General Purchasing Guidelines

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Acquisition of Goods and/or Services

The Texas A&M University System Policy 25.07.03, *Acquisition of Goods and/or Services*, establishes purchasing authority for The Texas A&M University System members. The regulation ensures compliance with all applicable State statutes and rules, as well as the System policies and regulations by setting minimum guidelines for the procurement of goods and/or services.

Each System member has developed and made available to personnel standard operating procedures to facilitate and expedite the acquisition of goods and/or services

Texas A&M Transportation Institute (TTI) Purchasing Procedures

TTI departments have delegated authority to make purchases of non-computer/network related equipment, supplies, and services where the total cost **(including freight and/or postage)** is $25,000 or less and no signed services contract is required. This limited authority was delegated to allow departments to expedite the purchase of items needed. Purchases of $15,000 or more requires the creation of a requisition to facilitate important reviews such as export controls, sponsored project cost allowability, property, information technology, and insurance. A **good faith effort** to both utilize Historically Underutilized Business (HUB) vendors and seek informal bids is best practice. All requisitions route for coding and approvals and can be reassigned to a HUB vendor if pricing is the same or lower. TTI departments must confirm that the identified vendor is not on the foreign adversary list (per the Executive Order GA-48) and is in good standing with the State on all purchases over $500 by completing the vendor verification using the TAMUS Vendor Verify application. The printout of verification dated no more than 7 days prior to order/purchase must be included with payment card expense report.

For purchases, or a combination of purchases, to the same vendor for the same project during the fiscal year exceeding the $25,000 delegated authority, a purchase requisition is required. The department enters the purchase requisition into AggieBuy, it electronically routes for approvals, and ultimately routes to Texas A&M Engineering Experiment Station (TEES) Procurement Services for processing of the order. Please refer to the MyTTI Procurement page for additional guidelines including purchasing from **foreign vendors**.

Texas Government Code stipulates that agencies purchase or contract for goods or services through competitive bidding whenever possible. However, State law identifies one mandatory source (Set Aside Program) that must be considered in **ALL** procurements. That source is WORKQUEST, formerly TIBH Industries. The goods and services offered by this mandatory source must meet the procuring agency's specified requirements, including quality and urgency of need. The procurement of products and services from this entity is not subject to the competitive solicitation requirements of the Texas Government Code and does not have an impact on the TTI HUB percentage.

In addition, Texas Government Code provides first preference for goods produced, or offered, by a Texas bidder that is owned by a service-disabled veteran who is a Texas resident. Goods produced in Texas or offered by other Texas bidders shall be given second preference, if the cost to the state and quality are equal.

Questions regarding purchase requisitions or purchases above the delegated authority may be directed to TEES Procurement Services contacts Mary Williams (me-williams@tamu.edu; David Kirk (dmkirk@tamu.edu) or Danielle Toler (danielle.toler@tamu.edu).

Computer and Peripheral Purchases

To ensure that TTI purchases of computers and peripherals conform to agency standards and the Texas Administrative Code (TAC) security requirements, all computer/network related purchases must be routed through TTI Network and Information Systems (NIS). NIS staff will assist with the purchase specifications to ensure that it adheres to network standards and policies.

Standard computer systems and essential accessories purchased using the Computer Leasing Account must be sent to NIS for prior approval. The initial purchase is charged to the leasing account and billed monthly to projects for 36 months.

Tablets, iPads or approved non-phone mobile devices (with the exception of Microsoft Surface devices) may be purchased ONLY on allowable institutional funds (not eligible on the computer leasing account). TTI will pay for a single data plan of up to $50 per month for either a cell phone or an iPad/approved non-phone mobile device; but not both. PI's may not purchase these approved mobile computing devices in lieu of a laptop. * All software purchases should be routed to NIS for review and approval prior to purchasing. These purchases will not be reimbursed by TTI.

Non-standard and non-essential computer/network requests must be purchased by providing NIS an account number. For more information, please contact the NIS helpdesk by emailing helpdesk@tti.tamu.edu or calling 979-317-2345.

Guidelines for TTI Computer and Peripheral Purchases are included on pages —-9-10 of this document.

Requisitions in Excess of $15,000.01*

The procedures for purchase requisitions are as follows:

Type of Order	Type of Funds	Requisitioning Procedures
Non-Emergency Purchases of Goods and Services	All Funds (State, Local & Federal) ($15,000.01-$25,000.00)	Enter AggieBuy Requisition. Attach supporting documentation as Internal Attachments in AggieBuy and release for TTI routing approvals. Requisition will **not** route to TEES Procurement Services unless specifically marked as "Route to Procurement Services".
Non-Emergency Purchases of Goods and Services	All Funds (State, Local & Federal) ($25,000.01 or more)	Enter AggieBuy Requisition. Attach supporting documentation as Internal Attachments in AggieBuy and release for TTI routing approvals and completion by TEES Procurement Services. Optional: solicit three or more informal bids, with at least two bids from **HUBs**.
Non-Emergency Purchases of Goods and Services	All Funds (State, Local & Federal) ($50,000.01 or more)	Enter AggieBuy Requisition. Attach supporting documentation as Internal Attachments in AggieBuy and release for TTI routing approvals and completion by TEES Procurement Services.
Emergency Purchases of Goods and Services	All Funds (State, Local, & Federal) ($15,000.01 or more)	When possible, contact TTI Financial Services for prior approval. Submit a Confirming Purchase Requisition in AggieBuy. Attach supporting documentation and a letter of justification explaining the nature of the emergency as Internal Attachments, check the "Emergency Purchase" designation within AggieBuy, and release for TTI routing approvals and completion by TEES Procurement Services.
Note: Freight and/or postage costs must be included in all dollar limits listed above.		

*** Large purchases may not be divided into small lot purchases in order to meet the specified dollar limits. (Government Code, Title 10, Section 2155.132.)**

Justification of Proprietary (Sole Source) Purchases with Local and State Funds

If the specifications restrict the purchase of goods or services to only one manufacturer, a sole source justification must be completed and attached as an Internal Attachment within the AggieBuy requisition, and "Sole Source" must be checked on the requisition. The Sole Source Requisition will route for TTI approvals within AggieBuy.

The justification must answer the following two questions:

1. What are the unique features and why are they needed?
2. Why are competing products not satisfactory?

The first question should be answered in functional terms. Indicate why the dimensions or performance characteristics are essential to your work. The answer to the second question should indicate the particular requirements of the specification where other known products or services do not comply.

Emergency Purchases

An emergency purchase is defined as a purchase of goods or services that if not secured immediately, TTI will suffer financial or operational damage.

When possible, contact TTI Financial Services prior to acquiring the goods or services. If the situation allows, informal bids should be obtained. The TTI department should submit an AggieBuy requisition properly designated as an "Emergency Purchase" after the order has been placed and include a letter of justification that must:

- state the reason for the emergency purchase by explaining what the emergency is and/or what caused the emergency situation;
- state the financial or operational damage that will occur if needs are not satisfied immediately; and
- state why the needs were not or could not be anticipated so that the items could have been purchased through regular procurement procedures.

The letter of justification should be addressed through the Department Head, through TTI's Chief Financial Officer (Tyler Theobald), and TEES Procurement Services.

Non-compliant Purchase Requisitions

Departments do not have the authority to make purchases in excess of $15,000 prior to a purchase order being issued by TEES Procurement Services. Such purchases are considered "non-compliant purchases."

Non-compliant purchase requisitions include, but are not limited to, confirming requisitions and requisitions that split large non-contract purchases into smaller purchases in order to circumvent purchasing procedures. A completed Non-Compliant Order Explanation form will need to accompany the non-compliant purchase requisition stating why proper purchasing procedures were not followed and what will be done in the future to avoid another occurrence. The person responsible for the non-complying purchase will be required to sign the form and take an online purchasing course assigned by the TEES Procurement Services Director or designee. Additional required signatures include the Department Head and TTI's Chief Financial Officer or designee. The form is submitted to the TEES Procurement Services Director or their designee for review and approval.

Exempt Purchases

The following goods and services are exempt from competitive bidding requirements and may be purchased by departments, regardless of dollar amount. However, if a signed services contract is required, or the agreement includes specific terms and conditions, departments should create an AggieBuy requisition and attach the blank contract. TEES Procurement Services will perform the terms & conditions review and route the requisition for vendor approval. TEES Procurement Services will make every effort to get vendors to accept our standard Purchase Order terms and conditions without requiring a contract, where allowable. If a contract is required or the vendor insists on execution of a contract, TEES Procurement Services will handle routing for the following approvals in accordance with the agency-wide delegation for contract administration guidance outlined at https://my.tti.tamu.edu/fns/general-accounting/contract-administration/.

- Conference Expense: expenses related to conference room services such as audio/visual/network and food services (does not include goods purchased for attendees or transportation services)

- Hotels and Conference Rooms: expenses related to the rental of hotel rooms and conference rooms (NOTE: Does not include hotel rooms for programs and conferences that are regularly scheduled throughout the year. For example, a department that hosts seminars/workshops throughout the year and is responsible for making lodging accommodations for the participants is not exempt if the projected costs of the rooms exceed $25,000.)

- Crash Test Vehicles

- Additional exempt purchases may be available but must be verified and approved through TEES Procurement Services.

Historically Underutilized Business (HUB) Program Guidelines

Pursuant to Texas Government Code and Texas Administrative Code, each state agency shall use a good faith effort to assist HUB vendors to receive a portion of all procurements in accordance with the established State of Texas procurement goals for construction, special trades, commodities and services. The State of Texas procurement goals are overall annual procurement goals for each state agency. Since it may not be practical to apply the State goals to each agency contract, each agency is required to set annual procurement goals in each category and an overall HUB goal.

During the A&M System budget process, the Chancellor may examine HUB performance and CEOs may be required to discuss their performance and justify any shortfalls. All employees of the Texas A&M Transportation Institute that have purchasing authority shall make a good faith effort to utilize HUBs in all procurements to facilitate the agency's achievement of its HUB procurement participation goals.

A good faith effort to promote HUB utilization may include, but should not be limited to, specifying reasonable and realistic delivery schedules consistent with actual requirements; developing specifications that do not impose unreasonable or unnecessary requirements; and, whenever possible, advertising procurement opportunities to HUB and minority, qualifying disabled veteran-owned and women-owned business trade organizations and development centers as well as individual qualified Texas HUB vendors.

Acquisition methods may include competitive bidding, competitive sealed proposals, a catalogue purchase, a group purchasing program, or an open market contract.

Awards are based on best value criteria. Compliance with best value criteria should be used as a strategy to include HUB vendors in procurements. Texas Education Code 51.9335 includes 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 as a best value criteria.

Other best value criteria which may be used, but not limited to, include:

- the purchase price;
- the reputation of the vendor;
- the quality of the vendor's goods or services;
- the extent to which the goods or services meet the institution's needs;
- the vendor's past relationship with the institution;
- the total long-term cost to the institution of acquiring the vendor's goods or services;
- 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.

Any purchase with an expected value of $100,000 or more, regardless of funds, requires a State of Texas HUB Subcontracting Plan for procurements when subcontracting opportunities are probable. The TTI HUB Coordinator will review HUB Subcontracting Plans for compliance. Responses that do not include a completed HUB Subcontracting Plan shall be rejected due to material failure to comply with advertised specifications.

HUB subcontracting should be promoted and encouraged in all contracts/awards of less than $100,000, regardless of funding, when it is determined that a reasonable potential for HUB subcontracting exists.

Purchasing and HUB Program guidelines should be considered during the development of proposals. Project purchases that exceed the delegated limit may be delayed by purchasing processing times. In addition, any project expenditure may impact the agency HUB percentage.

Contract Management, Purchasing Accountability and Risk Analysis Procedure

The Texas Education Code 51.9335 provides a general description of the requirements for the acquisition of goods and services by institutions of higher education and this procedure provides guidelines to minimize risks associated with the procurement of goods and services and allow TTI and TEES Procurement Services to carry out its fiduciary responsibilities. Purchases requiring a written contract, other than the standard purchase order, must be in compliance with the provisions of System Policy 25.07: Contract Administration and System Regulation 25.07.01: Contract Administration Procedures and Delegation.

Purchasing Process Timeline

Purchases $15,000 or less	If a Purchase Order is desired, department enters a requisition to AggieBuy. Keep in mind that if TEES Procurement Services finds a more competitive price, the vendor may change. (Purchases of $15,000 or less for local and state funds).
Purchases over $15,000	Department enters AggieBuy requisition and attaches all backup documentation.
Processing Time - 5 days to 1 Month	Processing time is dependent upon complexity of order, posting requirements, funding source, availability of other options as approved by statute, and incorrect, incomplete or inadequate information on requisition.
	Dollar Amount
Processing Time - 3 to 4 weeks	Any purchase of $25,000 or more, regardless of source of funds, requires public posting on the Electronic State Business Daily (ESBD) for a minimum of two to three weeks (14-21 days). In order to meet delivery requirements, additional time must be allowed when submitting the requisition. For purchases between $25,000 and $50,000, TTI departments have the option to solicit three or more informal bids, with at least two of the bids being from Historically Underutilized Business (HUBs). These items should be submitted on a requisition in AggieBuy to TEES Procurement for processing.
Minimum of 1 month	Any purchase with an expected value of $100,000 or more, and in which subcontracting opportunities exist, must be posted with the

requirement of a HUB Subcontracting Plan (HSP). Additional posting time must be allowed for the vendor to contact subcontractors and complete the HSP. Estimated processing time is dependent on complexity of order.

Sole Source Purchases
A Sole Source purchase does not require bidding, must be approved by Financial Services, and the vendor must still complete a quote to process the requisition through AggieBuy if the purchase is over $25,000. If the vendor is not set up in AggieBuy, additional time must be allowed.

Master Agreements, State Contracts, Purchasing Cooperative Contracts
These types of contracts have been competitively bid and awarded by State or Government Agencies such as Texas A&M University, the State of Texas, the Texas Department of Information Resources, or one of the buying Cooperatives, such as, but not limited to, the Texas Association of School Boards or the Educational & Institutional Cooperative Purchasing organization (E&I).

The order may be processed quicker by referencing one of these agreements on the requisition and by the vendor on their quote.

**Please note: Processing times are estimates and vary based on the dollar amount and complexity of the purchase, as well as approved budget authority. Departments are advised to carefully evaluate and plan their goods and services requirements on a monthly/yearly basis whenever possible. TEES Procurement Services makes every effort to accommodate requests for expedited delivery of commodities or services. However, adequate time must be allowed to procure quality goods and services within the time required at an acceptable price.

TTI Computer and Peripheral Purchasing Procedures

Using the Computer Leasing Account (Standard computers and essential accessories) The approval process for computer leasing purchases is 1-2 days. Processing time from approval to arrival at TTI and set up is 2-5 weeks on average, in addition to any time required, if the purchase is over the delegated limit and a requisition is necessary.	Requestor obtains Program Manager and Division Head approval for purchase and submits request to Network and Information System (NIS) for approval. Upon approval, NIS will contact the requestor to obtain specific information. Once the equipment specifications are finalized, NIS will place the order NIS enters the requisition to AggieBuy. Equipment is received by NIS to complete the initial setup and deliver to the requestor. For more information regarding the computer leasing program visit the Computer Usage page on MyTTI.

Using Other Accounts Requestor Supplies Account Number (Non-standard and non-essential computer/network IT items) Depending on the complexity and type of equipment to be ordered, processing time from placing the order to arrival at TTI and set up is 2-5 weeks on average, in addition to any time required, if the purchase is over the delegated limit and an AggieBuy requisition is necessary.	Requestor contacts NIS and they work together to determine the specifications. Once the equipment specifications have been finalized, NIS will proceed with order procurement via a HUB vendor. NIS enters the requisition to AggieBuy. Equipment is received by NIS to complete the initial setup and deliver to the requestor.