

# NEW POLICY FOR WASHTENAW TECHNICAL MIDDLE COLLEGE—FALL 2015

## PURCHASING

Reference: MCL 380.1267, 380,1274 et seq.

**Procurement of all supplies, materials, equipment, and services paid for from Washtenaw Technical Middle College (WTMC) funds shall be made in accordance with all applicable federal and State statutes, Board policies, and administrative procedures. Standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award, and administration of contracts are established in Policy 1130, Policy 3110, and Policy 4110 (as applicable) – conflict of interest.**

**All procurement transactions shall be conducted in a manner that encourages full and open competition and in accordance with good administrative practice and sound business judgment.**

**Each year the State of Michigan informs the School of the legal amount for purchases which require a formal bidding process of a single item.**

### **Competitive Bids**

**Competitive bids are not required for items purchased through the cooperative bulk purchasing program operated by the Michigan Department of Management and Budget pursuant to M.C.L.A. 18.1263.**

**Competitive bids are not required for food purchases, unless food purchased in a single transaction costs \$100,000 or more.**

**Bids shall be sealed and shall be opened by the Board President in the presence of at least one (1) witness. All orders or contracts should be awarded to the lowest responsible bidder; however, consideration can be given to:**

- **the quality of the item(s) to be supplied;**
- **its conformity with specifications;**
- **suitability to the requirements of the school;**
- **delivery terms**
- **past performance of vendor**

**In addition to the factors above, the Board may consider and provide a preference to bidders**

- **which use a Michigan-based business as the primary contractor**
- **which use one (1) or more Michigan-based businesses as subcontractors**

For purposes of this preference a Michigan-based business means a business that would qualify for a Michigan preference for procurement contracts under M.C.L.A. 18.1268, which requires that the businesses certify that since inception or during the last twelve (12) months it has done one of the following:

- A. have filed a Michigan business tax return showing an allocation of income tax base in Michigan
- B. have filed a Michigan income tax return showing income generated in or attributed to Michigan
- C. withheld Michigan income tax from compensation paid to the bidder's owners and remitted the tax to the Michigan Department of Treasury

The Board reserves the right to reject any and all bids.

#### Bid Protest

A bidder who wishes to file a bid protest must file such notice and follow procedures prescribed by the Request For Proposals (RFP) or the individual bid specifications package, for resolution. Bid protests must be filed in writing with the Dean within seventy-two (72) hours of the opening of the bids in protest.

Within five (5) days of receipt of a protest, the Dean shall review the protest as submitted and render a decision regarding the merits of the protest and any impact on the acceptance and rejection of bids submitted. Notice of the filing of a bid protest shall be communicated to the Board and shall be so noted in any subsequent recommendation for the acceptance of bids and awarding of contracts.

Failure to file a notice of intent to protest, or failure to file a formal written protest within the time prescribed, shall constitute a waiver of proceedings.

#### General Provisions

The Dean is authorized to purchase all items within budget allocations.

- The Dean is authorized to make emergency purchases, without prior approval, of those goods and/or services needed to keep the school in operation. Such purchases shall be brought to the Board's attention at the next regular meeting.

In order to promote efficiency and economy in the operation of the school, the Board requires that the Dean periodically estimate requirements for standard items or classes of items and make quantity purchases on a bid basis to procure the lowest cost consistent with good quality.

Whenever storage facilities or other conditions make it impractical to receive total delivery at any one time, the total quantity to be shipped but with staggered delivery dates, shall be made a part of the bid specifications.

Before placing a purchase order, the Dean shall check as to whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the school. All purchase orders shall be numbered consecutively.

**The Dean shall determine the amount of purchase which shall be allowed without a properly signed purchase order. Employees may be held personally responsible for anything purchased without a properly signed purchase order or authorization.**

**The Board may acquire office equipment as defined in law by lease, by installment payments, by entering into lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the terms of such a purchase.**