

# CSUSB FOUNDATION

*Building a Culture of Philanthropy*

Date: May 14, 2020  
Last Reviewed: November 5, 2018  
Adopted: May 21, 2020

## PROCUREMENT POLICY

**Purpose:** The CSUSB Philanthropic Foundation Procurement policy applies to the purchase of materials, equipment, supplies, and services paid from CSUSB Philanthropic Foundation administered funding sources. All purchases using CSUSB Philanthropic Foundation funds must comply with CSUSB Philanthropic Foundation's purchasing policy. These purchasing procedures meet purchasing needs, which satisfy the requirements of federal, state, and independent auditors. Travel and the retention of artists, entertainers, lecturers, caterers, and speakers are not subject to the provisions of the bid process for this policy.

**Scope:** This policy applies to all individuals who are using CSUSB Philanthropic Foundation funds.

The CSUSB Philanthropic Foundation complies with the California State University Contracts and Procurement Policy.

Integrated CSU Administrative Manual (ICSUAM) section 5000, Purchasing utilizes written delegations of authority from the campus President to the various individuals authorized to procure. Only authorized Purchasing employees and certain delegated executive management may develop and approve contractual documents and obligate the University. Any department considering a contractual document or agreement with an outside entity must coordinate the contract development and approval through Purchasing, to finalize the contract. The collaboration between Purchasing and campus departments for contract development is mandatory to provide consistency and compliance with system-wide policies. This is true for both monetary and non-monetary contractual instruments. Auxiliaries are also encouraged to consult with Purchasing on any contractual matter.

Exceptions to the California State University Contracts and Procurement Policy require the prior written approval of the Executive Director for the CSUSB Philanthropic Foundation.

### Policy Provisions

1. Purchases shall be made in a manner that supports and facilitates the competitive bidding process and at the lowest cost consistent with quality, specifications, service, and product availability.

2. Purchases shall follow what is customary in the market place for a particular commodity or product and be consummated in such a manner to constitute a reasonably prudent documented business transaction.
3. Fitness and quality being equal, recycled products shall be considered for procurement in place of non-recycled products whenever such products are available at no more than the total cost of their non-recycled counterparts.
4. Volume or pool purchases, annual purchase agreement, and State-purchasing contracts shall be utilized when deemed advantageous to CSUSB Philanthropic Foundation.
5. If, after reasonable effort, three bids cannot be obtained, a Sole Source/Brand Approval justification will be required. Additionally, requisitions that limit the bidding to one source and/or brand or trade name must include a written justification, approved by the Procurement Director, explaining why the product specified is necessary for the successful completion of the requesting department's functions. If a vendor is providing pricing/quotes in accordance with a current State contract, no additional quotes will be required. The Sole Source/Brand Approval justification should include the following:
  - a) Unique performance factors of the products specified
  - b) Why these factors are required
  - c) What other products have been evaluated and rejected, and why
  - d) Special circumstances requiring immediate action
6. No CSUSB Philanthropic Foundation Board member, employee, or CSU employee by virtue of their position, will personally derive any benefit, gain or receive preferential treatment from the purchase of materials, equipment, supplies, or services.
7. Authorized signers failing to follow CSUSB Philanthropic Foundation's purchasing policy and procedures may incur personal liability or financial obligation with the vendor.

**Thresholds for Competition for Goods or Services**

1. **Under \$10,000**  
 Purchases under \$10,000 for goods only not services excluding sales taxes may be completed without requesting a purchase order. The department personnel may assess the best value by requesting multiple quotes and submitting the payment request directly to accounts payable. However, department personnel may request a PO by submitting a requisition if a vendor requires a purchase order. Sole source purchases will always require purchase a requisition, regardless of cost for the product and services being acquired. An IRS form W-9 or equivalent and other information may need to be collected for new vendors.
2. **Between \$10,000 & \$100,000**  
 Purchases between \$10,000 and \$100,000, exclusive of sales tax will require submission of a requisition and the director of procurement or designee may decide the best method of procurement.

The Philanthropic Foundation intends to support Small Business Enterprises & Disabled Veteran Business Enterprises (SBE & DVBE). Efforts should be made to receive quotes and when possible awarding the order to these businesses.

Requisitions for amounts between \$50,000 and \$100,000 (exclusive of sales tax) for goods and/or services or between \$50,000 and \$500,000 for Information Technology Resources (ITR) or Information Technology (IT) consulting require non-advertised, informal competition with responses required from a minimum of three suppliers.

Procurement Director or designee will determine the best solicitation method for the procurement, work with the requesting department to develop specifications and/or scope of work if necessary and obtain quotations. Obtaining and evaluating quotations is limited to Procurement and Contracts staff only to ensure that all suppliers are presented with the same information including terms and conditions and those responses are evaluated on an equal basis.

**3. Over \$100,000 - Goods and Services AND Over \$500,000 - ITR Goods and Services including IT Consulting**

Requisitions for amounts greater than \$100,000 (exclusive of sales tax) for goods and/or services or greater than \$500,000 for Information Technology Resources (ITR) or Information Technology (IT) consulting require formal, written bids advertised in the California State Contracts Register.

A Buyer will work with the requesting department to develop specifications and/or scope of work if necessary and obtain quotations. To ensure that all suppliers are presented with the same information including terms and conditions and those responses are evaluated on an equal basis, issuance and evaluation of bids are limited to Procurement and Contracts staff. In some instances, an evaluation team may be assembled and the Buyer will participate on the team. All team members will be required to complete and submit a Conflict of Interest and Confidentiality Statement before reviewing any responses.

Requests for exceptions to competition are evaluated based on CSU Policy: ICSUAM 5206.00 Limits on Competition.

**4. Acquisitions Less than \$250,000 from California Certified Small Business or Disabled Veteran-Owned Business Enterprise (DVBE)**

This is called the Small Business/DVBE Option. Acquisitions of goods or services that are estimated to be less than \$250,000 may be awarded to a Certified Small Business or DVBE, as long as Procurement and Contracts obtain price quotations from two or more Certified Small Businesses or two or more DVBEs as referenced in Government Code Section 14838.5.

**NOTE:** The dollar amounts listed throughout the Thresholds for Competition section are calculated to include shipping charges but EXCLUDE sales tax. For example, if the requisition total before tax is \$49,999.99, competition is not mandatory; however, if there are any shipping charges or an installation fee in addition to the \$49,999.99, Procurement and Contracts will follow the guidelines for purchase requisitions \$50,000 and over.

### **Disbursement Check Procedures**

A Disbursement Check Request that is used for CSUSB Philanthropic Foundation purchases must follow the procedures as clearly defined below:

#### **Under \$10,000**

Purchases under \$10,000 for goods only not services excluding sales taxes may be completed without requesting a purchase order. The department personnel may assess the best value by requesting multiple quotes and submitting the payment request directly to accounts payable. However, department personnel may request a PO by submitting a requisition if a vendor requires a purchase order. Sole source purchases will always require purchase a requisition, regardless of cost for the product and services being acquired. An IRS form W-9 or equivalent and other information may need to be collected for new vendors.

- a) Purchases may not be used to circumvent any CSUSB Philanthropic Foundation policies.
- b) Purchases may only be made that are not requiring indemnification clauses, hold harmless forms, or insurance from the vendor. If this is the case, a PO and/or agreement or vendor contract must be executed.
- c) Purchaser must provide receipts of all transactions and submit them with a Disbursement Check Request form that is signed by the authorized signer on the project account.

### **REFERENCES:**

ICSUAM, Section 5000:

<https://calstate.policystat.com/policy/6718695/latest/>