of a formal solicitation, such as RFQs and RFPs.

KU Procurement Services may use RFIs to include a detailed list of products/services for which pricing is requested. The pricing will only be used for comparative purposes for later negotiation, rather than the basis for sourcing.

The following procedures apply to RFIs:

- a) The requesting department and the Purchasing Office will work together to develop a general scope of work (SOW) along with a set of questions that will be asked of the suppliers.
- b) A committee of no less than three individuals must evaluate all information received. These three individuals will include a member from the requesting department, the Chief Procurement Officer and the KU Director of Procurement Services, or their designees
- c) The committee will identify those suppliers who meet the minimum requirements to receive a solicitation (Step 1).
- d) When Step 1 of the RFI is concluded, the KU Chief Procurement Officer (or his designee) will determine whether to proceed with issuance of a formal solicitation.

The KU Chief Procurement Officer must provide a written determination prior to issuing the RFI that explains why the RFI is the proper method of solicitation.

### **3.7 Direct Competitive Negotiation**

Direct Competitive Negotiations may only to be utilized after an unsuccessful RFQ, IFB or RFP process and if the KU Chief Procurement Officer determines that time does not permit re-solicitation or other factors are present that would cause re-solicitation to not be in the University's best interests.

An RFQ, IFB or RFP process is unsuccessful if:

All offers received are unreasonable or not competitive or;

- a) The low responsive bid from a responsible bidder exceeds available funds or;
- b) The number of responsive offers is not sufficient to ensure adequate competition.

The Direct Competitive Negotiation process will include all responsive and responsible suppliers who responded to the solicitation or any re-bid and may include other suppliers capable of fulfilling the University's needs.

The award will be made to the supplier whose offer is most advantageous to the University as determined by the specifications, terms, and conditions utilized for the Direct Competitive Negotiation. The KU Chief Procurement Officer must make a written determination that identifies the nature of the discussions with each supplier and explains why the selected offer is the most advantageous to the University.



### **3.8 Standard Information required for all Competitive Solicitations**

Bid award process and award criteria information, bid process instructions, as well as any standard terms and conditions associated with the transaction will be included in the solicitation documents or posted on the KU Procurement Services website with the relevant web address listed in the solicitation document.

If the web address method is utilized, contact information will be provided in the solicitation document for use by interested suppliers to request a hard copy of such information.

## **4.0 EXCEPTIONS TO FORMAL COMPETITIVE SOLICITATION**

Under limited circumstances, certain commodities or services may be purchased without seeking competition. KU Procurement Services will require written justification documenting the conditions that preclude the use of a competitive process.

### **4.1 Sole Source Procurements**

Sole Source Procurement is justified when there is only one commodity or service that can reasonably meet the needs of the University and there is only one supplier who can provide that commodity or service. A request for a particular proprietary item (i.e., a brand name specification) does not justify Sole Source Procurement if there is more than one potential supplier for that item. Price is not a consideration to justify Sole Source Procurement. In all cases of reasonable doubt, competition will be solicited.

To request a Sole Source Procurement approval, the requesting department must complete and submit a Purchase Requisition Form through KU eProcurement System, together with a justification statement, for review and approval by KU Procurement Services.

### **4.2 Emergency Procurements**

When an emergency condition exists that prevents the use of a competitive solicitation method, KU Procurement Services may conduct a purchase on an Emergency Procurement which may be negotiated on a sole source or limited competition basis as dictated by the circumstances surrounding the emergency.

An emergency condition justifies the use of Emergency Procurement when that condition threatens one (1) or more of the following:

- a) The functioning of the University, or its programs;
- b) The preservation or protection of property; and/or
- c) The life, health or safety of any person(s) or animal(s).

To request Emergency Purchase approval, the requesting department must complete and submit a Purchase Requisition Form through KU eProcurement System, together with a justification statement, for review and approval by KU Procurement Services.

### **4.3 Cooperative Purchasing Agreements**

The KU Chief Procurement Officer may approve the purchase of goods or services from a cooperative purchasing agreement if such purchase has been determined to be in the best interests of the University.

The University may participate in, conduct, sponsor or administer a cooperative purchasing agreement. This includes, but is not limited to, agreements with any of the following:

- a) The Federal government or an agency or other instrumentality of the Federal Government;
- b) The State of Kansas, another state, or an agency or other instrumentality of the State of Kansas or another state;
- c) A bi-state or multi-state agency;
- d) A county, municipal corporation or other political subdivision of the State of Kansas or of another state, or an agency or other instrumentality of the political subdivision;
- e) A cooperative or organization established for the purpose of establishing contracts to aggregate the common requirements of similar institutions for maximizing economies of scale when soliciting bids or proposals. An example of this is the Educational and Institutional Cooperative.

The KU Chief Procurement Officer may approve a single purchase or approve ongoing participation in a cooperative purchasing agreement.

To request Cooperative Purchase approval, the requesting department must complete and submit a Purchase Requisition Form through KU eProcurement System, together with a justification statement, for review and approval by KU Procurement Services.

### **4.4 Used Equipment**

Used equipment is broadly defined to include “all equipment that is not new.” Used equipment is typically only available from one source and due to its nature is available and subject to immediate sale. As such, a competitive process is unlikely to produce a satisfactory result. Used equipment, however, can be a cost effective way for departments to acquire equipment, and departments are encouraged to consider this option.

To request used equipment purchase approval, the requesting department must complete and submit a Purchase Requisition Form through KU eProcurement System for review and approval by KU Procurement Services.

### **4.5 Commodity Price Agreements and Master Services Agreements**

At the discretion of the KU Chief Procurement Officer, the University may enter into Commodity Price Agreements or Master Services Agreements to purchase goods and services in accordance with approved purchasing procedures.

A listing of these Commodity Price Agreements and Master Services Agreements is maintained in KU eProcurement System and are individually identified as a Commodity Price Agreement or Master Services Agreement.

Commodity Price Agreements and Master Services Agreements may be used for single purchases of goods and services that have a total delivered cost of not more than \$50,000, or contracts with a contract term of one-year or less from which orders of less than \$50,000 in total will be placed.

Prior authorization is required for purchases that exceed \$50,000 or contracts that exceed one-year in length. To request such prior authorization, the requesting department must complete and submit a Purchase Requisition Form through KU eProcurement System, together with a justification statement, for review and approval by KU Procurement Services.

## **5.0 EVALUATION AND AWARD**

### **5.1 Lowest Responsible Bidder**

Generally, awards are made to the lowest responsible bidder, taking into consideration conformity with the specifications, terms of delivery, and other conditions imposed in the bid. In the case of a tie between an in-state and an out-of-state supplier, the award will always be to the in-state supplier. In the case of a tie between two (2) or more in-state or two (2) or more out of state suppliers, the tie will be broken by a flip of a coin.

Documentation regarding how the tie was broken will be maintained by KU Procurement Services in accordance with the established retention policy. When using the RFQ process, the low bidder meeting specifications must be selected.

### **5.2 Exceptions to Lowest Bidder**

Negotiated procurements will be awarded to the supplier the review committee determines best meets the needs of the University. Other factors beyond price may include evaluation of specifications, comparative performance examinations, supplier references, experience, financial strength, etc. as stated in the particular solicitation.

### **5.3 The Kansas Reciprocal Preference Law**

Some states provide a preference for suppliers within their borders and add a percentage to bids received from outside states. In reviewing bids from suppliers domiciled in such states, the University responds in a like manner by adding the same percentage to bids received from the affected suppliers.

“Domiciled” means where a corporation is chartered or incorporated or where a sole proprietor or partnership is located or has its permanent headquarters. Bidders domiciled in states other than Kansas who have a “significant Kansas economic presence” for one year preceding the bid date, will be considered a Kansas domiciled bidder.

### **5.4 Bid and Award Information (Large Purchases)**

All formal solicitations will be opened publicly at the time and place specified in the solicitation documents. Suppliers may attend the public openings and record the information released at that time. When opening responses to a negotiated procurement solicitation

only the name of the suppliers submitting proposals will be made public. In all other solicitations, supplier and price information will be made public.

A final copy of the solicitation tabulation may be accessed by suppliers registered with The University of Kansas through the University eBid system. For suppliers who are not registered in The University of Kansas eBid System, a solicitation tabulation may be requested in writing or via email to the KU Procurement Services contact listed in the solicitation document. Solicitation tabulation information will not be provided by telephone. The request must state the solicitation number, solicitation title, and solicitation opening date.

## **6.0 ADVISORY COMMITTEES**

The KU Chief Procurement Officer may appoint Advisory Committees (AC) for purposes of collecting and analyzing information and making procurement recommendations.

### **6.1 Advisory Committee (AC) Membership**

The Chief Procurement Officer will appoint a facilitator to assist the AC as it performs the work associated with the assigned project.

Membership in the AC will include an individual from the department with subject matter jurisdiction, if any, over the area being studied.

Membership in the AC, as appropriate, will include representatives from key impacted departments, the KU Medical Center and the KU Center for Research. Representatives from Douglas County public entities and other Kansas Board of Regents institutions will be informed of the project and invited to participate, if appropriate.

Members of the AC will be responsible for informing their leadership of the work being performed by the AC and making sure all input is forwarded to the AC so it can be considered as recommendations are being developed.

### **6.2 Advisory Committee (AC) Recommendations**

The AC will make procurement recommendations to the KU Chief Procurement Officer. The recommendation will include information that justifies the recommendation as being in the best interests of the University. If the KU Chief Procurement Officer determines the recommendation to be in the best interests of the University and that it is compliant with the KU Procurement Policy and KU Purchasing Procedures the recommendation will be forwarded to the head of the department with subject matter jurisdiction over the area being studied for their review and approval. The recommendation will also be forwarded to the KU Medical Center and KU Center for Research for review, if appropriate.

If approved, the KU Chief Procurement Officer will disseminate the recommendation to KU Procurement Services for implementation. Implementation will include ensuring KU eProcurement System contains accurate information and that workflow requirements, if any, have been established. Implementation will also include notification and training for campus departments.

All communications with the campus community will be issued through or approved by KU Procurement Services to insure consistency.

Following appropriate notification to campus community, approved recommendations may be enforced across all funding sources including KU Center for Research and KU Endowment funds. Enforcement related to KU Center for Research and KU Endowment funds will not occur unless approved by the KU CFO & Vice Provost for Finance and the Vice Chancellor for Research or their designees. Utilization and enforcement by the KU Medical Center will be pursuant to KU Medical Center processes as appropriate.

### **6.3 Standard Terms and Conditions**

Solicitation documents will include Form KU-146a (Contractual Provisions Attachment) and General Terms and Conditions, as applicable to specifications and other required contract terms for the University, the content of which must be approved by the KU Chief Procurement Officer or designee and approved as to form by the General Counsel's Office.

## **7.0 PUBLIC NOTICE**

KU Procurement Services places a general advertisement in the Kansas Register every week. The general advertisement provides public notice that University of Kansas has competitive solicitation opportunities available and provides the website address, the location of the public bulletin board at the University and a telephone number to contact for specific solicitation opportunity information.

Competitive solicitation opportunities that require public notice will be posted on the website and on a public bulletin board located in the offices of KU Procurement Services. The public bulletin board is designated as the official public notice mechanism for purposes of complying with the public notice requirement. At the option of the KU Chief Procurement Officer, other supplemental notice methods may be utilized.

## **8.0 SUPPLIER RELATIONS**

### **8.1 Registration in the eBid System**

Suppliers interested in competing for the University's business are encouraged to register with KU Procurement Services by completing and submitting a Supplier Registration Application Form. Instructions regarding the application process are located at the KU Procurement Services website.

Suppliers are solely responsible for maintaining current company information with KU Procurement Services, to include name, address, telephone number, personnel listed on the application, and addition or deletions of commodities supplied. Failure to submit and maintain current supplier information may result in the supplier not receiving competitive solicitations and possible removal from the supplier registry. Supplier registration is no guarantee that the supplier will receive notification of solicitations of interest. Registered suppliers are wholly responsible for monitoring all solicitation opportunities available in the eBid system and obtaining solicitation documents as they are released.

## **8.2 Supplier Shows**

Requests to hold supplier shows, such as open houses, product exhibits, and product demonstrations, must be approved in advance by the KU Chief Procurement Officer in order to:

- a) Protect the integrity of the University's procurement process;
- b) Protect the viability of University-wide contracts and price agreements; and
- c) Ensure fairness to all suppliers.

The sponsoring or requesting department (or the supplier directly if not sponsored) must notify the KU Chief Procurement Officer as far in advance as possible but no less than ten (10) calendar days prior to the supplier show.

KU Procurement Services considers a "supplier show" to be a product demonstration or exhibit to which more than one University department is invited by a supplier for the purposes of marketing supplies, materials, equipment, goods, property or services. A product or equipment demonstration to a single University department is not a supplier show. The KU Chief Procurement Officer has the final authority to determine what constitutes a supplier show.

## **8.3 Supplier Suspension**

The KU Chief Procurement Officer may issue a written determination to suspend a supplier from doing business with the University following an investigation to determine whether cause exists for suspension in accordance with approved operating procedures.

A written notice of the suspension period, including a copy of the determination, will be sent to the suspended supplier with a copy to the KU CFO & Vice Provost for Finance. The suspension period will be effective upon the issuance date of the suspension notice.

At any time after completion of the suspension period, a suspended supplier may request a reinstatement. Requests for reinstatement must be directed to the KU Director of Procurement Services and include documentation to support a determination that the cause or causes for suspension have been cured or are no longer applicable to the suspended supplier. The KU Chief Procurement Officer will make all determinations concerning reinstatement.

## **8.4 Supplier Debarment**

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

- a) Conviction of a criminal offense in relation to obtaining or attempting to obtain a University contract or in the performance of such contract;
- b) Conviction under State of Kansas or Federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records or receiving stolen property;
- c) Conviction under State of Kansas or Federal antitrust statutes arising out of the submission of bids or proposals;

- d) Willful material failure to perform in accordance with the terms of one or more contracts following notice of such failure, or a history of failure to perform, or unsatisfactory performance of one or more contracts; and/or
- e) The supplier is currently under debarment by any other governmental entity that is based upon a settlement agreement or a final administrative or judicial determination issued by a Federal, state or local governmental entity.

Following completion of the investigation to determine whether a supplier has engaged in activities that are cause for debarment, the KU Chief Procurement Officer may debar the supplier for a period of time commensurate with the seriousness of the findings in accordance with approved operating procedures.

A written notice of debarment will be sent to the supplier. The notice will:

- a) State the debarment period; and
- b) Inform the debarred supplier that any person(s) representing the debarred supplier during the debarment period may conduct no business with the University and that any solicitation responses received from the debarred supplier during the debarment period will not be considered.

The debarment period will be effective fourteen (14) days after the date of the notice of debarment. Any appeal of the debarment must be submitted in writing within ten (10) days of the date of the notice of debarment and directed to the KU CFO & Vice Provost for Finance with copy to the KU Chief Procurement Officer. The KU CFO & Vice Provost for Finance has the final authority to determine any debarment appeal.

## **8.5 Dispute Resolution**

The KU Chief Procurement Officer is authorized to resolve any protests regarding any and all purchasing matters including but not limited to:

- a) Any protest concerning the solicitation or award of a contract or purchase order; and
- b) Any controversy arising between the University and a contractor by virtue of a contract or purchase order between them, including, without limitation, controversies based upon breach of contract, mistake, misrepresentation, or any other cause for contract modification or rescission.

Any protest must be made in writing to, and received by the KU Chief Procurement Officer within ten (10) calendar days after the date of award of contract or purchase order for the solicitation. The KU Chief Procurement Officer shall not accept any protest more than ten (10) calendar days after the date of the contract award or renewal.

The written protest must include, at a minimum, the following information:

- a) The name and address of the protesting supplier;
- b) Appropriate identification of the procurement by bid or contract number;
- c) A statement of the specific reasons for the protest; and
- d) Supporting exhibits, evidence, or documents, unless they are not available within the filing time, in which case the expected availability date will be indicated.

Protests may only be filed by a **supplier**, which can show that it could be awarded the contract or purchase order if the protest were successful. Suppliers or subcontractors to a **supplier** cannot file a valid protest. Incomplete protests may be rejected without consideration.

To maintain the integrity of the procurement process, the KU Chief Procurement Officer shall not hear protests concerning the following omissions:

- a) Failure to properly complete the bid form;
- b) Failure to submit the bid to KU Procurement Services by the due date or time;
- c) Failure to provide samples, descriptive literature, or other required documents by the bid deadline or other specified time; or
- d) Failure to provide a required bid deposit or performance bond by the specified date or time.

The KU Chief Procurement Officer shall render a written decision regarding the protest within fourteen (14) calendar days after the protest and/or any subsequently submitted information is received. The KU Chief Procurement Officer shall furnish a copy of the decision to the protestor.

The protesting party may appeal the written determination of the KU Chief Procurement Officer. If the protesting party desires to appeal, he/she must submit his/her written request for appeal to the KU CFO & Vice Provost for Finance within ten (10) calendar days after receipt of the written determination of the KU Chief Procurement Officer. The decision of the KU CFO & Vice Provost for Finance shall constitute the Final Agency Order regarding the matter.

## **9.0 DELEGATIONS**

The KU Chief Procurement Officer may delegate the authority granted to the KU Chief Procurement by the KU Procurement Policy. Any such delegation will be in writing stating the effective date of the delegation, the scope of the delegation and the end date of the delegation. If a delegation of authority is issued a copy will be provided to the KU CFO & Vice Provost for Finance.