

PURCHASING AND ACQUISITION

CF
(LOCAL)

Purchasing Authority

The Board delegates to the College President or designee the authority to make budgeted purchases for goods and services. Any purchases not included in the budget shall be taken to the Board for approval.

Purchasing Procedures

The College President shall develop purchasing procedures to implement the requirements of state and federal law. [See CAA, CAAB, and CH(LEGAL)]

Purchasing Method

The Board delegates to the College President or designee the authority to determine the method of purchasing and the method of contracting for construction services, in accordance with state and federal law.

The method of purchasing shall be determined based on the type and estimated cost of a good or service. Unless a specific exception or other law applies, the purchasing method shall be in accordance with the following:

- For amounts less than \$2,000, the method of purchasing shall be open market.
- For amounts ranging from \$2,000 to \$24,999, the method of purchasing shall require a minimum of three written quotes from different vendors, to the extent possible.
- For amounts of \$25,000 or more, the method of purchasing shall require the formal solicitation process. Acceptable solicitation methods include competitive bidding, competitive sealed proposals, and other methods in accordance with CF(LEGAL) and state law.
- For a purchasing contract valued at \$25,000 or more, the College President or designee shall make a recommendation to the Board, and the Board shall make the final decision.

Consulting Services

The College District may contract with a consultant only if there is a substantial need for these services that the College District cannot adequately perform with its own personnel. In selecting a consultant, the College District shall base its choice on demonstrated competence, knowledge, qualifications, and the reasonableness of the proposed fee for services. At the College District's discretion, the competitive sealed proposal method may be used to solicit from outside consultants, speakers, and instructors.

Competitive Bidding

All bids shall be in accordance with administrative regulations, and the submission of any electronic bids shall also be in accordance with Board-adopted rules. All bidders shall be invited to attend the bid opening. Any bid may be withdrawn prior to the scheduled time

for opening. Bids received after the specified time shall not be considered.

The College District may reject any and all bids.

Competitive Sealed Proposals

All proposals shall be in accordance with administrative regulations, and the submission of any electronic proposals shall also be in accordance with Board-adopted rules. Proposals received after the specified time shall not be considered. Proposals shall be opened at the time specified, and all proposers shall be invited to attend the proposal opening. Proposals may be withdrawn prior to the scheduled time for opening. Changes in the content of a proposal, and in prices, may be negotiated after proposals are opened.

The College District may reject any and all proposals.

Electronic Bids or Proposals

Bids or proposals that the College District has chosen to accept through electronic transmission shall be administered in accordance with Board-adopted rules. Such rules shall safeguard the integrity of the competitive procurement process; ensure the identification, security, and confidentiality of electronic bids or proposals; and ensure that the electronic bids or proposals remain effectively unopened until the proper time.

Electronic bids or proposals are acceptable as long as a secured electronic bidding system is used. The electronic bidding system must be approved by the College District's Information Technology Department. The College District should also continue to accept bids or proposals submitted by hand or mail. Procedures should be established to coordinate the effort of complementing these two methods of submission and provide all vendors with equal opportunity to participate in the College District's solicitation process.

Electronic mail and fax submissions are not approved methods.

Responsibility for Debts

The Board shall assume responsibility for debts incurred in the name of the College District so long as those debts are for purchases made in accordance with the adopted budget, state law, Board policy, and the College District's purchasing procedures. [See CC] The Board shall not be responsible for debts incurred by persons or organizations not directly under Board control; persons making unauthorized purchases shall assume full responsibility for all such debts.

Purchase Commitments

Unless state law or Board policy requires the Board to make or approve a purchase and prohibits delegation, the College President and authorized College District employees in charge of a division, department, or College District budget shall have the authority to

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purchase items included in the approved budget through a purchase requisition and in accordance with purchasing procedures.

Personal Purchases

College District employees shall not be permitted to make purchases for personal use.

Unauthorized Purchases

A College District employee shall not commit the College District to any purchase of goods or services until an official College District purchase order has been issued in accordance with administrative regulations. Commitments made without an authorized purchase order shall be the responsibility of the employee. Violation of this provision may result in disciplinary action.

Delinquent Franchise Taxes

Each corporation contracting with the College District shall certify that its franchise taxes are current. If the corporation is exempt from payment of franchise taxes or is an out-of-state corporation not subject to Texas franchise tax, it shall certify a statement to that effect. Making a false statement as to corporate franchise tax status shall be considered a material breach of the contract and shall be grounds for cancellation of the contract.