



Policy Title Purchasing Policy	Effective Date 12/03/13	Policy Number FS-119
Responsible College Division/Department Financial Services	Responsible College Manager Title Vice-President of Administrative Services	
<p style="text-align: center;"><b>Policy Statement</b></p> <p>Purchasing procedures include all acquisitions, rentals, leases, purchases, or otherwise acquiring any products, supplies, rentals, equipment, construction, remodeling, contract for services or any other transaction that involves expenditure of College funds. This policy complies with the authority, rules, and requirements prescribed in Chapter 38 of the Wisconsin State Statutes, TCS Administrative Code 6, and 34 CFR, paragraph 80.36.</p> <ol style="list-style-type: none"> <li>1. The President is the procurement authority for the District and has assigned the responsibility for administering procurement procedures to the Financial Services Department.</li> <li>2. Purchasing Cards (P-cards) are available at the discretion of the President or designee. Travel, supplies, and any purchase under \$500.00 EXCEPT software, laptops, and tablets; contact the IT Director prior to purchasing these items.             <ol style="list-style-type: none"> <li>a. No personal items are to be purchased with a P-Card. Personal items and/or meals purchased for family members must be paid for by the employee with his/her own funds.</li> <li>b. All items ordered with P-Cards needs to be shipped to the College shipping and receiving department, unless arrangements have been made with the Financial Services Department prior to placing the order.</li> <li>c. Misuse of the P-Card will result in loss of credit card privileges and may result in disciplinary action.</li> <li>d. P-Cards can be used for supply orders over \$500.00 if the supplier is on a contract.</li> </ol> </li> <li>3. A Check request can be used for certification &amp; licensing fees, registration fees, membership renewals, student club expense, subscription renewals, etc.</li> </ol> <p>Purchase orders must be entered and approved prior to purchasing.</p> <ol style="list-style-type: none"> <li>4. Purchases greater than \$50,000.00 must go out on bid or Request For Proposal (RFP).</li> <li>5. Purchases greater than \$25,000 but under \$50,000 require three quotes.</li> <li>6. Purchases greater than \$10,000 but under \$25,000 require two quotes.</li> <li>7. Purchases greater than \$500 but under \$10,000 require one written quote</li> <li>8. Contracts made by the district board for public construction where the estimated cost exceeds \$25,000 will be let by the district board to the lowest responsible bidder in accordance with Wisconsin Statutes 38.18, 62.15(1) to (11) and (14).</li> <li>9. RFP procedures will be established in lieu of competitive bids for procuring services where the district determines that competitive selection in lieu of competitive bids is in the best interest of the district.</li> <li>10. The awarding of bids and RFP's will be delegated to the Financial Services Department.</li> <li>11. Records are retained for all procurements where the total cost is equal or greater than \$25,000.00.</li> <li>12. An annual review as required in Administrative Rule TCS 6.05(2)(h) will be held. An annual review of purchases will be completed in order to determine if a more competitive procurement process should be used in succeeding years. The district board shall take formal action on this report.</li> </ol>		

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13. All federally funded or grant funded procurements shall be made in accordance with the appropriate regulations or grant requirements. These procurement must still follow all purchasing authorization guidelines. In cases where the policies conflict, the more restrictive policy must be used unless prior approval is received from the relevant granting agency.
  - a. Five Allowable Federal Procurement Methods
    - i. Procurement by micro-purchases: The acquisition of supplies or services when the aggregate dollar amount does not exceed \$3,000 (or \$2,000 in the case of acquisitions for construction subject to the Davis-Bacon Act). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if you consider the price to be reasonable.
    - ii. Procurement by small purchase procedures: Procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold (currently \$150,000; adjusted periodically). If used, price or rate quotations must be obtained from an adequate number of qualified sources. The standards do not define how many quotations constitute an "adequate number"; this will be a matter of judgment.
    - iii. Procurement by sealed bids - Bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price.
    - iv. Procurement by competitive proposals (RFP) -The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids. The college will have a written method for conducting technical evaluations of the proposals received and for selecting recipients.
    - v. Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:
      1. The item is available only from a single source;
      2. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
      3. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
      4. After solicitation of a number of sources, competition is determined inadequate.
14. Code of conduct.
  - a. Any employee involved in procurement is prohibited from having a financial interest in any procurement and from receiving any gratuity or other financial gain from any contractor.
  - b. Personal Gifts and Gratuities: District employees involved in procurement are prohibited from having a financial interest in any procurement and are prohibited from receiving



any gratuity or financial gain from any vendor. Any items received, as gifts or gratuities, become the property of LTC. Token gifts of appreciation (value of \$25.00 or less) such as candy, flowers, etc. can be enjoyed by the LTC staff; however, gifts of significant value such as tickets, trips, free meals, etc. shall be denied by staff members. Items in question will be discussed with the Financial Services Director.

- c. LTC staff should not provide information to a prospective supplier of goods or services or involve that supplier in the procurement process in such a way that would give that prospective supplier a competitive edge over other prospective suppliers.
- d. Employee conflict of interest – No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. The officers, employees, and agents must neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, you may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.

**Reason for Policy**

Procurement policy is required by administrative code.

**Historical Data, Cross References, and Legal Review**

**Created/Adopted:** 12/03/2013

**Reviewed/Revised:** 8/15/14, 12/3/15, 10/22/2018

**Cross Reference:** FEF, Const5ruction – Contracts Bidding and Awards, TCS Administrative Code 6, and 34 CFR, paragraph

**Legal Counsel review and approval:** n/a

**Board Policy:** III.A. General Executive Constraint, III.D. Budgeting/Forecasting, III.E. Financial Condition

**Definitions**