



FLORIDA POLYTECHNIC UNIVERSITY
DEPARTMENT OF PROCUREMENT
PROCUREMENT MANUAL

DRAFT



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1. OBJECTIVE, PURPOSE & RESPONSIBILITY

a. The purpose of this document is to provide information regarding the Procurement Department's authority, responsibilities, mission, vision and to establish uniform policies and procedures consistent with the authority and responsibilities granted to the Florida Polytechnic University Board of Trustees and the President towards the establishment of an effective Procurement Department program for the acquisition of commodities, contractual services and construction.

Procurement is responsible for the procurement of goods and services for campus and strives to provide:

1. Expertise to procure the right goods/services for a reasonable price
2. The best overall value (total cost of ownership) of goods and services
3. Customer service, training and quality assurance for procurement tools and business processes
4. Consultation services to help departments discover savings opportunities
5. Negotiation and creation of procurement related contracts
6. Recommendations for business practices to save you time and money
7. Guidance to ensure compliance with applicable policies & laws

PROCUREMENT'S MISSION STATEMENT

Our mission is to establish strategic thinking in all procurement efforts while maintaining compliance with University and BOG regulations and state and federal statutes. We strive to serve, support, and collaborate with our internal and external customers.

PROCUREMENT'S VISION

Our vision is to create a reputation as a high performing strategic partner that is an essential resource to the financial health of the University. We strive to develop streamline processes that support the University's goals and initiatives while promoting positive relationships with university executives, campus leadership, faculty, staff, and students.



The following objectives will assist the Procurement Department in accomplishing the vision and mission:

1. Support Operational Needs
2. Manage the Procurement Process Efficiently and Effectively
3. Develop Strong Relationships with the Campus Community
4. Foster Strategic Relationships/Supplier Innovation
5. Support Organizational Goals and Objectives

PROCUREMENT DEPARTMENT RESPONSIBILITY AND AUTHORITY

The University President is the Chief Executive Officer and is responsible for the operation and administration of the University. The President has delegated to the Procurement Department the powers and duties prescribed in FPU Regulation 8.001, Purchasing.

PROCUREMENT DEPARTMENT

The President shall delegate to the Director of Procurement the powers and duties to approve, execute and administer University contracts for the purchase of commodities and contractual services and to establish policies and best practices to facilitate such duties.

In addition, Procurement Department has the responsibility to:

- a. Obtain sources of supply and enter into contracts for the purchase of goods or services including installment or lease-purchase contracts.
- b. Evaluate the ability of any vendor to remain on a competitive vendor list, based on the Vendor's responsiveness to competitive solicitations, the Vendor's ability to fulfill the duties specified in contracts, or any disruptive or unprofessional conduct or conduct which is not conducive to the University environment on the part of the Vendor or its Coordinators, and bar vendors from doing business with the University for demonstrated cause as determined by the President, including previous unsatisfactory performance.
- c. Planning and coordinating purchases in volume and negotiating with Vendors.



d. Develop an Annual Certification List to serve as a waiver of the competitive solicitation requirement for commodities/ services that are frequently purchased and are available from a single source.

e. Evaluate, approve, and utilize contracts let by the Federal Government, the State, other states, political subdivisions or entities, colleges, universities, educational cooperatives or educational consortia for the procurement of commodities and contractual services, when it is determined to be cost-effective and in the best interest of the University to make purchases under contracts let by such other entities and to identify potential savings and, if there is the potential for savings, enter into new consortia and cooperative contracts to achieve the savings.

f. Elect as an alternative to the provisions of University Regulation 8.001P, to proceed with a bid solicitation or contract award process when it is set forth, in writing by the President, the particular facts and circumstances which require the continuance of the solicitation or contract award process without delay in order to avoid an immediate and serious danger to the public health, safety or welfare.

g. Award contracts for commodities and contractual services. This includes the authority to make awards to multiple suppliers, awards in multiple year terms, or award contracts on behalf of multiple institutions or entities.

h. Reject or cancel any or all competitive solicitations, in whole or in part, when determined to be in the best interest of the University.

i. Purchase insurance as deemed necessary and appropriate for the operation and educational mission of the University.

j. Coordinate with the University's Campus Development & Facilities Department the administration of Construction Services, which services shall be administered pursuant to Chapter 14 of the Florida Board of Governors (BOG) Regulations.

k. To plan and coordinate purchases in volume and to competitively bid, negotiate and execute purchasing agreements and contracts for the recurring needs of the University.

l. To prescribe the methods of securing bids or negotiating and awarding contracts.



- m. To negotiate on the best terms and conditions in the event no bids are received.
- n. To establish standards, formulate specifications, and determine the source of supply for any commodity or service requisitioned by any department of the University.
- o. To prescribe items and quantities to be purchased locally by departments.
- p. To execute contracts, whether by purchase order or other approved Procurement Department method, for commodities and services required by the University.
- q. To develop, distribute, and maintain the policies and procedures manual of the Procurement Department in furtherance of FPU Regulation 8.001P
- r. To oversee the University Credit Card Program
- s. To oversee the University Central Receiving and Delivery Department
- t. To oversee the disposal of surplus of goods per university, state, federal guidelines and BOG regulations.

2. AUTHORITY

- a. Florida Statutes 1001.70-92, and Board of Governors Regulations 14.007, 14.008, 18.001, 18.002 and 18.003.

3. REGULATIONS

- a. Florida Polytechnic University Regulation 8.001 - Procurement Department

4. POLICIES

- a. Florida Polytechnic University Policy 1.0128P – Contract Review

5. INTRODUCTION

a. The Procurement Department is an important function of the administrative management of the University. The Purchasing function is assigned to the Procurement Department. The Procurement Department oversees all procurement of the University. is a customer service organization which supports the students, the instructional and research efforts of the faculty and staff, as well as all other



University service departments including the Office of Information Technology and the direct-support organizations of the campus community.

b. Procurement Department involves the acquisition of equipment, furnishings, supplies, construction services, maintenance services, professional services, contractual services, and the lease of space for the University within established budgetary constraints. Procurement Department functions also include preparing estimates; preparing bid specifications; initiating formal quotations, proposals and bids; conducting public bid openings; evaluating bids; and negotiating and awarding contracts.

c. This manual, issued by the Director of Procurement by direction of the University President, establishes uniform procedures relating to the purchase of goods and services.

d. The manual reflects statutory requirements of the State of Florida, regulations and directives established by the Board of Governors, the Florida Polytechnic University Board of Trustees, and standard practices in the public university system of Florida, as applicable. The requirements stated herein shall apply to all purchases of goods and services whether funded by state appropriation, grants, or student fees.

e. Except as otherwise delegated by the President, Procurement Department is the only University department authorized to commit funds for the acquisition of commodities or services and is the initial point of contact for all procurement related contracts and agreements prior to any obligation or commitment by the University.

6. DEFINITIONS

a. Advice of Change/Amendment - A change, modification, or revision to a contract that was signed by all eligible parties.

b. Change Order- Any change to a Purchase Order in WD. If PO is tied to a contract, an Amendment/AOC must be issued.

c. COI – Certificate of Insurance

d. Construction Services - Contractual services, including labor or materials, for the design, construction, renovation, repair or demolition of university facilities.



e. Contract – A written official agreement with vendors to purchase goods and services. Contracts are enforceable by law and are a legal obligation.

f. Contractor/Vendor/Supplier - A person or firm who contracts to sell commodities or contractual services to the University.

g. Emergency Purchase - When a university president or his/her designee determines, in writing, that the delay due to the competitive solicitation process is an immediate danger to the public health or safety or the welfare of the University, including University tangible and/or intangible assets; or would otherwise cause significant injury or harm not in the best interest of the University, the University may proceed with the procurement of commodities or contractual services without a competitive solicitation. The purchase of commodities or services due to a danger to the public health, the safety or the welfare of person(s), animal(s), the preservation or protection of property, or the continuance of a vital University function. Note that emergency purchases can only be applied to unforeseen events; a lack of planning does not constitute an emergency.

h. Formal Competitive Solicitation – A formal bidding process such as, but not limited to, an Invitation to Bid, Request for Proposal or Invitation to Negotiate to competitively select a contractor/vendor. Independent Contractor - A person or firm who provides a service to the University but does not have any employment or other relationship or connection with the University, except as provided in Section 112.313, F.S.

i. Invitation to Bid - A written solicitation for competitive bids with the title, date, and hour of the public bid opening designated and the goods or services clearly defined, for which competitive responses are sought and can be easily compared.

j. Invitation to Negotiate - An invitation extended to prospective contractor/vendors by the University, whether by advertisement, written solicitation, electronic media or any other form of communication, to define the specifications, terms and conditions of a contract for commodities or contractual services. Cost may or may not be a consideration in the initial stages of negotiation.



k. Non-routine Justification (NRJ) –When the invoice for goods, or services is received before a PO has been issued.

l. P-Card - The Procurement Credit Card is used for official university-related purchases and travel by regular University employees who are in a fiscally responsible position. Please see the supplement entitled “Procurement Card User Manual” for related policies and procedures.

m. Purchasing Officer/Official - A person, delegated the authority by the University President, to enter into, award, modify or terminate contracts and make related determinations and findings. The term includes any authorized representatives of the Procurement Department officer acting within the limits of their authority.

n. Renewal - Contracting with the same contractor/vendor for the same goods/services for an additional period after the initial contract term, provided the original terms of the agreement specify an option to renew. Must be completed through an AOC/Amendment process.

o. Request for Proposal - A written solicitation for competitive proposals for commodities or contractual services designating the title, date, and hour of the public opening. The request for proposal is used when the scope of work is not clearly defined.

p. Sole Source Purchase - Sole Source – (\$150,000 and above) is when the University enters into a contract with a contractor without going through the typical competitive process as required by law. Procurement and Office of General Counsel must approve the sole source justification prior to posting it on the web page. A sole source DOES NOT mean the best source it means the only source. Sole source must be posted on the web for a period of seventy-two (72) hours.

q. Total Contract Value - means the entire potential monetary worth of a project from beginning to end, including the initial contract period and any renewal terms with a specific supplier. It also means the entire purchase amount whether via PO or P-Card to include the cost of shipping for an item(s) or service(s) with a specific supplier. Purchases may not be arbitrarily subdivided to avoid competition threshold requirements.



r. Waiver of Competition (under \$150,000) - A waiver of competition is a request to purchase product(s) and/or services(s) without obtaining multiple quotes when multiple quotes are otherwise required. This must be approved by Procurement and department must verify that the product/service is unique, and that the vendor is the only one from whom the product/service can be provided and/or that a delay due to a competitive process will cause the university harm and therefore, is not in the best interest of the university.

7. DELEGATED SIGNATORY AUTHORITY

Only the individuals listed on the Office of General Counsel website are duly authorized signatories with authority to bind the University to agreements for the purchase of goods and services. Additionally, only such individuals have authority to accept electronic (e.g., click-through) agreements on behalf of the University. Contracts, including electronic agreements, signed and/or accepted by other employees or agents of the University shall not be binding on the University.

All procurement related documents/contracts must be processed through the Procurement Office and in accordance with University Procedures, including legal review by the Office of the General Counsel, as applicable. Also, the authority outlined is subject to applicable provisions of law, policies, and regulations of the Florida Polytechnic University Board of Trustees and is for implementation of approved programs of the University.

Please note: The University will not be held liable for agreements signed by Unauthorized signatories. Unauthorized signatories can be held personally liable for the terms and conditions in the agreement, including any financial commitment.

8. CODE OF ETHICS AND STANDARD OF CONDUCT

All University personnel engaged in the Procurement Department and related activities shall conduct business dealings in a manner above reproach in every respect. Transactions relating to expenditure of public funds require the highest degree of public trust to protect the interests of the University and the taxpayers of Florida. All University personnel engaged in the Procurement Department cycle,



including the President, Vice Presidents, Deans, Chairpersons, Directors, budget committee members, initiators of requirements and their supervisors, receiving personnel, finance and accounting personnel, P-Card holders, and all members of a Procurement Department activity are bound by the standard of conduct for public officers and employees set forth in Chapter 112, Part 3, Florida Statutes and Florida Polytechnic University (FPU) Regulation FPU-6.002 Personnel Code of Conduct and Ethics.

9.EMPLOYEE CONFLICT OF INTEREST AND GRATUITIES

Conflict of Interest - Except as may be permitted by the regulations of the Florida Polytechnic University, it shall be a breach of ethical standards for any employee of the University to participate directly or indirectly in the Procurement Department process when the employee knows that:

- a. He/she or any member of his/her immediate family, will benefit from a University Procurement Department transaction;
- b. A business or organization in which he/she, or any member of his/her family, (spouse, children, parents, brothers and sisters) has a financial interest and will benefit from a University Procurement Department transaction; or
- c. Any other person, business or organization with whom he/she or any member of his/her immediate family, is negotiating or has an arrangement for employment and will ultimately benefit from a University Procurement Department transaction;
- d. All employees having a financial interest in a private concern shall file a statement annually with the University disclosing such interest;
- e. All individuals taking part in the development or selection of criteria for evaluation, the evaluation process, and the contract award process in any purchase shall be independent of, and have no conflict of interest in, the entities evaluated and selected.
- f. It shall be a breach of ethical standards for any employee of the University to accept, solicit, or agree to accept a gratuity of any kind for personal gain in



connection with any contract for commodities or services. Current or potential contractors are prohibited from offering an employee of the University a gratuity of any kind for the employee's personal gain to influence the development of a contract or potential contract for commodities or services.

g. All individuals taking part in the development or selection of criteria for evaluation, the evaluation process, and the contract award process in any purchase shall be independent of, and have no conflict of interest in, the entities evaluated and selected. The University shall not accept a competitive solicitation from, or purchase commodities or contractual services from a person or affiliate who has been convicted of a public entity crime and has been placed on the State of Florida's convicted vendor list for a period of 36 months from the date the person or affiliate was added to the convicted vendor list.

i. A person or firm who receives a contract to perform a feasibility study for potential implementation of a subsequent contract, participates in the drafting of a competitive solicitation, or develops a program for future implementation shall be ineligible to contract with the University or compete for such procurements dealing with the specific subject matter.

j. University employees and University direct support organization employees participating on a procurement selection committee for commodities or services are prohibited from soliciting donations from responding vendors during the selection process, except for donations or other benefits expressly stated in the procurement document.

10. INFORMAL AND FORMAL SOLICITATION

If your purchase does not fit under the last two sections, use the Total Contract Value of your purchase to determine the method of procurement noted in the chart below.

As a public entity, Florida Poly must ensure fair and open competition exists in all procurement activities (excluding Authorized Exemptions) in order to avoid the



appearance of and prevent the opportunity for favoritism and to inspire public confidence that contracts are awarded equitably and economically.

INFORMAL SOLICITATION	
Less than \$10,000	1 Quote
\$10,000 - \$75,000	2 Quotes
\$75,000.01- \$150,000	3 Quotes
FORMAL SOLICITATION REQUIRED	
\$150,000 +	Formal Solicitation

The deliberate attempt to split orders, where the purpose is keeping the total cost of each order below bid or quote limits, and failure to combine orders when practical for the interest of economy, is an evasion of the Florida Statutes and Procurement Department Regulations. The splitting of orders is a prohibited activity and therefore unlawful. Any related needs that are known or should have been reasonably known at the time of the requirement should be combined into one coherent request for procurement.

Please note: If deemed to be in the best interest of the University, the Procurement Department reserves the right to issue a formal solicitation regardless of the dollar amount.

INFORMAL SOLICITATION

For the best outcome, Departments should contact Procurement Services at the beginning of any project/procurement, before obtaining quotes or speaking with respective vendors.

It is the responsibility of Procurement to review and approve quotations from prospective suppliers. Often times Procurement will obtain quotes, however, for budget purposes, a department may obtain cost information from suppliers. Procurement is not bound to accept quotations secured by departments. When a department chooses to secure quotations, the quote must contain the name of the



supplier, the supplier representative who gave the quote, the date of the quote, the payment terms and the price of each item(s).

If deemed in the best interest of the University, Procurement will attempt to secure competitive pricing. The turn-around time for securing written quotations normally will not exceed five (5) days, depending on the circumstances. If a department believes that a commodity or service is available from only one source, or an emergency situation exists, justification in support of that belief must be provided. It will be at the sole discretion of Procurement as to whether the sole source or emergency justification is accepted. The Procurement Director will determine whether or not it is in the best interest of the University to secure competitive pricing, but will at all times determine, in his or her professional opinion, that the requisition price is fair and reasonable before issuing a Purchase Order.

FORMAL SOLICITATION

Florida Poly requires that all purchases with a Total Contract Value of \$150,000 and above will be competitively procured by Procurement through a formal solicitation process such as, ITB, ITN, RFP. Under certain circumstances as outlined in the Regulation, Procurement policy, and these procedures a formal solicitation process may be waived. Requisitioning departments without specific delegated authority MAY NOT, under any circumstances, issue formal solicitations without coordinating with Procurement. Attempts to split items among different Requisitions to keep the total below the competitive solicitation threshold is against the law!

11. CONTRACT/AGREEMENTS

UNIVERSITY TERM OR ANNUAL CONTRACTS

The Procurement Department shall secure contracts whenever possible. Contracts can protect your organization by preventing conflicts and mitigating risk and provide effectiveness and efficiencies across the organization. The essential feature of a contract is the establishment of a source of supply, for a specified commodity or group of related commodities or services for a stipulated price and period. Contracts are legally binding and serve as a record of commitments for both parties and identifies responsibilities and obligations.



A. Term contracts are indefinite quantity contracts whereby a contractor agrees to furnish an item(s) or services at a specified price, during a prescribed period of time (such as three, six, nine, or twelve months, or a specified date). The specified period of time or date completes such contracts.

B. Multi-Term Contracts

1. Specified Period - A contract for supplies or services may be entered into for any period of time deemed to be in the best interest of the University provided the terms of the contract and conditions of renewal or extension, if any, are included in the solicitations and funds are available for the first fiscal period at the time of contracting.

2. The performance of the University of any of its obligations under a multi-term contract shall be subject to and contingent upon the availability of funds appropriated by the Legislature of the State of Florida, the obligation of funds by the prime funding agency, or otherwise lawfully expendable for the purposes of the agreement for the current and future periods.

3. Cancellation Due to Unavailability of Funds in Succeeding Fiscal Periods -When funds are not appropriated or otherwise made available to support continuation of performance in a subsequent fiscal period, the order shall be paid only for supplies or services already received under the contract.

C. University Term Contracts - Departments will be contacted if purchases of a recurring nature indicate that a term contract would be advantageous. Information as to specifications and estimated annual usage shall be supplied by the using department. Blanket Purchase Agreements may be used to consummate purchases against these contracts. Departments may request assistance from the Procurement Department in establishing term contracts.

ALTERNATE PURCHASES/COOPERATIVE/PIGGY-BACK CONTRACTS

Purchases from an alternate purchase/cooperative/piggy-back contract may eliminate the need for a competitive solicitation over \$150,000. A piggy-back



contract is a contract awarded through a competitive process which allows Florida Poly to purchase the same services or goods at the same contracted terms.

Contracting utilizing piggy-back contracts is subject to internal and external review and must be consistent with the policies and regulations of Florida Poly.

Procurement examines and weighs multiple factors to determine the appropriateness of piggybacking as a preferred methodology of procurement.

Where practical and available, Florida Poly should implement the use of existing State University System (SUS) Shared Initiatives contracts, unless the Director of Procurement Services documents that such use is not in the best interest of the university.

A. State of Florida Term Contracts - The University may acquire any commodity which is available on any term contract or price agreement executed by the State Department of Management Services when such purchase is most advantageous to the University, with price, quality, performance, and other factors considered. Any such purchases by the University are exempt from competitive bid requirements.

B. Shared Initiative Contracts - SUS Shared Initiatives aggregates the procurement power of multiple institutions to create leverage in realizing improved pricing, service, and risk mitigation. The value of savings achieved will need to be measurable. A shared initiative may consider all possible efficiencies, not simply procurement matters. For example, 179D rebates, Energy Savings Contracts, other national consortium contracts, and shared staffing. Savings realized by this initiative will allow each university to channel more funds toward its core education and research missions as well as provide funding for needed procurement resources to drive greater efficiencies and additional savings. The focus will be on establishing collaborative and cooperative relationships between the Board General Office and the universities, which is appropriate given the size and diversity of the State University System of Florida.

C. PRIDE - Any service or item manufactured, processed, grown, or produced by Florida's Prison Rehabilitative Industries and Diversified Enterprises, Inc. (PRIDE).



PRIDE, a private not for profit corporation established pursuant to Florida Statutes 946.515, shall be purchased by the University from this corporation, when price and quality are determined to be comparable to articles required by the University.

D. Cooperative Purchase Contracts - Procurement Department may evaluate and approve for use contracts let by the Federal Government, the State, other states, political subdivisions or entities, colleges, universities, educational cooperatives, or other consortia for the procurement of commodities and contractual services, when it is determined to be cost- effective and in the best interest of the University to make purchases under contracts let by such other entities.

Only the individuals listed on the Office of General Counsel website are duly authorized signatories with authority to bind the University to agreements for the purchase of goods and services.

12. SUPPLIERS/ VENDORS

Procurement Department has the responsibility to:

Develop and maintain a vendor database. The Procurement Department may use vendors recommended by the requisitioning department and review, approve, and expand and maintain the file.

Remove any contractor from the University's competitive vendor list that fails to fulfill any of its duties specified in a contract with the University(s) and to reinstate any such contractor when satisfied that further instances of default will not occur.

Barr any vendor from doing business with the University for demonstrated cause, including previous unsatisfactory performance.

Prohibit University employees and University direct support organization employees participating on a procurement selection committee for commodities or services from soliciting donations from responding vendors during the selection process, except for donations or other benefits expressly stated in the procurement document.



VENDOR APPLICATION AND TAX DOCUMENTS

Prior to creating a requisition in Workday for vendor good(s)/services, a Vendor is required to successfully complete the vendor registration process through the ERP system.

INSURANCE REQUIREMENTS

All vendors doing business with FPU should be business entities properly licensed, insured and registered as required by law and authorized to do business in the State of Florida. Unless otherwise specified, all vendors must possess the required insurance coverages as specified by the Florida Statutes including Workers Compensation, Automobile, and Professional/General Liability.

Additional insurance coverage types and increased insurance limits will be assessed on a case-by-case basis as may be determined by the department, the University's Risk Manager, and the Procurement Department based on the facets of the goods/services being procured.

Verification of insurance coverage is handled on an exception basis, unless otherwise specified or required. When insurance certificates or verification is required it will be maintained by the requesting department. Certificates not specifically requested but mailed to FPU by insurance providers may be sent to the Procurement Department for filing.

13. AUTHORIZED EXPENDITURES AND EXEMPTIONS

An expenditure of funds must be authorized by law and must meet the intent and spirit of the law authorizing the funds. A business purpose/ benefit to the University must be included in all purchases.

AUTHORIZED EXEMPTIONS

Artistic services

Academic reviews

Lectures



Auditing services, including those services needed to address audit, financial, and fraud-related compliance, controls, and investigative matters, or such other related services.

Legal services, including attorney, paralegal, expert witness, appraisal, arbitrator or mediator services.

Health services involving examination, diagnosis, treatment, prevention, medical consultation, or administration. Prescriptive assistive devices for medical, developmental or vocational rehabilitation including, but not limited to prosthetics, esthetics, and wheelchairs, provided the devices are purchased on the basis of an established fee schedule or by a method that ensures the best price, taking into consideration the needs of the client.

Services provided to persons with mental or physical disabilities by not-for-profit corporations organized under the provisions of s. 501(c)(3) of the Internal Revenue Code or services governed by the provisions of the Office of Management and Budget Circular A-122

Medicaid services delivered to an eligible Medicaid recipient by a health care provider who has not previously applied for and received a Medicaid provider number from the Department of Children and Family Services. This exception will be valid for a period not to exceed 90 days after the date of delivery to the Medicaid recipient and shall not be renewed.

Family placement services

Training and education services

Advertising, except for media placement services

Services or commodities provided by governmental agencies, another University in the State University System, direct support organizations of the university, political subdivisions or independent colleges and universities.

Contracts entered into after a public and open competitive solicitation by any State of Florida agency or department, the Federal Government, other states, political



subdivisions, cooperatives or consortia, or any independent college or university for the procurement of commodities and contractual services, when it is determined to be cost-effective and in the best interest of the University.

Goods or services purchased with auxiliary funds authorized for such purchases, in direct support of specific programs, conferences, workshops, or continuing education events offered to the general public, for which fees have been collected to pay all expenses associated with the program or event.

Purchases from firms or individuals who are prescribed by state or federal law or specified by a granting agency.

Regulated utilities and government-franchised services

Regulated public communications, except long distance telecommunication services or facilities.

Extension of an existing contract

Renewal of an existing contract if the terms of the contract specify renewal option(s)

Purchases for resale

Accounting Services

Implementation/programming/training services available only from the owner of copyrighted software or its contracted supplier

Contracts or services provided by not-for-profit support and affiliate organizations of the University, direct support organizations, health support organizations, and faculty practice plans.

COMMUNICATION, MEDIA, AND CREATIVE SERVICES MATERIALS PRINTING

The transfer of an image or images by the use of ink or similar substance from an original image to the final substrate through the process of letterpress, offset lithography, gravure, screen printing, or engraving. Printing shall include the



process of and the materials used in binding. Printing shall also include duplicating when used to produce publications.

"Duplicating" - The process of reproducing an image or images from an original to a final substrate through the electro photographic, xerographic, laser, or offset process or any combination of these processes, by which an operator can make more than one copy without re-handling the original.

The University shall purchase, when economical, recycled paper if recycled paper can be obtained that is of adequate quality for the intended purposes.

Preference Given Printing Manufactured in Florida - Preference shall be given to bidders located within the state when awarding contracts to have materials printed in accordance with BOG Regulation 18.001.

Items to Be Included in Bids - All bid invitations issued by the University for printing shall provide in the bid conditions that all cost for delivery, storage, freight, and packing are to be prepaid by the vendor, F.O.B. the address or addresses listed on the bid invitation unless otherwise specified.

Agreements with Vendors for Private Publication of Public Information Materials:

The University may enter into agreements to secure the private publication of public information brochures, pamphlets, audiotapes, videotapes, and related materials for distribution without charge to the public. The University may:

Enter into agreements with private vendors for the publication or production of such public information materials, by which the costs of publication or production will be borne in whole or in part by the vendor or the vendor agrees to provide additional compensation in return for the right of the vendor to select, sell, and place advertising that publicizes products or services related to and harmonious with the subject matter of the publication.

Retain the right, by agreement, to approve all elements of any advertising placed in such public information materials, including the form and content thereof.

DISCLAIMER- Any public information materials containing advertising of any kind should include a statement providing that the inclusion of advertising in such material does not constitute and endorsement by the University of the products or services advertised.

Information to Be Supplied with Requisition:

Printing requirements should be planned well in advance to permit purchase in compliance with the procedures described above.

Adequate information should appear in the requisition to ensure that the required printing is obtained. The following list of terms may be of assistance in describing the printing desired: type style, type size, color of ink, size of paper, color of paper,



weight of paper, number of pages, printing on one or both sides, printing on inside of cover, stapled, stitches, perforated, scored, folded, numbered, padded, packaged.

The requisition should also include the following information: date final copy will be available; date for receipt of proof, if required; date final delivery is required; point of delivery; person to be contacted in requisitioning department if additional information is required; and any other pertinent information.

If samples of similar printing jobs are available, scans of the documents should be attached to the requisition.

UNIVERSITY PUBLICATIONS POLICY - Acquisition of publications, media services, and printing or duplication services by University Departments and/or individuals shall be pursuant to the procedures set forth by the University's Marketing and Communications Department.

All printing requirements are subject to the review and approval of the Marketing and Communications Department. All Workday requisitions will route to the Marketing and Communications Department for approval, (after review by the Procurement Department) unless an exemption has been agreed upon writing by the Marketing and Communications Department.

The Procurement Department is responsible for the calling of formal bids and the awarding of contracts.

BRAND MANAGEMENT

The development of a brand identity for FPU was a collaboration of faculty, staff, students and the community. The resulting set of standards and guidelines dictates how the University should be represented in all communications. The Marketing and Communications Department has been charged with managing the University's brand through the monitoring and oversight of the visual and editorial identity of the University and its entities. This includes, but is not limited to, overall brand and image representation, logo use, editorial style review and design approval. To maximize the effectiveness of the brand is important for everyone associated with University activities to make every effort to understand the brand and to adhere to the standards set forth. Any individual responsible for creating communications materials should be familiar with the visual standards manual and the editorial standards. All materials intended for dissemination to non- academic internal and external audiences need prior approval from the Marketing and Communications Department.

TRADEMARK LICENSING

A trademark licensing program gives the University control over its logos and marks, thus ensuring the quality and consistency of all the University's



merchandise. Any mark, logo, symbol, nickname, letter(s), word(s), or combination of these that can be associated with the University qualifies as a trademark.

Any vendor wishing to use the marks, logos and symbols of the University must obtain a trademark license. All trademark products will be considered and must be approved by the Marketing and Communications Department. No products will be licensed without the approval of the Marketing and Communications Department. This ensures all products associated with the University are of high quality and good taste and ensures the non- approval of potentially hazardous items.

Failure to obtain a license or approval from the Marketing and Communications Department will be grounds for the seizure of all non-approved merchandise bearing the University's marks.

FPU assumes no financial responsibilities whatsoever to any individual, vendor, department, or organization resulting from the ordering, delivering, or acceptance of non- approved products and services that required licensing and trademark approval.

INFORMATION TECHNOLOGY RESOURCES

TECHNOLOGY SERVICES DEPARTMENT - Information Technology Resources is comprised of the computer equipment, facilities, software, and all voice and data assets that comprise the University's network and all the electronic information and communication infrastructure contained therein.

The Technology Services Department (IT) is responsible to functionally integrate university administrative data systems across the campuses, colleges, departments, and associated organizations. It is important that any software with university-wide applications be reviewed and approved by IT so that existing software operational activities are not compromised.

IT shall coordinate, direct, and approve the design, purchase, implementation, and utilization of additional University administrative data systems resources across the campuses, colleges, and departments.

COMMUNICATION EQUIPMENT - Communications Technology Resources are subject to the same rules and regulations as Information Resource Technology.

PROCEDURES - The following guidelines apply for the purchase of Information Technology (IT) and Communications hardware and software:

All purchases of IT, communication equipment, telephone systems, software, network services, and all other computer hardware require approval from the FPU Technology Services Department. All Workday requisitions for monitored spend categories related to IT Hardware and Software will automatically route to IT for approval prior to submission to the Procurement Department.



The University has delegated authority to acquire, lease, and use broadcast communications equipment, facilities, and services by FCC licensed broadcast stations.

Acquisition:

Requesting Department Responsibilities -- The requesting department submits a requisition for approval:

Explain the reason for requesting the equipment and its proposed use. This information may be in the requisition, or as an attachment.

If the equipment is on State or Cooperative Contract, enter the commodity and contract number in the requisition, or as an attachment.

If the equipment is not on State or Cooperative Contract, a complete detailed specification.

If the cost of the equipment is expected to exceed the bid threshold and is available from a single source, a Sole Source Certification must be submitted with the requisition form in accordance with the procedures in Section 5.0.

IT reviews and approves requisition.

For equipment exceeding the bid threshold and not on State or Cooperative Contract, a formal bid solicitation is created for issuance.

ADDITIONAL PROVISIONS

Departments are responsible for adhering to all applicable federal, state, and local laws and regulations and all University regulations and policies, specifically including without limitation those pertaining to the privacy of student records (FERPA), the Health Insurance Portability and Accountability Act (HIPAA), and the Digital Millennium Copyright Act (DMCA).

Copyright: Departments are responsible for respecting the copyrights of others and must refrain from unauthorized distribution, downloading and use of copyrighted works.

LEASES AND INSTALLMENT-SALES ACQUISITIONS OF EQUIPMENT

Leases, including month-to-month leases and all other leases of equipment regardless of the period of time, are subject to the review and approval of Procurement Department and approval of Procurement and CFO.

All deferred payment contracts, including CEFP of 5 years (60 months) or more require the approval of the Board of Governors (BOG).

Interest on deferred payment commodity contracts is defined as a commodity and is subject to the bid requirements if the interest exceeds the bid threshold.



Requesting Department's Responsibilities

The requesting department shall be responsible for submitting a requisition for the lease or installment purchase of equipment to the Procurement Department with the following information:

Equipment specifications,

Lease versus purchase cost benefit analysis,

A statement from the Dean, or appropriate Vice President guaranteeing that funds will be provided during the entire term of the lease.

Procurement Department Responsibilities

Leases - The lease of equipment is subject to Procurement Department approval and bid procedures contained herein. All leases shall contain a cancellation clause, and an availability of funds clause. Leases may contain renewal options, if appropriate.

Installment Sales Agreements - Procurement Department may submit requests for installment sales agreements to be financed under the Consolidated Equipment Financing Program (CEFP) to the Department of Management Services. Upon receipt of approval by the CEFP, the Procurement Department will notify the vendor furnishing the equipment that financing has been arranged.

LEASES FOR REAL PROPERTY

Leases of real property, office space, and storage units require advanced review and approval from the Department of Facilities Planning and Construction in accordance with the policies and procedures they have established.

The following general guidelines apply:

Leases of space less than 5,000 sq. do not require a formal bid regardless of total cost.

Leases for space less than 500 sq. or for a term less than one year are considered rentals and do not require CFO approval.

Leases in FPU's affiliate Florida Institute of Phosphate Research (FIPR) must be certified and approved by the President and the Board of Trustees (BOT), as required, as serving the best interests of the University and that exemption from the competitive bid process would not be detrimental to the institution.

Leases in FIPR must comply with Florida Board of Governor's (BOG) Regulation 17.001, Leasing Authority.

Florida Polytechnic University utilizes the following procedures when executing leases for real property:



Before initiating the search for, or prior to the leasing of space, buildings, or any portions thereof, approval must be first obtained by the requesting department from the Office of Vice President and CFO.

Lease terms and conditions, other than the University's Standard Lease agreement, shall be reviewed as to form and legality by the University's Office of General Counsel. The University President, the Director of the Procurement Department, or the CFO shall execute all leases.

Nothing in these procedures shall be interpreted as circumventing the provisions of Florida Statutes as it relates to facilities for the handicapped.

All leased space shall comply with all applicable codes and the fire safety standards of the State Fire Marshal. All renovations of the leased space must be approved for code compliance by Campus Development and Facilities Department prior to occupancy.

The University may not enter into a lease for 5,000 square feet or more of space in a privately-owned building except upon advertisement for and receipt of competitive bids/proposals. The University may not enter into, within any 12-month period, more than one lease for space of a total of 5,000 square feet or more in the same privately- owned facility or complex except upon the solicitation of competitive bids/proposals.

Competitive bidding shall not be required for leases of space of 5,000 or more square feet in a privately owned building where such leases:

- are renewals of existing leases,
- have a term of less than 21 consecutive days,
- are for nominal or no consideration,
- are for the purpose of providing care and living space for persons,
- are extensions of an existing lease of 5,000 square feet or more, provided that such extensions are in the best interest of the University and are not for a period exceeding 11 months. If at the end of the period granted by the extension(s), the time of such extension(s) equal(s) 11 months, the University shall solicit competitive bids,
- are specialized educational facilities (excluding classrooms) or are otherwise exempt from the competitive bid requirements.

The University shall establish a rate it will pay for leased space based on average rental rates in the local area for facilities of use.

Disclosure Statements - Private Entities, Public Officials.

A statement by the owner providing for full disclosure of the names and the extent of interest of the owners holding 4% or more interest in any privately owned property leased to the state or in the entity holding title to the property, shall be



secured for all new leases, renewal leases, modifications to approved leases and the notification of renewal under an existing lease option.

A statement by the owner providing for full disclosure of the names of all public officials, coordinators, or employees holding any interest in any privately owned property leased to the state, or in the entity holding title to the property, and the nature and extent of their interest, shall be secured for all new leases, renewal leases, modifications to approved leases, and notifications of renewal under a lease option.

It is not necessary to make disclosure of any beneficial interest which is represented by stock in any corporation registered with the Securities and Exchange Commission or registered pursuant to Chapter 517, which stock is for sale to the general public. A statement certifying the registration shall be provided by the lessor.

It is not necessary to make disclosure of any leasehold interest in property located outside the territorial boundaries of the United States.

Each subsequent transaction pertaining to a lease for which a disclosure statement has been provided, may be accompanied by a lessor's affidavit that the previous disclosure statement submitted is still valid, if the interest held or individuals concerned has not changed.

RETAIL AND SPONSORSHIP OPPORTUNITIES

Auxiliary Services in concert with the Procurement Department have been charged to review and recommend potential business opportunities. Such opportunities include retail, activities that are commercial in nature and sponsorship ventures to serve the students, faculty, staff, alumni, and visitors of Florida Polytechnic University and to serve as a central entrepreneurial repository of information.

Additionally, it is the responsibility of these two offices to make recommendations to the Vice President and CFO as to the viability and appropriateness of these opportunities before a formal acquisition process begins.

The Department(s) shall be guided by the principle of creating a synergy among the current retail and commercial enterprises at FPU and future opportunities. In doing so, the Department(s) serve to provide a uniform basis for evaluating proposed enterprises.

OTHER EXEMPTIONS

Emergency Exemptions - When a university president or his/her designee determines, in writing, that the delay due to the competitive solicitation process is an immediate danger to the public health or safety or the welfare of the University, including University tangible and/or intangible assets; or would otherwise cause significant injury or harm not in the best interest of the University, the University



may proceed with the procurement of commodities or contractual services without a competitive solicitation.

Owner Direct Purchase Program (Owner/Contractor Program): In accordance with BOG Regulation 14.007, Competitive Negotiations, commodities to be incorporated into any public work which are procured by the University in accordance with the requirements of the University's direct purchase program, are not subject to any further competitive solicitation.

Sponsored Research Exemption - Purchases of materials, supplies, equipment, or services for research purposes when the Head of Sponsored Research or designee, certifies that, in a particular instance, it is necessary for the efficient or expeditious prosecution of a research project.

Sole Source Exemption

Annual Certification Exemption

Construction Direct Purchase Program

Miscellaneous Exemption

Note: Departments, including departments with delegated procurement authority, are not to assume that an exemption will be made until Procurement reviews all necessary information concerning the purchase and makes the official determination. Exemptions are not allowed for sponsored activities and Florida Poly must follow the Uniform Guidance, 2CFR, 200 Procurement Standards for those transactions.

14. UNAUTHORIZED EXPENDITURES

PURCHASES OF A PERSONAL NATURE

The expenditures from university funds for the items listed below are prohibited unless "expressly provided by law" or otherwise exempt:

Congratulatory telegrams

Flowers

Awards and Plaques

Entertainment such as refreshments, coffee, donuts, decorative items, statues, potted plants, desk lamps, picture frames, and wall hangings

Christmas or other greeting cards as well as postage for such cards

Personal subscriptions

Desk pen sets



Coffee and coffee brewing devices

Portable heaters

Fans for personal use

Appliances such as refrigerators, microwaves etc.

Any and all smoking devices or accessories

Any and all various decorative items for personal spaces

Clothing (except for approved uniforms)

Personalized printed materials with the exception of business cards

PURCHASES OF FOOD PRODUCTS, ROOM RENTAL AND ENTERTAINMENT

University policy prohibits the expenditure of public funds for food products, entertainment, or similar items with the following exceptions:

Item is used directly for research or instruction.

Expenditure is specifically defined in terms of a contract or grant and/or donation or as specifically authorized by the grant or budget appropriation.

Student functions, when approved by the Vice President/Provost of Student Affairs

Direct payment of hotel rooms or long-term rental of residences for individuals may require the prior approval of the Controller's Office, or Contracts & Grants when applicable. In order to make this type of payment, there must be a substantial cost savings to the University above the tax liability, must be of benefit to the University's mission, and must be otherwise authorized by law.

15. MISCELLANEOUS EXPENSES

MOVING EXPENSES

Moving expenses for Faculty, Staff and other University line employees must be approved in advance by the Vice President for the hiring department's division. Only direct payments via Purchase Order to University contract moving vendors are authorized; all other expenses that are allowable costs may be reimbursed through the Controller's Office via travel and non-travel related reimbursement procedures. Authorized expenses include packing and shipping household goods to a maximum 15,000 lbs. including mobile homes and automobiles. Charges for unpacking, short- and long-term storage, and extra insurance are not allowed and must be paid separately by the moving party at the time of delivery. All moving expenses for storage of household goods, and expenses for moving non-line employees and/or visiting professors must be approved in writing by the University President.



Requesting Department Responsibility – Obtaining the approval memo from the Vice President requesting approval to pay moving expenses. Memo should include the person's name, position coming from, the new position title and salary, the date of employment and the maximum dollar amount allowed for the move, Purchase Orders, and Employee Reimbursements. Submit a requisition to the Procurement Department for the move, to include the name, current address, or address where goods will be moving from and the telephone number where the person can be contacted.

Using Department/New Employee's Responsibility - The Using Department and/or the New Employee shall contact the Procurement Department to obtain the names and contact information of the approved contract movers. The new employee will contact the selected moving company(s) to obtain a quote(s). The quote from the selected moving company shall be forwarded to the Procurement Department along with requisition and the signed VP approval memo prior to the move so that a purchase order can be issued.

Procurement Department Responsibility - Issue purchase order after receipt of approval and moving company quotation. Make final arrangements with the commercial common carrier with regard to invoice and payment procedures. Assist the department and employee regarding university moving procedures.

EQUIPMENT ON A TEMPORARY TRIAL OR LOAN BASIS

Equipment placed on campus on a temporary trial or loan basis by a vendor must have the prior approval of the Procurement Department. A zero-dollar purchase order may be necessary to add loaned equipment into the University's property record for Risk Management coverage or to memorialize the loan agreement. It is the responsibility of the department to ensure the loaned equipment is returned to the vendor after the trial period is over. Equipment used on a temporary or loan basis is not sufficient justification for a non- competitive purchase of the equipment.

CAPITALIZATION OF COMPUTER SOFTWARE

The cost of computer software (other than for research and development activities) purchased for data systems, computer systems, word processing systems, and other systems requiring operating software and documentation must be capitalized if all of the following criteria are met:

Absolute useful life of one year or more, and

Owned or having a non-time-limited license for use, and

A value of \$5,000 or more per unit of software.

Note: Upgrades to software must meet the same criteria as initial purchases for capitalization.



NOTICE WHEN CONSIDERING OUTSOURCING

The Vice President OF Administration and Finance and Chief Financial Officer (CFO), the AVP of Human Resources and the Director Procurement Department shall be notified when the outsourcing of University functions, services or other alternative delivery systems are being considered, which may result in the layoff of employees. Such notice shall be sent to the above individuals prior to a general announcement or issuance of requests for proposals.

AUDIT SERVICES

Except for the annual audits of the financial statements, most audit and audit-related services can be provided internally; however, there may occasionally be a need for these services to be procured from a source outside the University. Appropriate personnel shall work with the Controller and the Inspector General, as required, to determine (1) what audit and audit-related services may best be provided internally versus an outside source, and (2) the level of involvement by the Controller and OIG in obtaining and managing audit and audit- related services from outside the University. Whenever these services are provided by a source outside the University, a copy of the written results shall be provided to the Controller and OIG.

SPECIAL CONDITIONS

The following commodities are authorized purchases under the Florida Poly P-Card Program, but only after specific procedures, mandates, or authorizations are obtained PRIOR TO THE PURCHASE regardless of the funding source. Those specific requirements are listed next to each item listed. If the specific conditions are not met or the approvals are obtained after the purchase was made, the purchase may be considered unauthorized and the cardholder will be required to return all items or reimburse Florida Poly for the purchases.

ITEM PURCHASED	ADDITIONAL DOCUMENTATION
Refrigerators, Coffeemakers & Servers, Fans, Portable Heaters, Stoves, Microwaves, Air Conditioners, Air Purifiers	Written justification for need and authorization from Department Head. Must be reviewed and approved by procurement.



Organizational Memberships	In accordance with Florida Statutes 119.01(3), if public funds are expended for the payment of dues or membership contributions for any person, corporation, foundation, trust, association, group, or other organization, all the financial, business, and membership records of that person, corporation, foundation, trust, association, group, or other organization which pertain to the public agency are public records and subject to the provisions of s. 119.07. Should be in the University's name NOT in the individuals name.
Professional Licenses	17.5.2 Professional Licenses may be paid with state funds only if FPU requires the particular license for the execution of a university mission function and the individual's job position requires the license.
Software purchases, IT Services, domain hosting, or domain registrations	Software must be approved by ITS and the Procurement with a written exception form prior to the purchase.
Auto repairs and maintenance	Must provide documentation from supplier that includes, detail of work, year/make/model/VIN of vehicle, total amount of service
Food	Food can be purchased ONLY if the department has an appropriate budget and fund that allows food and the



	expenditure falls within the Expenditure Guidelines.

ALL transactions must be for the use and benefit of Florida Polytechnic University. Personal purchases are strictly forbidden. Providing a benefit to the university is encouraged for all purchases.

PROHIBITED PURCHASES

The following are Prohibited P-Card purchases regardless of the funding source. If a cardholder has a special need, they must contact Procurement PRIOR TO THE PURCHASE. Exceptions can be made for bona fide emergencies, but without prior approval from the Procurement, the cardholder will be charged with a violation of program rules.

NOTE: Please consult the Expenditure Guidelines to ensure your purchase is in compliance as some items are only permitted with certain restrictions.

- Items Prohibited by State Law and/or FPU Regulation or Policy
- Aerial Drones
- Alcoholic Beverages or products with alcoholic content for consumption
- Cash Advances, Cash Awards, or Gift cards (including Honorariums or Stipends)
- Computers (desktops, laptops, and tablets)
- Construction, Remodeling, Renovations
- Contractual Services: (such as consulting services, training services, maintenance, etc.)
- Controlled Substances: Prescription or Legend Drugs and U.S. Drug Enforcement Agency Controlled Substances
- Copiers
- Copying/Printing/Photocopying
- Defibrillator Equipment
- Employee Benefits: entertainment, tuition, gifts, Gift cards
- Fines, late fees, penalties (including parking tickets)



- Food/Beverages – Catering and restaurant charges are authorized ONLY if specifically allowed on individual card and appropriate budget is used. NO PERSONAL EMPLOYEE MEALS ARE ALLOWED - THIS INCLUDES STUDENT EMPLOYEES.
- Gasoline put into a personally owned vehicle (regardless of travel status)
- Gift Cards
- Hazardous Material
- Medication/Drugs
- Online auction sites/purchases – (eBay or other on-line auction sites)
- Payments in Advance (Deposits)
- Personal purchases/Personal use items, including tissues, decorations, personal clocks, plants, lamps, picture frames, break room supplies, medications, etc. Purchases must be for the official business use of the University.
- Shipping items to a home address without prior approval from the Procurement.
- Automatic renewals for publication subscriptions, internet publications, on-line subscription charges, on-line services, etc. (Subscriptions are allowed as long as renewals are not automatically placed on card)
- Rent (Recurring Charges)
- Weapons/Firearms

16. PROCUREMENT METHODS

REQUISITION TO PURCHASE ORDER PROCESS

Requisition: The requisition is an important task in the Purchasing cycle. It is used to request purchases of all commodities/services through Procurement Department. It provides the cost center to be charged, obtains the approvals for the expenditure and purchase, and provides needed information such as item descriptions, quantity, delivery instructions, and desired delivery date. Complete and correct preparation of the requisition expedites the Purchasing process



The purchase of needed equipment, materials, or services from off-campus sources shall be initiated in Workday.

- The Supplier must be in WD in order to create a requisition in their name. If not, contact Procurement or send them an invite supplier <https://wd1.myworkdaysite.com/supplier/flpoly/External-Suppliers>
- Threshold: How much will be spent with this Supplier for this project? (Please follow procurement threshold rules for all purchases)
- Terms/conditions: Does the supplier have terms/conditions in a contract or linked in a quote? (if so, ensure the supplier is signing our MSA, and attach the signed MSA to Requisition, the MSA will be sent to the supplier with the PO). Contract should be sent to Supplier by Procurement.
- Supplier must have a COI if providing services on Florida Poly grounds
- Entering requisition in WD should be the final step

Procurement will then review the requisition and make the final determination on the purchase. If Procurement approves, then the requisition will follow the remaining business processes and then Procurement can issue an official PO.

ALL transactions must be for the use and benefit of Florida Polytechnic University. Personal purchases are strictly forbidden. Providing a benefit to the university is encouraged for all purchases.

CHANGE ORDERS

The issuance of a PO initiates a binding contract between the University and the supplier. After a PO is dispatched, both parties cannot unilaterally change it and it cannot be changed without just cause. It is the ordering department's responsibility to secure the supplier's approval of a correction or cancellation of a PO. Once the supplier's approval is secured, the department that initiated the underlining requisition must create and submit a Change Order Request. The Requisition must be closed prior to submitting a change order request. Some examples of Change orders will include the following:



- Decrease or increase purchase order quantities when absolutely necessary (excludes catalog orders)
- Add or cancel items on a purchase order (excludes catalog orders);
- Make any substantial changes on a purchase order that will result in a cost differential;
- Adjust the Purchase Order to conform to the supplier's invoice (must be approved);
- Extend or amend dates of service, if not already past the ending date and has not been received against
- Change the Ship-To Location: (Note: once a PO has been dispatched, the Ship To Location should not be changed. The PO should be canceled and you should submit a new requisition);
- Change due date, if delivery has been delayed by supplier

Note: An official Amendment or Advice of Change against the contract may be required prior to issuing a Change Order

RECEIVING AGAINST A PO

By receiving on a PO, you are confirming that the University has received the goods or services. Our PO terms and conditions and many of our contracts contain a payment in arrears term. This means that the University only pays after receiving the goods or the services. Do not receive on a PO without actually receiving the goods or services or you could be held personally liable for the transaction.

EXPEDITED PURCHASE ORDERS

Departments are not authorized to place orders directly with vendors for goods or services. The Procurement Department is the only authorized Official for the University. If a department has an immediate need, the Procurement Department may choose to expedite an order with a vendor after an approved requisition has been received and the proper acquisition method has been selected and executed. If the department receives goods or services prior to the approval of the Procurement Department or issuance of a Purchase Order, the Procurement Department may allow an explanation/justification, but this must be provided with



the requisition. Please note: If the request is denied by the Procurement Department, you will be held personally responsible for the terms and conditions of the goods and/or services; this includes any financial obligation.

Note: Invoice payments should not be paid “unencumbered” or via P-Card when a PO already exists and is still valid/active.

P-CARD

P-Cards may only be used for commodities for official, state-related purposes. Purchases must follow appropriate Florida Poly policies, state laws and the published Guidelines and must be made with reasonable judgment. If there is a question about the official purpose of a purchase, or if the use of the P-Card to make a purchase is questionable, contact Procurement for clarification prior to making the purchase.

The P-Card will be issued only to individuals who are responsible for making purchases on behalf of their departments. Possessing a P-Card requires the cardholder to know procurement rules and regulations and to be organized to the extent that complete records of all payments are entered in Workday in a timely manner and be available for audit at any time, without prior notification. Having a P-Card is a privilege, not a right. The privilege may be withdrawn at any time, with good reason. The card may be suspended pending retraining, or it may be permanently revoked. As part of the cardholder application process, the cardholder will be advised of all their rights and responsibilities, including the possibility of employee termination for misuse of the card.

Items or comparable items available on Florida Poly and/or state contracts must be purchased from those merchants/suppliers regardless of funding source.

Any employee who knowingly and willingly makes purchases or attempts to make purchases that violate state laws, university P-Card policy, procedures or assists another employee in such purchases, or fails to report the violation, may be subject to disciplinary action in accordance with the Cardholder Agreement and the policies



of the University. The Office of Inspector General Services may be notified of these attempts.

Contact Procurement for non-routine or questionable purchases before the purchase is made.

All transactions conducted within the State of Florida are exempt from State Sales and Use tax. Federal or local taxes are not exempt. The cardholder should always inform the merchant that the purchase is tax-exempt before the card is swiped and ensure they are not charged taxes before signing any receipt. If taxes are charged, the cardholder should ensure the merchant removes the taxes prior to signing any receipt. Online purchases shipped to a Florida address are tax exempt.

Merchants are not authorized to charge the P-Card until they have shipped the merchandise to the cardholder. Cardholders must make the suppliers aware of this requirement. The merchant should ship the delivery receipt and the item purchased directly to the cardholder or designated departmental receiving point. Items should be shipped to a Florida Poly address. All receipts will be maintained at the department level.

The merchant should ship the delivery receipt and the item purchased directly to the cardholder or to the Central Receiving Office. All receipts will be maintained at the department level.

Procurement Department, University Controller, Office of Inspector General Services, and the State of Florida auditors will perform periodic post audits of P-Card activity. These audits will be performed on an unscheduled basis and without prior notice to the department.

P-Cards will be immediately cancelled and destroyed for the following reasons:

- Cardholder terminates employment or transfers departments within Florida Poly
- Cardholder no longer requires a P-Card
- Cardholder reports the loss or theft of P-Card



P-CARD GUIDELINES

Procurement is responsible for all card issuance and cancellation. Eligible employees may apply for a card by using the Cardholder Application Form. The appropriate approvals will need to approve the form when submitted.

Cards must be returned to the Procurement on a Cardholder Termination Form when the cardholder changes departments within the University or terminates employment with the University, or when cardholder no longer requires a card.

P-Card Limitations and Restrictions

Card profiles are determined, approved and set by Procurement. Card profiles determine how the card may be used.

The default single transaction limit per cardholder is \$2,500 and the default monthly credit limit is \$5,000. Higher limits may be extended for limited purchases on an "as needed" basis and/or often times at the suggestion of the Procurement Department.

If requesting a permanent increase, a benefit to the university with justification (i.e., history of monthly spending to support the increase.) must be submitted to Procurement for review and approval. Additionally, if requesting a temporary increase you must provide info about the purchase: supplier, items being purchased, department budget number to be charged, any necessary back-up documentation, and the approval of the cardholder's Dean, Director, or Department Head. If approved, the request, along with a copy of the email confirming the increase, must be maintained with the Cardholder.

The Procurement Department will on a periodic basis, review credit utilization report to evaluate the overall program credit risk and may as a result reduce the transaction limit for those cardholders with low and/or infrequent usage.

Note: Cardholders must ensure charges are not split to avoid the transaction limit (Splitting a transaction is when a cardholder allows a merchant to take a higher dollar transaction and process it across multiple transactions, days or across other



cards to avoid the transaction limit.) Violation of this rule can result in card suspension or may have their cardholder privileges revoked.

Cash Advances

Under no circumstances are cash advances on the Florida Poly P-Card allowed.

P-Card Security

Use of the P-Card is limited to the University employee whose name appears on the face of the card. The P-Card should not be loaned to another person under any circumstances. If a cardholder is absent for a period of time, the department should seek to obtain another card for a different designated employee, either temporarily or permanently. Any cardholder sharing their card information or allowing another individual to use their card for purchases may have their cardholder privileges revoked.

Cardholders must never give their P-Card to anyone else to make purchases or share their card information with anyone. Each cardholder is responsible for the security of his/her card. All precautions should be used to maintain confidentiality of all information relating to the card, such as the cardholder account number and expiration date. The account number should never be left in a conspicuous place.

Receipt Requirements

Receipts are a critical part of the P-Card program. Accurate, detailed records of P-Card purchases ensure verification and audit of charges for compliance with University and State policies, rules and statutes. Receipts and other documentation must be kept for all purchases.

Receipts must include the following specific information. If the receipt provided does not contain the following, the Cardholder must contact the supplier to obtain a more detailed receipt:

Unit cost of each item purchased

Description of each item purchased

Total cost of purchase



Supplier name and preferably a supplier address

Date of purchase

Lost or Missing Receipts:

Cardholder is responsible for obtaining a duplicate receipt from the supplier. If a duplicate cannot be obtained, the cardholder must contact Procurement. Excessive loss of receipt may result in suspension of card privileges.

Cardholders MUST ensure that full credit card numbers are blacked out on any receipts.

Handwritten totals are not acceptable documentation of the cost on any receipts.

SPLITTING OF ORDERS

The deliberate attempt to split orders, where the purpose is keeping the total cost of each order below bid or quote limits, and failure to combine orders when practical for the interest of economy, is an evasion of the Florida Statutes and Procurement Department Regulations. The splitting of orders is a prohibited activity and therefore, unlawful. Any related needs that are known or should have been reasonably known at the time of the requirement should be combined into one coherent request for procurement.

17. SURPLUS of UNIVERSITY-OWNED PROPERTY

Departments wishing to surplus items are required to complete the Surplus form located on the procurement website. Individual photos and descriptions will only be required for attractive assets (i.e. tagged assets) and assets with a value of greater than \$500 per item. Photos and descriptions of lesser-value items, that could be – but are not required to be included - can be provided as a group/lot. For example, misc. IT equipment like mice, keyboards, cables, dongles, or items such as chairs etc. can be sold as a group/lot (and provide a way for these items to be disposed of en masse.)



TRADE-IN OF UNIVERSITY-OWNED PROPERTY

Departments wishing to trade-in equipment must complete the surplus property form and attach the following information about the equipment to be traded: name, model number, VIN or serial number, property or decal number, date originally purchased, and requisition cost and the proposed trade-in amount. The final approved amount for the trade in will be listed as a negative line item on the requisition.

18. LIMITED AND SPECIAL PURCHASES

ACQUISITION OF MOTOR VEHICLES, WATERCRAFT OR AIRCRAFT

Requesting Department Responsibilities - The requesting department shall submit a requisition complete with State Contract or Cooperative Contract number, specification/line, vehicle color, vehicle specification, trim package, and other features including type of tag (normally College tag).

All vehicles will be inspected by Procurement and entered into the University's Vehicle Fleet. Whenever possible the dealer will be required to provide vehicle tag.

University Vehicles will comply with State requirements and/or University Brand, Visual Standards Manual, and shall comply with the vehicle colors authorized and utilize only approved trademarks and logos.

ACQUISITION OF TOXIC SUBSTANCES

All orders for toxic substances should contain a statement for the supplier to furnish the material safety data sheet (MSDS) with each shipment of toxic materials. The MSDS sheets shall be forwarded to Environmental Health and Safety (EH&S) for distribution to the appropriate departments.

ACQUISITION OF WEAPONS AND EXPLOSIVES

Only the University Police Department may purchase firearms, explosives, ammunition and related items for use on the campus. Any department that desires to purchase firearms or replica weapons for academic or demonstration purposes must acquire written authorization from the University Police Chief and comply with all prescribed safety, security and accountability procedures for the materials.



ACQUISITION OF RADIOACTIVE MATERIALS

Radioactive materials are controlled by the University's Environmental Health and Safety (EH&S) Office. Approvals for the purchase of radioactive materials must be received by EH&S in advance. Only EH&S staff may receive and transport radioactive substances.

The using department must comply with all University guidelines and directives regarding the safety, storage and disposal of these materials.

ACQUISITION OF CONTROLLED AND MEDICAL GRADE SUBSTANCES

Controlled and medical grade substances such as chemicals and gases may only be ordered by licensed personnel and with the approval of the Division of Research. The using department must comply with all University guidelines and directives regarding the safety, storage and disposal of these materials.

ACQUISITION OF LIVE ANIMALS

Live animals may only be ordered with the approval of the Division of Research. The using department must comply with all University guidelines and directives regarding the safety, and handling of live animals.

ACQUISITION OF PESTICIDES AND HAZARDOUS MATERIALS

All hazardous materials and pesticides are controlled by the Environmental Health and Safety (EH&S). Only EH&S personnel can receive, transport and dispose of such material. The using department must comply with all University guidelines and directives regarding the safety, storage and disposal of Hazmat.

ACQUISITION OF CONSTRUCTION AND RENOVATION SERVICES

All construction projects, renovations, and alterations to buildings, offices and land require written approval from FPU CFO or delegate. Approval is required for any alteration to a structure, land, or room including renovations for shelving, wall mountings, carpeting, and any ceiling mount such as data projectors and TVs.

RECEIPT OF UNSOLICITED GOODS

Florida Statutes 570.545 states that when unsolicited goods are delivered, the person is not obligated to return the goods to the sender. However, to assist with the identification of misdirected legitimate purchases or due the potential liability of



a vendor employing unfair business practices, University personnel are requested to contact the Procurement Department anytime goods or services are received that were not requested by the Using Department.

INSURANCE

The University's Risk Management Program is managed by the CFO. Insurance coverage for existing university property, the purchase of new insurance, claims, and other risk services both under the State's Risk Trust Fund and outside commercial carriers should first be coordinated through the CFO's Office. This includes coverage for specialty items like high value lab equipment, art, and marine insurance. Coverage for special events, transit shipping and other insurance as may be required for the use of off- campus facilities also require advanced coordination through the University's Risk Management Program.

MEDICAL CONTRACTORS AND INSURANCE

The purchase of medical insurance or coverage of any type, professional liability insurance for medically related FPU (faculty, staff, and student) service providers, and the hiring of medical professionals to dispense care or treatment to anyone are prohibited expenditures unless first validated and approved by the General Counsel's Office and the University's

Risk Manager in Environmental Health & Safety's (EH&S) for compliance in accordance with FPU's Self Insurance Program (SIP).

GIFT CARDS

Gift Cards are limited for purchase to research participants ONLY using approved grant funds. It is not permissible to use PO's or E-Cards for the purchase of gift cards.

LEGAL SERVICES

Legal services or the hiring of licensed legal practitioners for services in any capacity must be approved by the University's General Counsel.

INVESTIGATIVE SERVICES

Police and other investigative services must be approved by the President's Office.



PURCHASE OF ATTRACTIVE PROPERTY

"Attractive/sensitive assets" are tangible personal property that cost less than \$5,000 and can be characterized as "walk away" items. These items are prone to theft because they are either not secured, are easily portable, contain new technology and/or they are adaptable for personal use. Any property item included on the United States Munitions List (USML) that costs less than \$5,000 will be considered an attractive/sensitive asset.

Although items such as printers, cameras, scanners and other "attractive property" valued under \$5,000 may not be tagged or inventoried annually, your department should make every effort to safeguard this property.

Examples of attractive/sensitive items include: Audiovisual equipment/Projectors/Televisions Digital Cameras/Video Cameras, Communication Equipment, Computer peripherals/Scanners/ Data Processing Equipment, and some Lab equipment.

DIVERSITY PROGRAM

Florida Polytechnic University is an equal opportunity institution and is therefore committed to encouraging diversity in the procurement and contracting process in a fiscally sound manner. We strive to provide information and access to all small and disadvantaged business enterprises to help support the participation of minority, women and service-disabled veteran owned small businesses through University in-reach, community outreach, education and training. The Diversity Program can be found on the University's Procurement webpage.

SOCIAL SECURITY NUMBER COLLECTION & USAGE

FPU's Procurement Department may collect social security numbers (SSNs) only as specifically authorized by law or if imperative for the performance of duties and responsibilities as prescribed by law. SSNs may be required to facilitate vendor payments, authenticate identity, and the issuance of honoraria to individuals. SSNs are necessary for compliance with Financial Information Reporting, and Miscellaneous Income (1099) reporting to the IRS. SSNs may also be required for EFT/ACH (direct deposit) Forms to verify against bank records. FPU takes



appropriate measures to secure SSNs from unauthorized access and does not release SSNs to other parties except as authorized by law or as necessary for the fulfillment of our duties and responsibilities, and will only be required for the legitimate business purposes as outlined below:

A. Vendor Application Form, Vendor Registration process through Workday and as required by the IRS Form W-9 and the ACH Enrollment Form contained therein.

Authorized by 26 USC §§3402, 3406, 1441, 6109 and §119.071(5), F.S.

USED EQUIPMENT PURCHASES

Purchases of used equipment are permitted if determined to be in the best interest of the University. A determination will be made on a case-by-case basis that the purchase of used equipment is the best "overall" value for the University, taking into consideration several key variables which affect the total cost of the equipment.

The purchase of used equipment requires a slightly different process, as it presents some unique variables that should be considered before making a purchase. The requesting department should first identify the minimum specifications required, and then identify the specific used equipment that is acceptable. All used equipment in consideration should be in excellent condition. The requesting department should apply their best efforts to determine that the purchase of the equipment would be in the best interest of the University and be prepared to document their conclusion via the "research" they have conducted. This might include: going to several Web sites to find the market trend for used equipment, or quotes for similar used equipment, or contact known equipment suppliers, brokers, or colleagues to establish a fair market value.

Departments/individuals should first check for used equipment available on campus via Surplus Property. Used equipment identified outside of the University should be purchased through the competitive bid process whenever possible unless the purchase meets the requirements of a sole source or is below \$10,000. Criteria to



consider in making the determination of purchasing "used" versus "new" equipment:

- A. Manufacturer or brand, type, use and life expectancy of "new" versus "used" equipment.
- B. The purchase price of "new" vs. "used" equipment, and "used" vs. "used" equipment. (Compare at least 2 used equipment quotes).
- C. Risks presented by "used" vs. "new" equipment (e.g., possible contamination from prior usage, modification of equipment that might pose safety hazards, etc.)
- D. The relative price and general condition of used equipment.
- E. Warranty offered for "used" vs. "new".
- F. Service, maintenance plans, and parts availability of used versus new.
- G. Payment terms.
- H. Consideration of the freight charges and F.O.B. Point (i.e., FOB Destination, Origin, etc.) - in other words, where FSU assumes responsibility. FSU's standard is FOB Destination