3354:1-20-06.1 Procurement procedure.

(A) Scope

(1) Every procurement shall be made in accordance with this procedure.

(2) Only the Treasurer or the Treasurer’s designee may sign or otherwise enter into a procurement agreement.

(B) Board Approvals

(1) Annually, the Board approves the long range financial plan for the College. As part of that plan, the Board approves the annual budget consisting of operating expenditures, special fund expenditures, capital expenditures and transfers, restricted funds expenditures, and auxiliary funds expenditures.

(2) All contracts for works of improvement of $200,000 or more require Board approval.

(3) All contracts for goods and services of $200,000 or more, individually or in the aggregate, to any vendor in any fiscal year require Board approval. Any single contract for goods or services of $200,000 or more to any vendor in any one or more fiscal years requires Board approval.

(4) All contracts for the sale or acquisition of real estate require Board approval.

(C) Competition and Efficiency

The College is committed to providing economic opportunities for the Cuyahoga County community to do business with the College in a fair and open process. The College is also committed to providing value to taxpayers through efficient operations. As such:
(1) Goods costing less than $50,000 may be procured outright or through a Request for Proposal, Request for Quotation or bid process. Goods costing $50,000 or more shall be sought through Request for Proposal or Request for Quotation process, and will be advertised at least once, through at least one local newspaper of general circulation or on the College website. Contracts for printing shall be let in accordance with Ohio Revised Code Section 3345.10.

(2) Services costing less than $50,000 may be procured outright or through a Request for Proposal, Request for Quotation or bid process. At the discretion of the Treasurer or the Treasurer’s designee, a Request for Proposal or Request for Quotation process will be used for services costing $50,000 or more, and will be advertised through at least one local newspaper or on the College website.

(3) Works of improvement costing less than $200,000 may be purchased outright or sought through a Request for Proposal, Request for Quotation or bid process. Works of improvement costing $200,000 or more shall be sought through public sealed bids, and shall follow statutory requirements.

(4) The College may take full advantage of contracts let in a competitive and open bidding process by the State of Ohio, the Federal Government, and/or a recognized local, regional, or national group purchasing organization/consortia. In these cases, the requirement for the College to conduct its own Request for Proposal process or Request for Quotation process is waived.

(D) Waiver of Request for Proposal or Request for Quotation Process

The Treasurer or the Treasurer’s designee may waive Request for Proposal or Request for Quotation processes under the following circumstances:
(1) Emergency: The goods are needed to correct or prevent an emergency health, environmental or safety hazard; for special time sensitive events; or for emergency repair or replacement of existing equipment essential for daily operations. Prior to making a procurement on an emergency basis, the procurement must be approved by the President, or the Executive Vice President/Treasurer; and such individual must also seek prior confirmation from the Board Chair (or Vice Chair), who may consult with one or more Board Members. After making a procurement on an emergency basis, the Executive Vice President/Treasurer shall seek ratification from the Board at the next regular meeting.

(2) Urgent Necessity: In cases of urgent necessity or for the security and protection of persons or property, the President or the Executive Vice President/Treasurer may authorize the award of contracts. Prior to making a procurement on an urgent necessity basis, the procurement must be approved by the President, or the Executive Vice President/Treasurer; and such individual must also seek prior confirmation from the Board Chair (or Vice Chair), who may consult with one or more Board Members. After making a procurement on an urgent necessity basis, the Executive Vice President/Treasurer shall seek ratification from the Board at the next regular meeting.

(3) Sole Source: There is only one provider of the goods sought by the College; or the requested goods are unique in design, performance, or use specifications.

(E) Treasurer’s Designees for Procurements on Behalf of the College

The Treasurer hereby designates the individuals holding the following positions to sign or otherwise enter into the following types of procurement agreements:

1) The Executive Director of College Hospitality and Retail Services may procure hospitality and retail goods and services on behalf of the College that are less than $200,000.

2) The Campus Directors of the Learning Commons may procure print and non-print education resource materials, costing less than $200,000 with any one company or supplier.

3) The Vice President of Integrated Communications may procure time-sensitive media purchases that are less than $200,000.
4) The General Counsel, in consultation with the College as appropriate, may procure legal services on behalf of the College within the approved budget for the Office of Legal Services and as authorized by the Ohio Attorney General.

5) Plant Operation Managers and Plant Supervisors may use procurement cards in an emergency situation to purchase goods or services costing less than $10,000. Written restrictions, guidelines, and exceptions that are established for the use of procurement cards are to be enforced by the Executive Director of Supplier Managed Services or the Accounts Payable Manager.

In no other circumstances are College employees authorized to sign or otherwise enter into procurement agreements on behalf of the College. Employees who make commitments outside the authority granted in this procedure, do so at the risk of disciplinary action including termination.

(F) Definitions

(1) “Goods” are items such as materials, supplies, printing, operating repairs and durable goods (such as furniture, furnishings and moveable equipment).

(2) “Services” are items such as insurance policies, professional and consulting services, maintenance agreements, utilities, and leases of durable goods/equipment and leases of facilities, but do not include legal services.

(3) “Works of improvement” are improvements to real property, including without limitation construction, reconstruction, enlargement, alteration, modification and repair of a building or other real property.

Effective date: June 20, 2005 Procedure amplifies: 3354:1-20-06