



## Ohio Administrative Code

### Rule 3356-3-01 Purchasing.

Effective: November 3, 2017

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(A) Policy statement. Employees who are delegated signature authority for university accounts are authorized to make purchasing decisions for their respective areas, following applicable university procedures. In all its business practices, the university will adhere fully to all applicable laws, regulations, and rules of the federal, state of Ohio, and local regulatory bodies. Those conducting business for the university will seek to obtain the best value for and protect the interests of Youngstown state university ("university").

(B) Purpose. This policy helps ensure compliance with applicable federal and state purchasing regulations and provides a means for purchasing at a reasonable cost.

(C) Definitions.

(1) "Goods" are defined as, but not limited to, equipment, materials, other tangible assets, and insurance, but excluding real property or an interest in real property.

(2) "Services" are defined as any deliverable resulting from labor performed specifically for the university, whether from the application of physical or intellectual skills. Services include repair work, consulting, maintenance, data processing, and software design. Services do not include services furnished pursuant to employment agreements.

(3) "Professional design services" are defined as, but not limited to, services within the scope of practice of a state-registered architect, registered engineer, registered surveyor, landscape architect and interior designer. See rule 3356-4-07 of the Administrative Code or corresponding university policy 3356-4-07 found on the "University Policies" webpage.

(4) "Construction renovation" is defined in rule 3356-4-15 of the Administrative Code.  
(Corresponding university policy 3356-4-15 can be found on the "University Policies" webpage.)



(D) Parameters.

(1) Accountability for vendor commitment and/or the actual purchase of goods or services rests with the financial manager. All construction/renovation projects must be coordinated through the university's facilities office.

(2) Procurement services has the primary responsibility to manage and monitor the purchasing process. Authority is delegated to the Maag library to purchase items to be added to its collection.

(3) As a commitment to providing opportunities for socially and economically disadvantaged business enterprises, the university participates in the Ohio department of administrative services' MBE and EDGE programs.

(4) To obtain the best value and to comply with applicable federal and/or state of Ohio regulations, the university participates in competitive awarded governmental or group purchasing agreements and requires competitive selection over dollar thresholds.

(E) Procedures.

(1) Requests for purchases are made by using a university-approved procurement card or the online procurement requisition system.

(2) An authorized electronic requisition/purchase order for goods or services must be processed through procurement services prior to vendor commitment and/or the actual purchase except for authorized procurement card purchases. Exceptions may be made in the case of an emergency, such as, but not limited to, unexpected building repairs that could otherwise result in catastrophic structural failure.

(3) All purchases for goods and services for which there is an existing university contract or price agreement with one or more preferred vendors must be made from those vendors. This applies regardless of payment method (purchase order, p-card, etc.). Some existing university contracts and agreements can be found on punch out catalogs on the university's online procurement system. Instances where significant cost savings can be achieved by purchasing from a vendor not on an



existing university contract or price agreement requires approval by the director or procurement services prior to vendor commitment and/or actual purchase.

(4) If there is no existing university contract available, procurement services can assist in locating an approved competitively awarded governmental or group purchasing agreement, such as state term schedule, general services administration schedule, inter-university council purchasing group, or others.

(5) Competitive selection dollar thresholds.

(a) Goods or services when an individual transaction/project from a single supplier is fifty thousand dollars or more.

(b) Professional design services when an individual transaction is fifty thousand dollars or more.

(c) A construction/renovation project when the construction project cost is two hundred fifteen thousand dollars or more or the threshold established by Chapter 153:1-9 of the Administrative Code.

(6) For purchases below the competitive selection dollar thresholds, the director of procurement services, or designee, may require quotes or a competitive selection process when he or she believes that it is in the best interest of the university to do so or when regulations require.

(7) For purchases at or above the competitive selection dollar thresholds, appropriate forms of competitive selection include:

(a) An invitation to bid ("ITB"). A formal ITB is drafted and sent to prospective bidders and published in appropriate media when seeking to purchase goods.

(b) A request for proposal ("RFP"). RFPs are managed and distributed through the university's procurement services office. An RFP is drafted and sent to prospective bidders and published in appropriate media when seeking to purchase goods.

(c) A request for qualifications ("RFQ"). With the assistance of procurement services, an RFQ is sent



to prospective bidders and may be published in appropriate media when seeking to purchase services. RFQs for professional design services are handled solely through the facilities office.

(d) Purchases under an approved competitively awarded governmental or group purchasing agreement, such as state term schedule, general services administration ("GSA") schedule, inter-university council purchasing group, or others, some of which can be found on punch out catalogs on the university's online procurement system (eCUBE).

(8) Exceptions to competitive selection requirements.

(a) Maintenance contracts purchased from the manufacturer or authorized dealer/supplier of the specific equipment to be serviced.

(b) Software/hardware for system upgrades and ongoing maintenance and support on existing systems already in use.

(c) Special circumstances, including single source provider, emergency purchases, or economic efficacy. If the purchase is at or above the competitive selection dollar threshold and the nature of the purchase is such that competitive selection would be impractical, the department making the request for a purchase may submit a written request for a waiver of competitive selection. Such requests must include justification as to why a waiver is warranted, be signed by the appropriate financial manager with signature authority, and be attached electronically to the requisition being submitted for the purchase.

If the director of procurement services finds that sufficient justification has been presented, he or she may approve the waiver. If the director feels that a bid waiver should be denied, it will be forwarded to the vice president for finance and business operations, or designee, for final approval or denial. If the request is denied, procurement services will initiate a competitive selection process at the request of the user department.

(9) Bidding thresholds may be adjusted to comply with federal and/or state regulations.

(10) Contract compliance/administration processes will be conducted in accordance with rule 3356-



3-04 of the Administrative Code. (Corresponding university policy 3356-3-04 can be found on the "University Policies" webpage).

(11) The university assumes no obligation for any purchases made without following purchasing procedures. Staff who fail to follow approved processes may be subject to personal financial liability.

(12) Purchases must follow established guidelines as delineated on the procurement services website.