

Responsible University Official:

Executive Director, Procurement and Travel Services

Responsible Office: Procurement and

Travel Services Department

Last Revised Date: October 8, 2008

MAJOR PROCUREMENT REVIEW AND AUTHORIZATION

Policy Statement

All major procurements of goods and services will be subject to a review and authorization process that documents vendor competition and approval by university senior management.

Reason for Policy

Best procurement practices dictate that the university documents its vendor selection and approval process when large portions of the university's assets will be spent with a single vendor.

Who is Governed by this Policy

Faculty and staff

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Policy

General Procurement Process

The procurement process begins with a decision of whether to bid out or sole source the procurement and is made by the originating department's management based on the circumstances surrounding the procurement. The facts and circumstances of the procurement need to be well documented for later review and approval. Any decision to use a sole source procurement process for a major procurement must have the written approval of the responsible vice president. The approval must be received prior to pursuing a particular procurement process.

For those major procurements involving bids and quotations, see *Major Procurements Involving Bids and Quotations* below. For those major procurements involving a sole source, see *Major Procurements Using Sole Source or Single Source Vendors* below.

Major Procurements Involving Bids and Quotations

All major procurements of goods and services will be subject to a review and authorization process that documents vendor competition and approval by university senior management. The originating department is responsible for following the procurement process and collecting all of the required bids, quotations, and contract requirements.

- A. All major procurements require the review and recommendation of a procurement committee before the vendor is engaged.
- B. The Procurement Committee ("committee") is an advisory committee that will review the procurement action to determine that a competitive process was followed, to evaluate the proposed vendor and to make a final vendor recommendation to the Executive Vice President and Treasurer.
 - 1. The committee will generally consist of five to six senior level employees who have a broad understanding of the university's operations.
 - a. The committee will be composed of both permanent and rotating members.

- b. Permanent members will be from the Division of Operations, Finance Division, University Budget Office, and Office of the Senior Vice President and General Counsel.
 - i. Their appropriate vice president will appoint permanent members.
 - ii. Permanent members will serve a one-year term with no limits on the number of terms.
- c. Rotating members will consist of at least one person from the requesting area to provide technical answers and recommendations concerning the procurement action and will be appointed by the appropriate vice president.
- d. Other rotating members will be selected based on the major users of the goods or services being procured and will be appointed by the appropriate vice president.
- 2. The committee will review the vendor recommendation and supporting documentation, from the area or department establishing the request for proposal and request for quotation justification ("requesting area"), to confirm the basis of the vendor selection. The committee will take into account, among other things:
 - a. Prior work history at the university (quality of work, budget overruns, and delivery dates);
 - b. Competitive price as compared to other vendor proposals;
 - c. Financial feasibility to complete the contract (going concern);
 - d. Quality of product(s) or service(s) and ability to deliver on time;
 - e. Estimated delivery dates;
 - f. Vendor references:
 - g. Whether or not the vendor is on the government's debarred or suspended vendors list; and
 - h. The vendor's policy on complying with equal employment opportunity and other fair labor laws.
- 3. The committee will submit a written report to the Executive Vice President and Treasurer, supporting its review and recommendation.
 - a. If the Executive Vice President and Treasurer accepts the committee's recommendation, the procurement action will continue through the normal university procurement and contract approval process.

- b. If the Executive Vice President and Treasurer rejects the committee's recommendation, and selects a different vendor, then the Executive Vice President and Treasurer must report this action, along with the reasons and justifications, to the Finance and Audit Committee of the Board of Trustees at the next regular meeting.
 - i. The Executive Vice President and Treasurer may reject all of the vendors and ask that the procurement process be reopened. The Procurement Committee will be reconvened to review the new bids and quotations.

Major Procurements Using Sole Source or Single Source Vendors

If a major procurement is sole sourced, the following procedures should be followed:

- A. The originating department's management has made a decision to sole source a major procurement.
- B. The facts and circumstances of the procurement need to be well documented for later review and approval.
- C. The decision to sole source must have the written approval of the responsible vice president prior to starting the particular procurement.
- D. Non-binding contract negotiations and discussions should be performed by the responsible department personnel.
- E. When the initial terms and conditions of the procurement are agreed to, the information should be forwarded to the Executive Vice President and Treasurer for review and approval.

The Executive Vice President and Treasurer will report all sole sourced major procurements to the Finance and Audit Committee of the Board of Trustees at the next regular meeting.

Definitions

Major Procurement: A Major Procurement is defined as any single procurement of goods and services of \$10,000,000 or greater.

Related Information

Bids, Quotations, and Named Source Justification Policy

Conflict of Interest Policy for Non-faculty Employees

Disadvantaged Business Enterprises

Federally-Debarred Suppliers

Policy on Conflicts of Interest and Commitment for Faculty and Investigators

Signing Contracts and Agreements

Contacts

Contact	Telephone	Email
Procurement and Travel Services	202-994-2500	procure@gwu.edu

Document History

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Policy Origination Date: May 12, 2004

Who Approved This Policy

Beth Nolan, Senior Vice President and General Counsel

Louis H. Katz, Executive Vice President and Treasurer

This policy, as well as all <u>university policies</u>, are located on the <u>Office of</u> <u>Compliance's</u> home page.