The District President/CEO of Blinn College has designated the Purchasing Department as the purchasing authority for the College. *Purchases not authorized in accordance with approved purchasing policies are not legal obligations of the College.* No purchases shall be made without determining whether sufficient funds are available.

This practice applies to all purchases with the exception of grant contract funding sources. Purchases from special grant funds shall be made in accordance with Blinn College purchasing policies unless the governing document specifies alternate procedures.

The Blinn College Purchasing Department is responsible for compliance with the purchasing requirements outlined in the Blinn College Board Policy Manual.

There may be instances that justify a departure from the normal competitive process. Departures from this procedure shall be approved, in advance, by the District President/CEO or designee.

Guidelines for compliance with this procedure shall be developed and implemented by the Vice President, Chief Financial Officer or designee.

**PURCHASING AND ACQUISITIONS**

**Purchasing Overview**

*Legal Responsibility of College for Debts*

The Blinn College Board of Trustees shall assume responsibility for debts incurred in the name of the College so long as those debts are for purchases made in accordance with adopted Board policy and current administrative procedure regarding contracting, purchasing and expending. The Board of Trustees shall not be responsible for debts incurred by persons or organizations not directly under Board control. Persons making unauthorized purchases shall assume full responsibility for all such debts.

All College employees engaged in purchasing processes are to conduct themselves fairly, objectively and will observe the confidentiality of the decision-making and award processes so as to serve the best interests of the College.

**Forms of Purchase**

Blinn College utilizes five forms of purchasing: check requests, approved credit card transactions (Procurement Cards), travel cards, petty cash disbursements and purchase orders.

a. Check Requests (limited use, mostly A/P) should be used to request payment for goods and services where a purchase order is not warranted or a direct payment is required. Check requests may be used for small purchases under $1,500.00 if approved by the responsible Budget Manager. Specific procedures concerning the use of check requests are to be managed by the Director of Purchasing and approved by the Vice President, Chief Financial Officer or designee.

b. College Procurement Cards (P-Cards) may be used for small purchases under $1,500.00 per transaction as approved by the responsible Budget Manager, Departmental Dean, Director or appropriate Vice President. All P-Card purchases are subject to strict user guidelines and reconciled by the Purchasing Department. See **Procurement Card Procedures**.

c. College travel cards may be used for lodging, meals, car rental and parking expenses that are incurred as related to travel. Travel must be approved in advance before a travel card can be issued. Travel cards are issued and reconciled by the Purchasing Department. See **Travel Card Procedures**.

d. The Petty Cash Fund is set up to fund “out of pocket” expenditures by the employees of the College. Petty cash fund use must be approved in advance by the Supervisor and no petty cash expenditure may exceed $75.00. Each petty cash expenditure shall be documented with a receipt appropriate to the purchase.
e. All other purchases shall be made by Requisition/Purchase Order. All purchase order forms shall be under the control of the College Purchasing Department.

**Conflict of Interest**
Purchases from members of an employee’s family OR from a company in which an employee or his/her family member owns a substantial interest shall be in accordance with Blinn College Board Policy for Conflict of Interest (see Board Policy BBFA and DBD). For purposes of this procedure, a family member means a spouse, child, parent or the child or parent of a spouse (see Board Policy DBE).

**Vendor Relations**
The Texas Ethics Commission has adopted a conflict of interest policy that requires a vendor to disclose the vendor’s affiliations or business relationships with members of the Board of Trustees or employees that may cause a potential conflict of interest with the College. Blinn College adheres to this policy.

The Texas Comptroller of Public Accounts maintains a Debarred Vendor List to protect the State from vendors with unethical business practices. Blinn College will not conduct business with any vendor on the State Debarred Vendor List. If subsequently discovered that a Blinn College vendor is on the State Debarred Vendor List, Blinn College will take necessary action to discontinue use and end business relations with the vendor. Information relating to the State Debarred Vendor List can be found at [http://www.window.state.tx.us](http://www.window.state.tx.us).

**Purchase Approval**
Excluding the P-Card, each requisition for purchase must be approved in advance by the appropriate Budget Manager or his/her designee and funds must be available in the appropriate budget. Requisitions are required to generate a properly executed purchase order via the Purchasing Department.

**CONTRACTS**

**Delegation of Authority**
Unless delegated pursuant to another section of this procedure, the Board of Trustees delegates to the District President/CEO or designee the authority to approve and execute contracts not specifically required by this procedure or by law to be approved by the Board of Trustees. The District President/CEO is authorized to delegate specific contract review authority to the Executive Vice President and General Counsel, Vice President, Chief Financial Officer or designee and the Director of Purchasing in order to secure legal review of such contracts and any permitted sub-delegation authority, if any.

No employee or agent of the College has the authority to enter into any contract on behalf of the College, except as otherwise expressly provided by this procedure. If a College employee signs a contract without authority, or falsely represents to a third party that he or she has authority to sign a contract, the employee may be held personally responsible to the third party under Texas law. An agreement that is not expressed in writing and approved and executed in accordance with this procedure shall not be binding or enforceable against the College.

Any employee who signs a contract or seeks to bind the College to an agreement in violation of this procedure may be subject to discipline, up to and including termination.

**PURCHASING OF GOODS AND SERVICES**

*Purchasing Authority*
The College shall use Education Code Section 44.031 as guidance in establishing open and fair purchasing and bidding practices that provide the best value to the College and its extended campuses.

The authority to approve purchases by signing requisitions, check requests and expense and petty cash reimbursements is given to Vice Presidents, Directors, Managers and other employees as delegated by the District President/CEO or designee.
Procedure Applicability
This procedure applies to the purchase of tangible personal property or services except as follows:
   a. Purchases of construction-related services;
   b. Purchases of real property; or
   c. Purchases of professional services.

Purchasing Objectives
When purchasing equipment, supplies, materials, services, hardware and software, the factors which drive the purchasing process and the decisions to be made are:
   a. Purchase approved goods and services requested by the end users;
   b. Obtain the best possible price for approved goods and services;
   c. Have goods and services available when and where needed;
   d. Ensure that responsible vendors are given the opportunity to compete for business;
   e. Ensure that the procurement of goods and services is ethical and complies with state and federal law regarding the use of public funds; and
   f. Guard against misappropriation of the College’s funds.

The purchase of equipment, supplies, materials and services shall be based upon a competitive process, except as otherwise provided in this procedure. Purchases may not be subdivided to avoid the competitive requirements of this procedure.

Administrative Requirements
Unless otherwise covered by the sections above or required by law to meet other requirements, all purchases of goods or services made on behalf of the College, regardless of funding source, shall meet the administrative requirements outlined below.

Purchases Valued Below $1,500.00
Minor purchases of goods or services less than $1,500.00 in value do not require competitive quotes. Furthermore, all small purchases under $1,500.00 could be made using a College procurement card (see Procurement Card Procedures) thereby eliminating the prerequisite for a purchase order requisition.

Purchases Valued at $1,500.00 or More and Less than $35,000.00
Purchases of goods and services valued at $1,500.00 or more and less than $35,000.00 shall follow an informal competitive process that includes at least three quotes. These quotes may be obtained by telephone, fax or other electronic means, and shall be documented.

Purchases Valued at $35,000.00 or More and Less than $50,000.00
Purchases of goods or services that are at least $35,000.00 and less than $50,000.00 shall be coordinated within the designated department and with the guidance of the Director of Purchasing. These purchases shall be made by requesting written quotations from at least three (3) vendors which are capable of providing the particular good or service. Written quotations shall accompany requisitions for purchases.

Purchases Valued at $50,000.00 or More
All purchases of $50,000.00 or more for goods or services shall be coordinated through the Director of Purchasing. These purchases shall follow a formal process that includes:
   a. Pre-qualification and selection of suppliers;
   b. Standards and specifications;
   c. Requests for sealed bids/proposals through advertisement;
   d. Submission of bids/proposals, and public openings;
   e. Award of purchase orders and contracts;
   f. Catalog purchases as stated by the Texas Education Agency under the Texas Government Code, Chapter 2157, Subchapter B; and
   g. Use of Interlocal Agreement.
Requisition Approval Levels
All purchase requisitions must have, as a minimum, two signatures, to include the requestor and the responsible Budget Manager. Additional approval may be required depending on the amount and/or type of goods or services requested.

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<th>Level</th>
<th>Amount of Request</th>
<th>Required Signatures</th>
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<td>* Dean/Director</td>
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<td>II</td>
<td>$5,000 to below $10,000</td>
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<td>III</td>
<td>$10,000 to below $25,000</td>
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<td>* District President/CEO</td>
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Board of Trustees Approval
Any unbudgeted purchases shall be in accordance with Texas Education Code (TEC) 44.031 and shall be taken to the Board for approval.

Emergency and Sole Source Purchases
At times, it may not be in the College’s best interest to engage in a formal competitive process. Purchases necessary to respond to emergencies (situations that jeopardize public or employee safety, or that could result in significant financial or operational loss), and instances in which staff has concluded that only one supplier can provide the product or service (e.g. the product or service is protected by patent, copyright or trademark; or due to schedule conflicts, etc.,
only one supplier can provide the product or service when it is required) do not require a formal competitive process. Emergency and sole source purchases must be justified in writing and approved in advance by the Director of Purchasing or the Responsible Budget Manager and/or Department Director.

**Interlocal/Cooperative Purchase Agreements**

The College may enter into an interlocal/cooperative purchase agreement to purchase goods or services. Once an interlocal/cooperative purchase agreement has been approved by the District President/CEO or designee, purchases may be made through the agreement after a market survey determines that the best value for the College is through the agreement.

**Vendor Selection Criteria**

In awarding a contract, Blinn College may consider any or all of the following:

a. Purchase price;
b. The reputation of the vendor and of the vendor’s goods or services (see Vendor Relations);
c. The quality of the vendor’s goods or services;
d. The extent to which the goods or services meet the College’s needs;
e. The vendor’s past relationship with the College;
f. The impact on the ability of the College to comply with laws relating to historically underutilized businesses;
g. The total long-term cost to the College to acquire the goods or services; and
h. Any other relevant factor that a business entity would consider in selecting a vendor.

**Bidding Requirements**

All bidding practices shall conform to State law. The College will establish practices to identify when bids shall be required and when other practices of obtaining needed goods and services shall be utilized.

Bid openings shall be public and those submitting bids should be invited to attend. A file of all bids shall be kept for a period of three years and shall be open for public inspection.

The Board of Trustees has the authority to reject any and all bids.

All bids shall be conducted through the Purchasing Department unless specific authorization is granted through Board of Trustees approval.

The College may hold pre-bid conferences and may, upon proper notice, make the attendance at such a conference mandatory. The College will not open or consider any bid submitted by any vendor who did not attend a mandatory pre-bid conference.

**Surety Bonds, Payment Bonds and Performance Bonds**

The College may, at the discretion of the Vice President, Chief Financial Officer, require Surety, Payment and Performance Bonds.

Bid Surety Bonds, if required, shall be returned to all bidders, except the successful bidder, at the time the award is made. The Surety Bond of the successful bidder shall be retained until the merchandise has been delivered and inspected for quality as well as other requirements of the bid.

A Payment Bond may be required for any contract exceeding $25,000.00.

Performance Bonds shall be required for all contractual agreements $100,000.00 and above.

**Personal Purchases**

Blinn College employees shall not be permitted to purchase supplies or equipment for personal use through the College or through special discounts and arrangements made between the College and its qualified vendors.
Business Meal Purchases
This procedure is to provide guidelines for identifying appropriate Blinn College business meal expense.

This procedure does not apply to meals purchased by employee while traveling. For purposes of this procedure, traveling is defined as travel that requires an overnight stay necessary for an authorized Blinn College business purpose.

Business meals must include at least one non-Blinn employee whose presence is necessary to the business discussion. In addition, the IRS rules on substantiation of business meal expenses require documentation of time, date, place, attendees, and a clear and defined business purpose.

Occasional work group events that require a short or working lunch may be held. Meals can be brought in for the group if approved by the budget manager. The meal should be catered by the on campus food service group if possible. If outside catering is required, the cost should be limited to an average of $10-$15 per person.

Blinn College will not pay the cost of alcoholic beverages. All meal expenditures are subject to college policy/procedure.

Petty Cash Purchases
Petty Cash Funds are intended to handle small, “out of pocket” expenditures by the employees of the College. Each Petty Cash Fund must have a custodian of record who is responsible and accountable for managing the fund. Petty cash audits are to be performed by an Administrative Business Officer or designee, other than the fund’s custodian, as part of routine oversight of business procedures.

There is a limitation of $75.00 for any one transaction. Purchases may not be subdivided to fall under this $75.00 limit.

BOARD POLICY REFERENCE
Section B - BBFA (Legal & Exhibit) Ethics - Conflict of Interest Disclosures
Section C - CF (Legal & Local) Purchasing and Acquisition
Section D - DBD (Legal, Local & Exhibit) Employment Requirements and Restrictions - Conflict of Interest
Section D - DBE (Legal & Exhibit) Employment Requirements and Restrictions - Nepotism