

## I. PURPOSE & SCOPE

This summary policy is intended to provide Old Westbury College employees with general information about SUNY's procurement processes. All procurements must comply with [SUNY Procedure 7553 – Purchasing and Contracting](#). Procedure 7553 details the appropriate New York State purchasing and contracting procedures, most which are summarized in this policy along with the College's requirements. A quick-reference College [Procurement Guide](#), identifying the selection criteria, thresholds, approval levels and estimated timeframes for various procurements is also included as page 3 of this policy.

## II. RESPONSIBILITIES

Employees purchasing materials, supplies, equipment (including computers and printing), and other goods and services for the College are required to secure them at the appropriate cost from the most reasonable and responsible sources, consistent with quality required for the proper operation of the academic departments and administrative offices. The Purchasing Office is responsible for working with College personnel, vendors and state agencies in procuring the best value and quality commodities, equipment or services for our campus while complying with the applicable laws, regulations and policies. This office also develops requests for proposals, obtains price quotes from vendors, and coordinates bids for materials and services.

## III. PROCEDURES

*Selection Criteria and Advertising* – Regardless of the method of solicitation or degree of competition, two factors are common to the College's procurement process: (1) In no case should the specifications, requirements or selection criteria restrict competition unnecessarily; and (2) In all cases, the College seeks to limit awards to Responsive and Responsible vendors only. Responsive means that the vendor or contractor has agreed to meet our requirements and has provided all required documentation. Responsible refers to qualifications, including technical capability as well as financial and moral integrity, thus assuring that the vendor or contractor can be trusted to provide the goods or services required. In addition to the selection criteria, all procurements greater than \$50,000 must be advertised in the [New York State Contract Reporter \(NYSCR\)](#).

## IV. TYPES OF PROCUREMENTS

The requirements and approvals for procurements vary based upon the size and type (competitive or non-competitive/exempt). Refer to Exhibit 1 on page 3 for specifics.

**A. Competitive Procurements** – the practice of competitive bidding, whether formal (sealed bids or proposals) or informal (quotations), not only tends to assure reasonable prices, but also guards against favoritism, improvidence and fraud, and should be used to the extent practical as provided in Procedure 7553. Competitive bidding can be done through the following means:

- *Invitation For Bid (IFB)*: Used where minimum requirements can be clearly specified and where price and delivery are the main criterion for choosing among bidders who are both responsive and responsible.
- *Request For Information (RFI)*: Used when the requester does not know what product, service or technology the vendor community has available. An RFI may be issued to assess the availability, types, and options of goods and services and to help identify potential suppliers.
- *Request For Proposal (RFP)*: Used when the nature of the requirement demands that award criteria, in addition to price, be used. Alternate ways of meeting the requirement may be proposed by vendors and considered in this process. Proposals are evaluated by a selection committee on criteria developed by the requesting department.
- *Request For Quotation (RFQ)*: Used when competition is required but in a less formal method based on estimated dollar value and other factors.

**B. Non-Competitive/Exempt Procurements** – these include the acquisition of goods and services from New York State Preferred Vendors: NYS Industries for the Disabled, National Industries for the Blind, Corcraft, and NYS Mental Health. In addition, procurements from the Office of General Services' (OGS) centralized state contracts, SUNY-wide contracts, the Dormitory Authority of New York (DASNY), Small Business Enterprises (SBE's), NYS Certified Minority or Woman Owned Business Enterprises (MWBE's), Service Disabled Veteran Owned Businesses (SDVOB's), and Emergency and Sole Source procurements are included in this category.

1. *Minority & Women-Owned Business Enterprises (MWBE'S)* – SUNY's policy and New York State [Executive Law Article 15-A](#) require campuses and the vendors with whom they conduct business to make a "good faith effort" toward the realization of SUNY's MWBE Participation Goal in its procurement of commodities or services. The College has discretionary authority to use NYSES Certified MWBE's up to \$200,000.
2. *Service Disabled Veteran Owned Small Business* – The Service-Disabled Veteran-Owned Business Act established a goal for participation on NYS contracts for service disabled veteran owned firms. For details visit their website at <http://www.ogs.ny.gov/Core/SDVOBA.asp>.
3. *Emergency Orders* – An *EMERGENCY* is an urgent and unexpected requirement where health, public safety or the conservation of public resources is at risk. It can be sudden, life threatening or involve a pressing matter vital to College operations. The conditions must be such that unless corrected without delay, injury to personnel or serious property damage would occur. *The Purchasing Office must be notified immediately with details of emergency purchases* for possible further notification and approval by OGS or the NYS Office of the State Comptroller (OSC).

#### V. OTHER SIGNIFICANT PROCUREMENT TOPICS

**A. Revenue Contracts and Revocable Permits** – These are agreements by which the College provides a contractor with consideration other than money and the College receives income in return. They usually do not require formal competitive selection; however, if competition is deemed appropriate, then competitive procurement procedures must apply. Revenue Contracts and Permits of \$25,000 or more require approvals from SUNY Administration, the Offices of the NYS Attorney General (AG) or OSC.

**B. Project Sunlight** – NYS enacted *Project Sunlight* establishing an online database designed to provide transparency in NYS government transactions related to certain procurement activities. The *Project Sunlight* database contains information about entities and individuals that interact with State government. SUNY and other State agencies must report certain information about entities and individuals who appear before State decision-makers or campus personnel who can influence or advise the decision-makers for any transaction above \$25,000. For more details contact the Purchasing Office or visit [www.suny.edu/compliance](http://www.suny.edu/compliance).

**C. Confirming Orders** – Purchases for commodities and services made without an authorized state purchase order or a duly executed contract are referred to as "Confirming Orders." THEY ARE PROHIBITED under NYS procurement regulations and the individual who placed the unauthorized order, not the College, may be held financially liable for the purchase.

**D. Fiscal Year End Close-Out** – Prior to SUNY's June 30th fiscal year end, the Business & Finance Division will notify departments (in mid-May) of the cut-off dates for submission of e-reqs and for the delivery of goods or services by vendors or contractors. Compliance with these dates is required if the College is to close-out the current year's purchasing and accounts payable activities and pay related expenses according to SUNY deadlines.

#### VI. REVIEW & APPROVAL

This policy was prepared by the Division of Business & Finance and reviewed by the College's Associate Vice President for Business Compliance, the Purchasing Director, the Internal Control Officer, and the Senior Vice President and CFO prior to approval by the President.

Refer to Policy No. B-10 - Procurement of Commodities and Services - on [College Policies webpage](#) for detailed instructions.



**Procurement Guide for the Acquisition of Goods and Services**

Thresholds	Selection Criteria	Advertising Requirements	Processing Time (Business Days)	Required Approvals
Up to \$9,999	Purchase of commodities or services directly from a responsible vendor of its choice. Purchaser should take necessary steps to ensure that prices are reasonable. For purchases above \$2,500.00 written documentation should be maintained to support both the selection of the vendor and the reasonableness of the price. Purchaser is responsible in determining that selected vendor will supply item or service in a responsive manner.	None	3 to 5 days	<u>Requisition:</u> Dept. Head / VP of Division  <u>Purchase Order:</u> Associate VP for Business Compliance or Director of Purchasing  <u>Contract:</u> Specifications: Dept. Head / VP of Division Document: CFO
\$10,000 to \$19,999	Purchase commodities or services directly from a responsible vendor. While no competition is required, you should take the steps necessary to ensure that prices are reasonable. Written documentation should be forwarded to the Purchasing Office to support both the selection of the vendor and reasonableness of price [recommend three (3) vendor prices].	Quarterly listing placed in the <i>New York State Contract Reporter</i> . Automatically submitted to Contract Reporter by Purchasing Office.	3 to 5 days	<u>Requisition:</u> Dept. Head / VP of Division  <u>Purchase Order:</u> Associate VP for Business Compliance or Director of Purchasing  <u>Contract:</u> Specifications: Dept. Head / VP of Division Document: CFO
\$20,000 to \$49,999	Purchase commodities or services directly from a responsible vendor. College requires receipt, at minimum, three (3) competitive quotes to ensure that prices are reasonable. Written documentation should be forwarded to the Purchasing Office to support both the selection of the vendor and reasonableness of price.	Procurement may be advertised in the <i>New York State Contract Reporter</i> and respondents given the opportunity to submit quote.	3 to 5 weeks	<u>Requisition:</u> Dept. Head / VP of Division  <u>Purchase Order:</u> Associate VP for Business Compliance or Director of Purchasing  <u>Contract:</u> Specifications: Dept. Head / VP of Division Document: CFO
\$50,000 to \$124,999	Minimum of three (3), preference of four (4) sealed bids or proposals from responsible vendors offering such commodity/service.	Procurement must be advertised in the <i>New York State Contract Reporter</i> and respondents given the opportunity to submit quote.	6 to 8 weeks	<u>Requisition:</u> Dept. Head / VP of Division  <u>Purchase Order:</u> Associate VP for Business Compliance  <u>Contract:</u> Specifications: Dept. Head / VP of Division Document: CFO
\$125,000 to \$249,999	Minimum of five (5) sealed bids or proposals required. Bid specs to be discussed with Purchasing prior to the advertisement being placed in the NYSCR.	Procurement must be advertised in the <i>New York State Contract Reporter</i> and respondents given the opportunity to submit quote.	12 to 16 weeks	<u>Requisition:</u> Dept. Head / VP of Division  <u>Purchase Order:</u> Associate VP Business Compliance  <u>Contract:</u> Specifications: Dept. Head / VP of Division Document: CFO
\$250,000 and above	Minimum of five (5) sealed bids or proposals required. Bid specs to be discussed with Purchasing prior to the advertisement being placed in the NYSCR.	Procurement must be advertised in the <i>New York State Contract Reporter</i> and respondents given the opportunity to submit quote.	16 to 24 weeks	<u>Requisition:</u> Dept. Head / VP of Division  <u>Purchase Order:</u> Associate VP Business Compliance  <u>Contract:</u> Specifications: Dept. Head / VP of Division Document: CFO, System Administration, Office of NYS Attorney General and the NYS Comptroller.