THE "BUYING" FUNCTION OF FINANCE AND ADMINISTRATION
TABLE OF CONTENTS

PROCUREMENT USER'S MANUAL
2011

THE STAFF

FLOW CHART FOR PROCUREMENT

FOREWORD

DIRECTOR'S MESSAGE

NIGP CODE OF ETHICS

THE PROCUREMENT CYCLE

TOPICAL INFORMATION IN MANUAL (W/FORM
THE STAFF

A. Kay Turner, DIRECTOR OF PROCUREMENT AND BUSINESS AFFAIRS
Certified Professional Public Buyer (C.P.P.B.)

Eddie Rayford, Purchasing Specialist (C.P.P.B.)

Dannie Iverson, Purchasing Specialist

Location: #231- ADMINISTRATION BUILDING

PHONE EXTENSIONS
8735, 8736, 8738
FOREWORD

This manual has been prepared with you the end user in mind. Hopefully, it will prove to be a simplified guide in piloting you through the maze of doing business with the Procurement component of Finance and Administration. Further, that it will give direction with the use of other forms and ancillary information which emanates from other components in the Finance Unit.

For ease in use, this manual has been prepared with alphabetical topical entries on subjects pertaining to Procurement, with concomitant forms as applicable.

Our Vision – is to become one of the most efficient procurement units in state government, in the UA System and the State in general, thus engendering confidence in all our customers as a worthy custodian and trustee of tax payer funds.

Our Objective – is not only to buy goods and services with consideration to quality, delivery time and price but also to obtain the benefits of quantity buying as well as the reduction of expensive emergency buying. All is done ultimately with “cost reduction” as a principal objective.

This unit conducts its’ business within the purview of State regulations, campus policy, ethical standards and as good custodians of tax payer funds. All funds, all purchase orders issued are subject to state laws and regulations. All business transactions are for “official business of the institution”.

While there are many, many rules and regulations which are applicable to Procurement, the main rule to remember is “without an approved purchase order in hand you cannot fiscally obligate the University”. To do otherwise may leave you personally liable for the expense.
NIGP CODE OF ETHICS

(National Institute of Governmental Purchasing)

(Ethics for Procurement Professionals)

1. Seek or accepts a position as head or employee only when fully in accord with the professional principals applicable thereto and when confident of possessing the qualifications to serve under those principal to the advantage of the employing organization.

2. Believes in the dignity and worth of the services rendered by the organization and the social responsibilities assumed as a trusted public servant.

3. Is governed by the highest ideals of honor and integrity in all public and personal relationships in order to merit the respect and inspire the confidence of the organization and the public being served.

4. Believes that personal aggrandizement or personal profit obtained through misuse of public or personal relationship is dishonest and not tolerable.

5. Identifies and eliminates participation of any individual in operational situations where a conflict of interest may be involved.
THE PROCUREMENT CYCLE

"Cradle to Grave"

Need is...

Recognized, perceived or indicated by the department

Requisition is developed

Signatures of approval are obtained

Requisition enters Procurement...

Here...

Review is made for accuracy and completeness

The best method of source selection is determined and executed

Contract is established (the purchase order) and submitted to vendor for delivery or merchandise or performance of service

Procurement assists with contract administration when necessary

.....after useful life... (if an end product)....

Surplus, salvage or scrap is either re-allocated or disposed of by Property Control
THE DIRECTOR'S MESSAGE

Since 2006...

"Change" the mantra from the 2008 election of the first Afro-American president, Barack Obama. Change, both radical and in the inevitability of the work-a-day world — change happens.

Amidst the fiscal challenges of these tumultuous changing times in which we live — (economic meltdowns; bailouts; fiscal responsibility; fiscal irresponsibility; integrity; mis-trust; punzi- schemes; foreclosures; greed; avarice; stimulus funds; shortages; more w/ less; belt tightening; bankruptcy) these are but trickling universal convulsions that will impact the business model for future generations. Notwithstanding, higher and higher cost of feeding the "technology vortex" which drives the activity of the business world.

While this has been a bone in the throat of those who were not direct contributors to some of these ills, in our obtuseness we must not think to be occluded as these conditions have import to us all. We must not be blinuish but a part of the solution that will turn the tide.

To obviate the inevitability of this bleak economic forecast...

➢ We can incorporate outcome related activity that will lead to more positive change in our individual shops
➢ Be sensitive to change in other areas — don't forget it — embrace it.
➢ Voice opinions — be an asset to the Agency and in time it may yield personal and professional benefit to you. While the ball is in your hand throw it!

I have come to realize that this profound human undertaking of directing the Procurement unit can be nearly sacred. Yes, we are our brothers' keeper and yes, charged by the tax payers with an inviolable trust to be stewards of their resources and conservators of the

More...
vital fiscal and business interest of this agency.

As we continue with our pursuit to be good stewards of tax payer funds we will not be daunted although the umbilical cord of good economic times has been radically severed, yet “hope springs eternal”.

There has been a shifting of the accent, doubly punctuated. We now have our first female and first Afro-American Vice Chancellor for Finance, Mrs. Pauline Thomas. Having been aptly mentored by her predecessor Mrs. Barbara Goswick, Mrs. Thomas is steering the “flag ship” through very fierce headwinds of financial upheaval but we are hopefully optimistic that she will navigate us through.

We must continue to walk soberly the business tight-rope. Even though we are sometimes “off” balance, we are “on” purpose in our commitment to serve this great University.

In the words and spirit of the Haitians and Chileans people who recently experienced devastating earthquakes that have wreaked havoc on the economy and the landscape “we shall rebuild”. We also will rebuild the economy and continue to restore trust where it matters most – our public.

Kay Turner, Director
Procurement/Business Affairs
PROCUREMENT MANUAL
2011
TOPICAL ENTRIES

TOPICS

ADVERTISEMENT / BROADCASTING
AND MARKETING

BIDDERS' APPLICATION (w/ form)
BLANKET ORDERS

CANCELLATION OF PURCHASE ORDERS
CAMPUS DINING SERVICES (W/ FORM)
CHANGES TO PURCHASE ORDERS
CHRISTMAS PARAPHERNALIA
CONFERENCES/ WORSHOPS/SEMINARS
CONFIRMATION PURCHASES
CONSTRUCTION (See Public Works)
CONTRACTING AUTHORITY (other)
CONTRACTING W/STATE EMPLOYEES
COPIER RENTALS
COPIER PURCHASES

DOOR PRIZES

ELECTRONIC BIDS
EMERGENCY PURCHASES
ENCUMBRANCE REPORTS
EOP (Equal Employment Opp. Requirement
EQUIPMENT DEFINED/REQUIREMENTS
ETHICAL STANDARDS: EMPLOYEES
EXEMPT ACCOUNTS (formally private funds)

FOUNDATION FUND

GIFTS AND REMUNERATIONS
GRANT AND DISCLOSURE (w/ form)

IDIQ CONTRACTS (See blanket orders)
ILLEGAL IMMIGRANT CERTIFICATION 15
INSURANCE FOR STUDENTS 15
INTERDEPARTMENTAL ORDERS 15

JOB ORDER CONTRACTING 16

LEAD TIME SCHEDULE 17

MINORITY BUSINESSES 17
MOVING EXPENSES 17-18

OFFICE SUPPLY PURCHASES 18
OFFICIAL FUNCTION APPROVAL (See Catering Serv.) 19
ON LINE REQUESTION ENTRY (w/inst.) 19-21

PETTY CASH FUNDS 22
PLAQUES AND TROPHIES 22
PRINTING STATIONARY & OFFICE SUPPLIES 22-23
PROCUREMENT AUTHORITY 23
PROCUREMENT: DO'S AND DON'TS 24-25
PROFORMA INVOICES 26
PUBLIC WORKS PROJECTS (w/form) 26-30
POLICY ON PURCHASES MADE W/O THE PURCHASE ORDER 31
PURCHASE ORDERS 31

QUOTATION BIDS (delegation authority) 32-33

REBATES 33
REIMBURSEMENT CLAIMS 33
RESTOCKING FEE 33

SELLING OF STATE PROPERTY 33
SERVICE CONTRACTS 34-35
SIGNATURE AUTHORIZATION (w/form) 35
SOLE SOURCE JUSTIFICATION (w/form) 35-36
SPECIFICATION PREPARATION BY VENDORS 37
SPENDING LIMITS 37
SPLIT PURCHASING 38
STIPENDS 38
STOCK NUMBERS 38-39
STATE / AGENCY CONTRACT 39
STUDENT FUND REQUISITIONS 44-47
TAXES (Sales and Use) 48
TELEPHONE SERVICES/ AGREEMENT (w/ form) 48-49
TIE BIDS 50
TRAVEL REGULATIONS AND RESTRICTIONS 50-52

VEHICLES (Rent and Lease) (w/ form) 52-54
VENDING SERVICES (snacks/beverages) 54
10 DAYS MEANS ACCEPTANCE 54

Applicable forms are herein include for affected entries above and may be e-mailed upon request or downloaded from the Procurement web page.
ADVERTISING/BROADCASTING/MARKETING

Advertisement – The placement of Official Business ads in periodicals, via television, internet, on billboards or other media locations is exempt- meaning no bids are required.

Broadcasting – Selling or pitching the University in a series or in prolonged spots beyond normal advertisement time is a biddable service if over $5,000 usually a “show”.

Marketing – The use of the “services” of an outside agency to develop, market, and plan all the creative strategies and services when over $5,000 requires bidding.

The state prohibits any of the above from being of a “congratulatory nature” to organizations or individuals.

BIDDERS’ APPLICATION (w/form)

This form should be on file prior to purchase order issue. This form also identifies the vendor classification information and is the means by which vendors are added for future receipt of bids. This form can be secured by calling Procurement (8736) or accessed via the UAPB website.

BLANKET ORDERS – May be termed, open, standing orders, or IDIQ contracts. It is the intent here that a purchase order be given to the vendor from which the vendor would bill as the merchandise or service is received by the University.

Escrow accounts – in which a check is given to the vendor in advance of the merchandise or service is prohibited.

To accommodate repetitive ordering needs for similar types of commodities we recommend the establishment of an IDIQ term contract (indefinite items indefinite quantities) in which blanket orders may be used.

Examples of IDIQ contracts are:

Janitorial supplies, Print shop papers, Document Binding, Lab testing service, Non-perishable food items, Building materials, etc.

CANCELLATION OF PURCHASE ORDERS

Purchase orders create a binding contractual obligation on the University. Cancellation is therefore often limited to cases of default by the vendor, or by mutual agreement of the contracting parties. When an ordering department wants an order cancelled, they should contact the Procurement Department

CAMPUS DINING SERVICE PROVIDER: THOMPSON’S HOSPITALITY

Exclusivity

➢ Thompson’s Hospitality is our current food service provider for the campus. They have exclusivity, meaning all foods served on campus whether purchased, donated or
provided by groups should come from Thompson's Hospitality. In order not to impose on our contractual relationship with Thompson's Hospitality, employees are discouraged from bringing in foods with the intent to serve.

Additionally, if there is an intent to pay or be reimbursed via Purchase order the food must have come from Thompson's Hospitality whether the event was on or off campus if Thompson's could have serviced that event regardless of the size, or time of the event.

Official Function Approval

- No University unit is budgeted for the expense of food services unless in conjunction with overnight travel. There are however those instances where catering is permitted but if the expectation is to use "state monies" – in compliance with Board Policy 260.1, the purchase requisition must include an "official function" letter of authorization (attached) from the Chancellor's Office. Once approved the authorization is without expiration. However, it is confined to the events so specified, therein. This letter is not necessary for other funding sources (grants) to establish the purchase order.

Official Guest Meals

- Meals for official guest (non-state employees) of the University are allowable expenditures. A list of names of individuals for whom meals were purchased and an explanation of the nature of the function should be on or attached to the requisition. Meals for University employees may not be included unless there was an overnight stay. Charges for alcoholic beverages and gratuities (tips) are not allowable expenses.

CHANGES TO PURCHASE ORDERS

Before an order can be changed in anyway: (price, quantity, or actual exchange of items) prior approval must be received from Procurement by calling (8735). Order changes and misrepresentation of the facts on a purchase requisition or order without prior approval from Procurement is prohibited.

CHRISTMAS PARAPHERNALIA

The purchase of Christmas Cards and other paraphernalia by State Agencies is prohibited; this includes ground & building decorations.

ACA of 1987 at 19-4-522 entitled Maintenance and General Operation states in part: "This classification shall cover items of expenses necessary for the proper and efficient operation of the State Agency, authority, board, commission, department or institution of higher education."
The department of Finance and Administration has held that the purchase of Christmas “paraphernalia”, etc. are not necessary or a proper expenditure for the operation of State government.

CONFERENCES, WORKSHOPS AND SEMINARS

This writing addresses how speakers (presenters, lecturer, or facilitators) are to be paid when providing this services for a workshop, seminar or other meeting that is initiated by the campus, whether on or off-campus.

The first consideration is the bundling of the costing elements. Those elements to be bundled are, the cost for the speaker plus any fee that will be paid to the speaker or his company such as registration, additional materials, books, etc.

Procurement Option are:

1. If the bundled cost is $5,000 or less and there is no intent to have such events on a recurring basis (annually). The cost can be paid by purchase order with no bidding required.

2. The speaker is a Sole Source. He/she is unique above his peers. Ex: An author, an inventor, The President, a famous singing group. They have something that is unique just to themselves or their company, no bidding is required. Can be paid via the purchase order.

3. Competitive Bidding- When the bundled cost exceeds $5,000 and the speaker is presenting on a topic where there are clearly other competitors; Ex: Fred Pryor Seminar, Team Building Workshops, Diversity Trainings, Customer Service, etc. the services must be acquired through the competitive bid process.

We recommend the Request for Proposal Method which is a 4-6 week process as this allows us to evaluate more than just lowest cost and we will award on the basis of the highest number of points received by each proposal respondent.

The following other expenses for the Conference, Workshop or Seminar speaker can be treated separately and are not required to be considered in the $5,000 limit; such as travel expenses, meeting rooms and food.

The speaker must not be a state employee or an immediate family member of a state employee.

CONFIRMATION PURCHASES

Confirmation purchases are made before a written purchase order issued by Procurement is received by the vendor. This is the exception – not the rule.

CONSTRUCTION (See Public Works)
CONTRACTING AUTHORITY (Other)

Contracts binding the University of Arkansas at Pine Bluff which are in addition to or are required to be attached to the purchase order must first meet with review by the Contract Administrator (8735) then with signature approval by the Vice Chancellor for Finance or the Chancellor and the 2nd party.

Once all signatures are in place and the purchase order established the contract can be executed. Only the authorized persons so named can bind the University in such contracts.

All contracts are to be forwarded first to the Contracts Office (Procurement) for review and consideration. Many contracts contain provisions, which are not in the best interest of the University and clauses to which the University cannot be legally bound. Individuals not specifically authorized to do so are not to sign maintenance agreements, leases, licensing agreements, or other contracts for the University.

CONTRACTING WITH STATE EMPLOYEES

Sec. 19-11-704 of the Arkansas State Procurement law prohibits state employees (s) from contracting with a state employee’s immediate family member. That applies not only to UAPB but other state agencies as well.

We may contract with another state agency with an approved memorandum of agreement. However, in that case the payment must be made to the agency, not an individual. It is advisable to check with Payroll or Personnel prior to the service if considering concurrent employment for such an affected individual. Requisitions where the payee is an individual may be required to complete the Conflict of Interest form attached, annually.
OFFICIAL FUNCTION LETTER
UNIVERSITY OF ARKANSAS AT PINE BLUFF
PINE BLUFF, ARKANSAS 71601

DATE:

Dr. L. A. Davis, Jr.
Chancellor of
University of Arkansas at Pine Bluff

RE: Request for Official Function Approval

The ________________________________ department is hosting the following event(s).

List event: ________________________________

Certainly, all activities associated with the function of this area is considered essential to the vitality of the program and therefore, make it an “Official Function of the University”.

However, we understand that we are not exempt from ensuring that proposed expenditures are accounted for and properly budgeted. Rather it is meant to authorize the use of state controlled funds, when properly budgeted, for expenditures inherent with hosting guest of this university at official functions.

Your approval of this letter will also be sent to the UAPB Office of Procurement to assure that Board Policy 260.1 regarding “Official Functions” is adhered to for all expenses relative to this event.

Thank you for your approval

Sincerely,

______________________________
BUDGET OFFICER’S NAME AND TITLE

Approval:

______________________________ / ____________
Dr. L.A. Davis, JR Date

(NOTE: This form can be e-mailed)
CONFLICT OF INTEREST STATEMENT:

(Must be read and signed by the person named as the payee or vendor on the requisition) Ref: Sec. 19-11-715 of the Arkansas Code Annotated of 1987: which reads?

I swear under penalty of perjury that I am not an employee of any Arkansas State Agency this includes UAPB which is a State Agency nor am I the immediate family member of a State employee as defined under the Arkansas State Procurement Law. (Immediate family member is defined as mother, father, sister, brother, spouse, children or grandparents).

Print Payee/Company Name   Signature Payee/Owner   Date

(For another to sign for this person/company is fraudulent)

Are you currently employed?   Yes ____   NO ____
COPIER RENTALS

The Office of State Procurement has established a copier rental contract available for use to all state agencies with the following stipulations:

- Rental – non ownership by agency
- No maintenance payment, no supply cost other than paper and staples
- The contract has many, many options with associated cost based on performance requirements, speed, features, copy volume, etc.
- Rental are for three (3) years only
- Currently, we have one type of machine – digital copiers only
- Copiers may be new or used; always in good working condition (vendor’s choice) (most are new)
- Service calls should be no more than 4-5 a year, more than this requires documentation and a request for replacement
- At installation, requester must make sure they have a new dedicated surge protector just for this machine. Replacement will be at no cost to the requester if it is proven that the machine is defective and malfunctioning or has reached its useful life
- Replacement cost may be assessed to the requester if
  o The usage is exceeding the original volume limit and provider recommends an upgraded machine
  o Requests for an upgraded machine before the end of three year period (necessitates a new purchase requisition)
- Penalty will be imposed for canceling in the midst of the three (3) year contract period

Annually, Procurement will automatically renew the rental agreement unless requester calls 2 months prior to the end of the contract period. Requester is responsible for notifying Procurement if cancellation is desired. Point of Contact: Kay Turner (8735).

COPIER OVERAGES - For those months when you exceed your monthly plan (rental or purchase) cost by overages, you will be billed separately by the company. Accounts Payable will send you a bill from the company indicating your overage cost for the month in question. You must then do a separate purchase requisition just for this overage amount and process through the system for payment. This will not be taken from your established rental purchase order.
COPIER PURCHASES

The State contract offers a wide selection of copiers from multiple vendors for purchase. Purchase meaning ownership by the agency as opposed to rental (no ownership). With a purchase the maintenance starts after 90 days with the rental, all costs are inclusive (machine, maintenance and toner) the paper and staples are separate charges.

DOOR PRIZES

It is a prohibition of State law to give away state property and/or to give gifts to state employees for personal use when the same was purchased with State or Federal monies.

- Whenever promotional items are given it should be publicly stated that these items are for "general office" use while at UAPB.
- In the case of non-expendable supplies/equipment (computers, electronic organizers, desk accessories, etc.) — the workshop/seminar coordinator must make sure that the items have been tagged by Property Control prior to issue and a concomitant listing of the recipient’s name and department locations should follow.

ELECTRONIC SUBMISSION OF BIDS

While we are not yet poised to receive electronic formal bids (over $25,000), we can send bids electronically with the following information attached to your requisition for bid: contact person’s name; phone number and e-mail address.

EMERGENCY PURCHASES

"Emergency procurement" means the acquisition of commodities or services which, if not immediately initiated, will endanger human life or health, state property, or the functional capability of a state agency.

Accompanying the purchase requisition shall be a written justification as to the critical emergency which has been approved by the Agency Head or his designee (The Vice Chancellor for Finance or Vice Chancellor for Student Affairs) and three (3) hard copies or faxed quotes from vendors contacted to bid (necessary where the cost exceeds $5,000) (a different requirements for printing and items on state contract). Vendors contacted must be those who customarily handle the service or supply.

ENCUMBRANCE REPORTS

Encumbering Funds to Give Appearance of Being spent (Prohibited)
From time to time we get requests to encumber funds (x dollars to a named vendor) to give the appearance of being spent to help assure that the funds will be available in the time of actual need. Such a request is illegal and we cannot assist. Specifically, a Purchase Order is a legal Accounting document which authorizes an actual transaction where the vendor, service/or commodity and cost is specified. All subject to audit review.

The process currently in place to assist with budget accountability is the monthly Budget Expense Summary from Accounting. We can always run an Encumbrance report based on actual transactions which lets you know what has not yet been paid but is still outstanding.

Encumbrance reports are an easy way to keep track of the status of your orders. It lets you know if it is paid or yet opened. These reports are an ideal way to not only edit your account spending but to free up funds for more spending.

Whenever there is a need for an encumbrance report please contact Eddie Rayford, Purchasing Specialist (8736) or Dannie Iverson, Purchasing Specialist (8738).

EQUAL OPPORTUNITY POLICY

Effective October 1, 2005 in accordance with Act 2157 of 2005 – EQUAL OPPORTUNITY POLICY, each contract which exceeds $25,000 must be accompanied with the payee’s Equal Opportunity Policy.

If the services or commodity is a bid situation through the Office of Procurement or a Professional Service, we will request the same of the vendor. If it is a Sole source the requesting department will need to secure that policy.

Vendors who do not have an established EOP policy will not be prohibited from receiving a contract award, but are required to submit a written statement to that effect.

EQUIPMENT: DEFINED/REQUIREMENTS

The Office of State Accounting has determined that equipment is defined as those purchases which have a cost of $2,500.00 or more, a life of two (2) years or more and a separate identity of their own. Ex: the car not the motor.

While $2,500.00 is the threshold for the equipment classification this in no way precludes that the Agency Head is not responsible and accountable for those items with a lesser cost such as a typewriter at $450.00, a computer at $1,800 or sets of items like tools or dishes.
To assure accountability for these lesser items, this agency has classed them as non-capitalized equipment and the Property Control Section of Finance maintains a separate accountability system just for these. Contact Sheri DeJarnette, Property Control (8371) for more details and inventory reports.

ETHICAL STANDARDS: Employees

Ref: Arkansas State Procurement Manual Sec: 19-11-705 Ethics

Conflict of Interest

The “conflict of interest: law speaks expressly on the “appearance of impropriety: that we should not contract with immediate family members or those to whom the combined income will enhance you or any immediate family member; (mother, father, sister, brother, children, spouse, and grandparents).

19-11-706 Employee Disclosure Requirements

a) DISCLOSURE OF BENEFIT RECEIVED FROM CONTRACT Any employee who has or obtains any benefit from any state contract with a business in which the employee has a financial interest shall report such benefit to the Director of the Department of Finance and Administration. However, this section shall not apply to a contract with a business where the employee’s interest in the business has been placed in a disclosed blind trust.

b) FAILURE TO DISCLOSE BENEFIT RECEIVED Any employee who knows or should have known of such benefit and fails to report the benefit to the director is in breach of the ethical standards of this section.

19-11-707 Gratuities/Kickbacks It is a breach of ethical standards for any person to offer to give, or agree to give an employee or former employee, or for any employee or former employee to solicit, demand, accept or agree to accept from another person, a gratuity or an offer or employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application request for ruling, determination, claim or controversy, or other particular matter pertaining to any contract or subcontract and any solicitation or proposal therefore.

Kickbacks. It is a breach of ethical standards for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under a contract to the prime contractor or higher tier subcontractor or any person associated there with, as an inducement of the award
of a subcontract order. It is the intent of the law to prevent a person in a public trust from profiting from that position.

PROHIBITION AGAINST CONTINGENT FEES

It shall be a breach of ethical stands for a person to be retained, or to retain a person to solicit or secure a state contract upon an agreement or understanding for a commission percentage, brokerage, or contingent fee, except for a retention of bonafide employees or bonafide established commercial selling agencies maintained by the contract for the purpose of securing business.

19-11-709 Restriction on Employment of Present and Former Employees

a) CONTEMPORANEOUS EMPLOYMENT PROHIBITED It shall be a breach of ethical standards for any employee who is involved in procurement to become or be, while such an employee, the employee of any party contracting with the state agency by which the employee is employed.

b) RESTRICTIONS OF FORMER EMPLOYEES IN A MATTERS CONNECTED WITH THEIR FORMER DUTIES

1) PERMANENT DISQUALIFICATION OF FORMER EMPLOYEE PERSONALLY INVOLVED IN A PARTICULAR MATTER It shall be a breach of ethical standards for any former employee knowingly to act as a principal or as an agent for anyone other than the state in connection with any:

   A. Judicial or other proceeding, application, request for a ruling, or other determination;
   B. Contract;
   C. Claim; or
   D. Change or controversy

   in which the employee participated personally and substantially through decision, approval, disapproval, recommendation, rendering of advice, investigation, or otherwise while an employee, where the state is a party or has a direct and substantial interest.

2) ONE-YEAR REPRESENTATION RESTRICTION REGARDING MATTERS FOR WHICH A FORMER EMPLOYEE WAS OFFICIALLY RESPONSIBLE it shall be a breach of ethical standards for any former employee, within one (1) year after cessation of the former employee’s official responsibility in connection with any:
(10)

A. Judicial or other proceeding, application, request for a ruling, or other
determination:
B. Contracts;
C. Claim; or
D. Charge or controversy

Knowingly to act as a principal or as an agent for anyone other than the state in matters which were within the former employee's official responsibility, where the state is a part or has a direct or substantial interest.

1) WHEN PARTNER IS A STATE EMPLOYEE It shall be a breach of ethical standards for a person who is a partner of an employee knowingly to act as a principal or as an agent for anyone other than the state in connection with any:

A. Judicial or other proceeding, application, request for a ruling, or other
determination;
B. Contract;
C. Claim; or
D. Charge or controversy

In which the employee participated personally and substantially through decision, approval, disapproval, recommendation, rendering of advice, investigation, or otherwise while an employee, where the state is a party or has a direct and substantial interest.

2) WHEN A PARTNER IS A FORMER STATE EMPLOYEE It shall be a breach of ethical standards for a partner of a former employee knowingly to act as a principal or as an agent for anyone other than the state where such former employee is barred under subsection (b) this section.

1) SELLING TO STATE AFTER TERMINATION OF EMPLOYMENT IS PROHIBITED It shall be breach of ethical standards for any former employee, unless the former employee's last annual salary did not exceed ten thousand five hundred dollars ($10,500), to engage in selling or attempting to sell commodities or services to the state for one (1) year following the date employment ceased.

2) The term "sell," as used in this subsection, means signing a bid, proposal, or contract; negotiating a contract; contacting any employee for the purpose of obtaining, negotiating, or discussing changes in specification, price, cost allowances, or other terms of a contract; settling disputes concerning performance of a contract; or any other liaison activity with a view toward the
ultimate consummation of a sale although the actual contract therefore is subsequently negotiated by another person.

e) 1) This section is not intended to preclude a former employee from accepting employment with private industry solely because his employer is a contractor with this state.

2) This section is not intended to preclude an employee, a former employee or a partner of an employee or former employee from filing an action as a taxpayer for alleged violations of this subchapter.

19-11-710 Use of Confidential Information

It shall be a breach of ethical standards for any employee or former employee knowingly to use confidential information for actual or anticipated personal gain or for the actual or anticipated personal gain of any other person.

19-11-711 Public Access to Procurement Information

Procurement information shall be public record to the extent provided in the Freedom of Information Act 25-19-101 et seq., except as otherwise provided in this subchapter and the Arkansas Procurement Law, 19-11-201 et seq.

19-11-712 Civil and Administrative Remedies Against Employees Who Breach Ethical Standards

a) EXISTING REMEDIES NOT IMPAIRED. Civil and administrative remedies against employees, which are in existence on July 1, 1979, shall not be impaired.

b) SUPPLEMENTAL REMEDIES. In addition to existing remedies for breach of the ethical standards of this subchapter, or regulations promulgated thereunder, the Director of the Department of Finance and Administration may impose any one (1) or more of the following:

1. Oral or written warnings or reprimands;
2. Forfeiture of pay without suspension,
3. Suspension with or without pay for specified periods of time; and
4. Termination of employment

c) RIGHT TO RECOVER FROM EMPLOYEE VALUE RECEIVED IN BREACH OF ETHICAL STANDARDS. The value of anything received by an employee in breach of the ethical standards of this subchapter, or regulation promulgated thereunder, shall be recoverable
by the state as provided in 19-11-714, which refers to recovery of value transferred or received in breach of ethical standards.

d) DUE PROCESS. Notice and an opportunity for a hearing shall be provided prior to imposition of any of the remedies set forth in subsection (b) of this section.

19-11-715 Advisory Opinion

Prior to contracting with an employee of a state agency or any immediate family member of the same, we will need to have on file an Advisory Opinion from the State Director of Finance and Administration as further explained below:

a) ADVISORY OPINIONS: On written request of employees or contractors and in consultation with the Attorney General, the director may render written advisory opinions regarding the appropriateness of the course of conduct to be followed in proposed transactions. Such requests and advisory opinions may be duly published in the manner in which regulations of this state are published. Compliance with the requirements of a duly promulgated advisory opinion of the director shall be deemed to constitute compliance with the ethical standards of this subchapter.

b) WAIVER. On written request of an employee, the director may grant an employee a written waiver from the application of 19-11-705, which refers to employee conflict of interest, and grant permission to proceed with the transaction to such extent and upon such terms and conditions as may be specified. Such waiver and permission may be granted when the interests of the state so require or when the ethical conflict is insubstantial or remote.

EXEMPT ACCOUNTS (formally: "Private Funds")

New Spending Guidelines for Accounts with Fund Numbers 590, 119, 190, 910

In the past, those account numbers with fund prefixes beginning with 590, 119, 190 and 910 were recognized by this office as "private" with no compliance to state law or other campus policy. Goods or services were simply purchased as requested with little to no inquiries. Effective immediately, UAPB has deemed that all accounts beginning with 590, 119, 190, 910 will be governed by all State procurement Laws and campus policy which may be applicable. I would advise that you make inquiries early and start the acquisition process in time to satisfy your need.

FOUNDATION FUND TRANSACTIONS

Re: PURCHASE ORDERS TO THE FOUNDATION
Regarding payments or deposits into the UAPB foundation Fund:

We cannot use state or federal monies (restricted funds subject to state regulations) to make a deposit into a Foundation Account (an account which is not subject to state or federal regulations).

Such would be:
- Educational Access
- Career Day
- Registrations of any time
- Purchases of any kind
- Reimbursements of any kind

GIFTS AND REMUNERATIONS

State law prohibits the giving of mementos, gifts or other such items to “state employees,” (or former employees) (those whose separation date is less than twelve (12) calendar months) if there is an expectation that the cost of the same will be paid with state or federal funds. Such items include but are not limited to: gifts, plaques, medallions, certificates, monetary remunerations, flowers, etc.

Further, the requisitions for such items must be accompanied with the following:
- A listing of the names of each recipient
- The names must be the same in number as the quantity requested on the requisitions
- A statement that all recipients are “non state employees.” This statement is to be signed by the budget officer for the account to be expensed.

Note also, we are unable to process requisitions that are not specific for intended “current use.” (No excess stocking of such items).

GRANT AND DISCLOSURE REQUIREMENTS: Governor’s Executive Order – 98-04 w/form

A. NO CONTRACT FOR COMMODITIES OR SERVICES GREATER THAN $25,000 AND NO DISCRETIONARY GRANT GREATER THAN $25,000 SHALL BE AWARDED, EXTENDED, AMENDED, OR RENEWED BY ANY AGENCY TO ANY CONTRACTOR WHO HAS NOT DISCLOSED AS REQUIRED IN THIS BID WITH THE EXCEPTION OF CONTRACTS IN SECTION 3 D (EMERGENCIES) FOR GOODS AND SERVICES FOR WHICH DISCLOSURE MAY BE OBTAINED AFTER PURCHASE.

B. Failure to make any disclosure required by Governor’s Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that Order, shall be a
material breach of the terms of this contract. Any contractor, who violates any rule, regulation, or policy, shall be subject to all legal remedies available to the agency.

All purchase requisitions must include a “contract grant and disclosure form” if over $25,000 except those listed below as **exempt**:

a) Contracts with another governmental entity such as a state agency, public educational institution, federal government entity, or body of a local government.


c) Farm products procured in accordance with Ark. Code Ann. 19-11-203(14)(H)

d) Procurement of postage.

e) Payment of taxes.

f) Contracts with utilities defined, recognized, and regulated by the Arkansas Public Service Commission as a monopoly offering.

g) Medical items used for the treatment and diagnosis of patients, if procured through a group purchasing entity serving other public health institutions when substantial savings are available.

h) Purchase orders issued by agencies against Office of State Procurement contracts.

i) Expenditures not involving public funds (exempt funds)

j) Published books, annuals, maps, periodicals, films, technical pamphlets and copy righted educational aids for use in libraries and for other informational or instructional purposes in instances in which other applicable law does not provide a restrictive means for the acquisitions of them.

k) Services of visiting speakers, lectures, and performing artists.

l) Works of art for museum and public display.
IDIQ CONTRACTS (see Blanket Orders)

ILLEGAL IMMIGRANTS CERTIFICATION

Regarding Act 157-Prohibition against Contracting with Illegal Immigrants
State agencies are prohibited against contracting with illegal immigrants. “Contractor” means a person having a public contract with a state agency for professional services, technical and general services, or any category of construction in which the total dollar value of the contract is twenty-five thousand dollars ($25,000) or greater.

INSURANCE FOR STUDENTS

Be advised that we cannot arbitrarily enter into an agreement with an insurance company to cover summer student programs, athletes, international students or other without prior approval of the policy by the University’s representative at the System’s Office Mr. Graham Gillis (501-686-2941) or Mr. Bill Byrd, Broker for Rebsaman Insurance – (501-661-4960).

Please make these contacts early to assure coverage at the time of need. To expedite the process, I would advise that you have them fax or e-mail a statement to you that your policy provides adequate coverage with a copy of the same attached to your purchase requisition.

INTERDEPARTMENTAL CHARGES

Most interdepartmental transactions are processed by a transfer of funds between departments; no purchase order is required. We will no longer be able to process through requisition for purchase order issue any interdepartmental charges. Interdepartmental charges are charges where one department is charging another department a fee for registration, commodities or other services, whether the event is on or off the campus.

Examples of past interdepartmental charges are:

- Rural Life Conference Registrations
- Deposits into the UAPB Foundation Account
- Educational Access Registrations
- Motor Pool Vehicle usage
- Duplicating Services

All future charges will be handled via charge back though Mrs. Pryor in Accounting. Recommend you get with her soon to assure the appropriate format for submission.
JOE ORDER CONTRACTING (JOC) IN A NUTSHELL

JOC (job order contracting) is a means of identifying a contractor to perform public works projects through a selection process to do a specified type of job.

- Bidders are guaranteed no work nor a specified number of projects per year.

- LICENSES:
  Each bidder must be licensed the day he submits his bid in order to do projects over $2,000.

- COST: The rates you bid must include the following: Labor (for both State and Federal Wage Determinations) travel and insurance. Once you are contacted about a job then you will add material cost and performance bond cost if the latter is applicable.

- May be awarded to one or more contractors or may award to “all” qualified bidders.

- JOC ESTIMATE SHEETS
  As projects are due, the Plant Director must have a best estimate in mind to compare with the quoted price (based on RS Means, or Rates bid) from the Contractor. He may also opt to have two (2) contractors quote a price for comparison purposes. The Plant Director is responsible for knowing that this is a good and reasonable price for the project.

  Once the Contractor and the Plant Director are in agreement with the cost, the Contractor will be asked to complete the JOB Order Estimate sheet, sign and submit to the Plant Director.

  The Estimate Sheet will be forwarded to Procurement. Procurement will contact the contractor for other documents relative to this project.

- JOC is an excellent way to “fast track” projects in that the formal bid process is eliminated with the Contractor doing his own cost estimating.

- The selected Contractor(s) may serve for four (4) years without a further selection process as long as his cost rate remains firm for the entire period.

- Once the Contractor and the Agency are in agreement the Contractor may start work once in receipt of the Purchase Order. The Contractor is not advised to start any projects without this document.
LEAD TIME SCHEDULE

The Lead time schedule shows the number of days required to process an order prior to purchase order issue.

This schedule is under the assumption that the requisition has already been entered on-line and all signatures are secured prior to receipt by Procurement, if not add two (2) days to the numbers listed below.

<table>
<thead>
<tr>
<th>CLASSIFICATION</th>
<th>NUMBER OF DAYS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Small orders - $5,000</td>
<td>1</td>
</tr>
<tr>
<td>Quotation bid ($5,000&lt;$25,000)</td>
<td>10</td>
</tr>
<tr>
<td>Formal Bid ($&gt;$25,000)</td>
<td>15</td>
</tr>
<tr>
<td>Sole Source</td>
<td>1-5</td>
</tr>
<tr>
<td>Construction Projects ($&lt;$20,000)</td>
<td>3-5 weeks</td>
</tr>
<tr>
<td>Construction Projects ($&gt;$20,000&lt;$250,000)</td>
<td>6-8 weeks</td>
</tr>
<tr>
<td>Capital Construction ($&gt;$500,000)</td>
<td>6-8 weeks</td>
</tr>
<tr>
<td>Request for Proposals</td>
<td></td>
</tr>
<tr>
<td>Travel (ticket)</td>
<td>Immediately</td>
</tr>
<tr>
<td>Emergencies</td>
<td>Immediately</td>
</tr>
</tbody>
</table>

MINORITY BUSINESSES

Excerpts from a letter from the Director of State Procurement dated October, 1983 states that the Governor has set forth an executive proclamation which sets a goal for “all state departments, agencies, colleges and universities, boards and commissions to procure or contract for at least 10% of all goods and services from Minority businesses. It is to this end that we welcome and encourage the use of Minority business enterprises to sell to the University. However, no preferential consideration may be granted as exceptions to the laws which govern how a firm should do business in the state of Arkansas with other state agencies.

“Minority business defined” Pursuant to Ark., Code Ann. §22-9-203, (Sec: 3 – Defined as Black Americans, Hispanic Americans, American Indians, Asian, and Pacific Islanders

MOVING EXPENSES

R6-19-4-904 Recruitment and Relocation Expense (Justification required)
The Administrative head of a State organization or his/her authorized representative may approve relocation expenses of existing State employees. Further, ACA 19-4-522 (e) allows State—supported colleges and universities to utilize maintenance and operation appropriations for the payment of moving expenses of employees, including new hires. When it becomes essential that an agency permanently transfer a State employee from one location to another within the boundaries of the State of Arkansas or, in the case of State-supported colleges, and universities, hire a new employee regardless of their location, reasonable payment for movement of household effects shall be made in accordance with the procedures prescribed herein.
The transfer and reimbursement of costs incurred by the individual must be directed and approved in writing by the administrative head of the board, commission, department, institution or agency. Full identification of the individual, the position transferred from and to and reasons the transfer is necessary must be contained in the directive.

The payment for relocation must be solely for the convenience of the State in order to satisfactorily perform its function(s).

Under no circumstance will moving expenses be paid for newly hired employees except for State-supported colleges and universities. All other new employees are responsible for any moving expenses they incur while relocating in the area of a new job.

The term household effects as used herein does not apply to the movement of recreational vehicles, boats and other items not normally used in the home. Packing, crating, loading and unloading of household effects, as necessary, in addition to actual transportation expenses in accordance with Internal Revenue Service regulations are acceptable as part of the moving expense and may be paid.

Reimbursement of costs for employee moving expense will be allowed only when the distance from the employee’s place of residence, old duty station and new duty station meet the guidelines of the Internal Revenue Service the effect at the time of the relocation for allowable moving expense.

OFFICE SUPPLY PURCHASES

The first source for office supply needs is the UAPB Central Stores. Contact Sheri Dejarnette (8371) for ordering assistance.

CENTRAL STORE REQUISITIONS

The attached all campus memo states that effective immediately, all requisitions to the Central Stores for office supplies must have funds check approval prior to purchase order issue (see attachment).

➢ Funds Check for Central Store Requisitions
   To better manage cost and to assure fiscal stability, effective immediately all supply orders to the Central Stores shall be funds checked by the Central Stores prior to purchase order issue.

➢ Where funds are inadequate for the purchase, these will be returned by the Central Stores.

➢ Be advised that the UAPB Bookstore (Follette College Store) is not a state contractor or state agency. Reimbursement may not be made if office or other type supplies are purchased from this source or other outlets other than the UAPB Central Stores.
OFFICIAL FUNCTION APPROVAL (see Campus Dining Services)

ON-LINE REQUISITION ENTRY- A convenient and advantageous feature for the end user, SPECIFICALLY:

- Eliminates double typing – No need to type the requisition on line then type a second hard copy to circulate through the system for signatures. Once prepared it will print to your laser printer.

- Tracking- This method generates a “requisition number” which assists in tracking the status at all times (status such as the po#, payment status, etc.)

On Line Requisition Entry Policy

Purchase Requisition Entry – This form is used when there is a need to procure goods or services. Electronic access is available to each requester. It’s important that you learn how to use this form electronically. To maintain the integrity of the database, it is essential for every user on the system to understand the importance of the data that exists on Colleague and how to correctly enter and maintain. The requisition will be created with only partial information, and later completed by the Procurement Office Staff to create a Purchase Order.

Training can be provided for on-line requisition entry by calling 8738.

Call Procurement to have the requisition form e-mailed to you along with the training book. Now that you have the form, let us produce the document.

How To Complete The Form – This form is used when there is a need to procure goods or services, Electronic access is available via UAPB website. Attached is a copy of the currently used form which contains a red comment flag at each requirement for ease in completion.

INSTRUCTIONS: HOW TO COMPLETE THE PURCHASE REQUISITION FORM

DATE

Today’s date

VENDOR

Enter the complete name and address of the contractor, vendor, or to whomever the request is directed

- Tax ID or Soc. Sec. # - Required for all individuals and all non-incorporated businesses (IRS Requirement)
- Ethnicity – Required for all individuals listed as vendors except UAPB employees.

NOT FOR DEPARTMENTAL USE

For use by the Finance Division and Procurement only.

DELIVERY INFORMATION

Building name and room number
REQUESTER/EX: The person making the request who can also answer questions about this order. This name must be typed along with the telephone extension of the requester.

BUDGET OFFICER: The name of the person with budget oversight and who has a current completed Signature Authorization form on file in the Procurement Office annually. This name must never be typed, rather signed by the Budget Officer or designee on file.

QUANTITY: How many requested.

UNIT: How measured (ex: pack, each, box, miles, cases, pounds, etc.)

DESCRIPTION: A detailed description of what you are requesting ex: first space of description:

- Projector: Extagraphic III A with 100-150 zoom kens #1335264; with infrared remote control #1098383
- (second description) Freight
- (third description) Tax (8.25%) NOTE: we are not tax-exempt as we pay both Sales (in state) and Use (out of state) taxes. Currently, the new tax rate for the State of Arkansas and for merchandise coming to Arkansas is 8.25%. For food and restaurant services such as Thompson Hospitality dining, the tax must be calculated at 10.5%

OBJECT CODE: The last five (5) digits of the account number (Ex: 52515, 53920, 52740)

UNIT PRICE: The cost per each “unit”

EXTENDED TOTAL: The unit cost multiplied by the quantity requested. This will automatically compute.

ACCOUNT NUMBER: The account number(s) to be expensed: (the first three (3) digits represent fund; the second two (2) digits represent function, the next eight (8) digits represent the center and the last five (5) digits represent the object code. ex: (xxx_xx_xxxxxxxx_xxxxx). May use multiple account numbers on one (1) requisition.

ACCOUNT NAME: The account name for each different account number used.

AMOUNT: The total amount of each line item of the description or a prorated amount for the total if using multiple account names/numbers.

VICE CHANCELLOR: The signature of the Vice Chancellor to whom you report. Required for professional consultant services and purchases over $2,500, only. This signature shall not be typed.
Official Form

NOTE:
The purchase requisition is an official form. As such any computer generated forms must be a reasonable facsimile with all data included before Procurement can process the same.
**PURCHASE REQUISITION**

**UNIVERSITY OF ARKANSAS AT PINE BLUFF**

<table>
<thead>
<tr>
<th>VENDOR</th>
<th>NOT FOR DEPARTMENTAL USE</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>(1) Department</td>
</tr>
<tr>
<td></td>
<td>(2) Funds Available Yes__ No__</td>
</tr>
<tr>
<td></td>
<td>Checked By __ Date __</td>
</tr>
<tr>
<td></td>
<td>(3) Comments</td>
</tr>
<tr>
<td></td>
<td>(2&amp;3 for Fund Check use)</td>
</tr>
<tr>
<td></td>
<td>OVERRIDE APPROVAL:</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Delivery Information: Building</th>
<th>Room #</th>
<th>Requester:</th>
<th>Budget Officer</th>
</tr>
</thead>
<tbody>
<tr>
<td>EX:</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>QUANTITY</th>
<th>UNIT</th>
<th>DESCRIPTION</th>
<th>UNIT PRICE</th>
<th>EXT. TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Sale taxes

*Use this section to charge the expense to one or more accounts*

**VICE CHANCELLOR:**

(Required for consulting services, and purchases over $2500.00)

All signatures must be originally signed except "requester" this must be typed or printed.
PETTY CASH FUNDS
Petty cash funds are subject to the same state laws as any other state or federal funds. If you are in doubt as to whether or not a purchase can be reimbursed back into your account, please call the Procurement Office (8735). While not an exhaustive listing, such purchases include printing, décor items, and plaques/awards for state employees, and items on mandatory contract cannot be reimbursed.

PLAQUES AND TROPHIES
RE: State employees: The only thing we can give to state employees who speak or participate at UAPB is their travel expense. They cannot receive plaques, gifts or other remunerations via the Office of Procurement

RE: Non state employees and board members, we can give a certificate or a very small gift (under $20) for their time.

Accompanying each purchase requisitions must be the names of person(s) receiving as well as a statement that none of these persons are state employee of this or another Arkansas state agency, or their immediate family members.

PRINTING, STATIONARY, OFFICE SUPPLIES – AMENDMENT 54
Senate Bill #457
Purpose: A redefinition of Amendment 54 as it relates to Printing, Stationary and Office supplies.

Printing: The process of transferring image(s), by the use of standard industrial type printer ink, (wet ink) upon documents such as letterhead, envelopes, pamphlets, booklets and forms.

• A single copy is not considered printing it must be multiples (2 or more)

• Bids are still required for printing, as defined above, that is done off campus starting at $.01 cent ad infinitum...when using state or federal money and when not done by another state agency.

• This definition excludes what we term “Xeroxing” as copies made on a copy machine use a “dry ink” process, not industrial ink.

• Screening on promotional items and clothing is also excluded from the definition of printing.

Those procurements where printing is incidental to the use of the item such as on T-shirts, promotional items, pens, pencils, leatherette bags do not require bids if under $5,000, and not a recurring purchase.
How to obtain printing when using state or federal monies:

- The first source for printing is UAPB Printing Services located in the Rust Technology Building (8741).
- If they are unable to accommodate you, written approval to secure printing services off campus must be obtained from the Printing Supervisor.
- Other sources would include either of the following:
  - 1st – Another state agency – no bidding is required just submission of the approved purchase requisition to Procurement Ex: Cooperative Extension, Department of Corrections, UAMS, UAF, UAM, UALR, etc.
  - 2nd – If the limit is less than or equal to $2,500 three (3) faxed or hard copy quotes and the approved purchase requisition submitted to Procurement;
  - 3rd – If in excess of $3,000 must be bid by the Office of State Procurement (exceeds our printing delegation limit) – the lead time is 6-8 weeks prior to need.

Printing which has been procured with state or federal monies should never be resold for profit with the expectation that the revenue will be deposited into a private account – ex: souvenir booklets or other brochures.

**DEPARTMENTS SHOULD NOT SOLICIT THEIR OWN QUOTES FOR PRINTING JOBS DONE OFF CAMPUS WITHOUT FIRST CHECKING WITH THE OFFICE OF PROCUREMENT (Ex: 8735 ) AS THERE ARE FORMS THAT MUST BE COMPLETED BY THE PRINTER.**

Stationary – means imprinted letterhead and envelopes only.

Office Supplies - means paper and inks used to produce stationary – exceptions to this definition are diskettes, surge suppressors, paper, stocks and items which are under a current state contract. These may be purchased through the UAPB Central Stores (Ex: 8371).

**PROCUREMENT AUTHORITY**

All purchases, rentals, leases, lease/purchases and contract services for the University of Arkansas at Pine Bluff, regardless of the source of funds, are subject to laws, regulations and procedures and should be for the official business of the University. The Procurement Department is the designated purchasing authority for the University. Purchases not authorized by this authority are not legal obligations of the University. Further, the University will neither pay nor be responsible for any purchases or deliveries that have been made without an approved purchase order.
PROCUREMENT DO’S AND DON’TS

DON’T – File invoices.

DO – Sign and send them to Account Payable as they are needed to process the check for payment

DON’T – Fiscally obligate the University for goods and services.

DO – Obtain an approved purchase order first which is backed by all authorizing Agents.

DON’T – Throw away travel receipts.

DO – Attach all original receipts (meals, lodging, ground transportation, transportation, etc.) to the TR-1, they are needed in processing your reimbursement.

DON’T – Authorize industry printing in any dollar amount (.01) outside the University, without authorization from Procurement.

DO – Contact Procurement as industry printing in any dollar amount must be quote bid if it is not done by another state agency or procured from the state contract.

DON’T – Throw away the yellow copies of the purchase orders that are sent to you.

DO – Keep them on file as a reference; for expediting and budgetary control.

DON’T – Assume that the competitive bid process will assure you of any brand of product you want.

DO – Submit good specifications (color, size, performance, brand) as all of our bids are as specified or an approved equal. Be familiar with your product, this will assist you in justifying why an alternate may not be equal. (Brands are not a statement of preference – rather a specification)

DON’T – Travel without approval.

DO – Complete the travel authorization in its entirety listing all expenses associated with the trip; (meals, lodging, common carrier, other transportation, registration) and obtain all authorizing signatures before completing the purchase requisition for any one part. This assures proper reimbursement upon return.
DON'T - Forget that “non-refundable” tickets (those with special discounts) will be charged against your budget whether you take the trip or not. They are good for one (1) year however for business use.

DON'T - Forget that charter services must be directed (as much as possible) to those vendors who are recognized bus companies (Suggested carriers are; Starlight, Greyhound, Arrow Coach, Festival Tours, American and Royal Coach). Due to the level of insurance and other liability required when transporting students, we have found that many church buses are not licensed or insured for charter services.

DON'T - Forget that plaques, awards and trophies — shall be purchased for non-state employees only (students, some visiting speakers, etc). Retirees and other state employees cannot receive these items using State or Federal Funds, without an Official Function approval, specifically addressing “plaques or awards.”

DON'T - Forget that only certain emblematic items may be purchased from the resident Bookstore. If the intent is for recruitment purposes, items such as decals, wall hangs, umbrellas, t-shirts, etc., may not be purchased.

DO - Remember that honorariums are one time, episodic payments for a short time service to a qualified non-state employee, requiring a social security number and the expense for this service will be reported to the IRS at year end. Honorariums should never be used to supplement the salary of a state employee.

DO - Remember that stipends are primarily for students and there is no year end tax reporting requirement. Stipends should never be used to supplement the salary of a state employee.
PROFORMA INVOICES

When there is a need to have merchandise paid prior to its delivery, the requester should have the company fax an invoice before the performance and the same should be attached to the purchase requisitions; all to be forwarded by Procurement to Accounts Payable to have a check prepared for the vendor with the intent of receiving the merchandise at the time the check is delivered. The rule is that the payment be made “after” receipt of the service or merchandise. This is an exceptional measure.

PUBLIC WORKS PROJECTS (w/Form)

CONSTRUCTION WHAT YOU SHOULD KNOW

It is not recommended or advisable that these projects be handled outside of the Procurement Office.

While we are exempt from Arkansas Building Services’ (ABA) (formally known as State Building Services) over site, we are still subject to the ABA Public Works Standards and Criteria for Construction, Architectural and Engineering selections. (As higher education, our over site has been transferred to the UA System Office effective September 2001.)

Public Works Projects – (Construction/Renovation/Capital Improvements) – New construction, or any improvement to lands, building or structures of public property must be in accordance with applicable laws, codes, safety and fire regulations. Examples of Public Work Projects which do not readily come to mind are: Locks, ADA Improvements, Security Systems, Blinds, Carpet/Tile installs)

Note: The term design professional is used herein synonymously for either architect and/or engineer.

Whenever there is a need to build or renovate an existing building or structure which cannot be done by the UAPB plant crew and outside labor is required, the following steps must be followed:

1) Discuss the project with the Plant Director for advice as to which classification of design professional is needed (architect or engineer) and which type of service (on-call or dedicated)/ See this section for more details on types, classifications, and requirements for use). He will also know which firms are currently servicing the campus.
Method Of Finance And Facilities Form

2) Prior to any project for outside labor for construction that is over $5,000 or that is not covered by a Job Order Contract, the requester must have in place the approved Method of Finance (MOF) form and a Completed Facilities form. The Facilities form can be e-mailed by calling Kay (8735). The last signature on that form is Mrs. Hall, the Controller who will advise you more about the MOF and the lead time necessary to get this established.

3) Once the appropriate design professional has been identified, requester will work closely with firm to finalize the plans. The design professional will finalize the Plan Book (specifications and drawings, all in booklet form to include the Division 1 and Division 0 (design professionals are familiar with these documents). See this section).

4) Once the plan book is completed the requester/design professional will submit to Procurement the following:
   - Approved purchase requisition form for the amount of the project (from requester)
   - Completed Facilities form (See this section) and the MOF (from requester)
   - Two copies (2) of the Plan Book (One copy for Procurement mark-up and one copy for the Plant Director (from design professional)

5) Once received, the Procurement Office will work closely with the design professional to schedule bids and advertise the project. This includes a mandatory pre-bid conference attended by prospective bidders, the requesting department and the Plant Director.

6) Four-five (4-5) weeks later bids are opened in the Office of Procurement. If within the budget and licenses are in order, the contractor is issued a notification of Intent to Award requesting all required submittals documents be sent to the Procurement Office, within ten (10) days thereafter.

7) If the project does not bid within the budgeted amount we may negotiate if the low bid is no more than 25% “ABOVE” the amount appropriated for the project (the requisition or whatever other funds they can identify for the project).

EX: The requisition is for $125,000 x 25% plus = $156,000 (the ceiling and the bid is $200,000. Meaning “the LOW bid” is still $44,000 more than the amount available to spend on the project so we would have to re-bid.

Act 813 of 2009 now allows design professional to use up to three (3) deductive alternates in bid specifications.

The Plant Director as ex-officio, along with the design professional monitors the project until completion and approves, along with the requesting department all pay request and change orders. Change orders must finally be sent to the UA Systems Office by Procurement for approval.
Lead time required before the purchase order can be issued for a Construction Project.

8 Weeks (Delineated)

Weeks 1-2.................................Advertisement (public notice)

Week 3.................................Pre-Bid Conference

Week 4.................................Bid is opened

Weeks 5-6.................................Successful Contractor gets all submittals to Procurement (bond, insurance, information on subs., etc.)

Week 7.................................All documents forwarded to the UA System Office for approval

Week 8.................................Notice to Proceed is issued by the Plant Director to start project

Architect/Engineer/Contractor Performance Form
(Poor Performance by a Design Professional or Contractor)
(DOCUMENTATION REQUIRED)
Whenever the performance of a design professional or contractor is sub-standard or poor and the required compliances are yet, not being met this should be documented by both the requesting department and the Plant Director using the Architect/Engineer/Contractor Performance Form. We are better able to make a case for dismissal if due diligence has been given to improve performance.
PROCESS FOR SELECTING AN ARCHITECT/ENGINEER

Prior to making a request to the UAPB Procurement Office requester must make sure that a Method of Finance (MOF) has been established (required for all projects over $5,000) and approved through the UAPB Office of Finance (Contact - Chaundra Hall- 8266).

An architect is required by law at $75,000.
An engineer is required by law at $25,000.

There are two (2) types of service selection processes:

1) Services for an design-professional architect /engineer- for “projects” $1M or less

- The selected firm may serve up to four (4) years should the University opt at the end of each fiscal year to renew their contract. All, without going through the selection process again.

- The firm can be used on multiple projects by the campus at large as long as funding has been pre-identified for the firm as well as the project.

To know which firm(s) is currently on call for the campus contact the UAPB Plant Director (7187) or the Director of Procurement (8735)

2) Services of a Dedicated architect/engineer for projects $1M and over

- A dedicated firm is project specific. This firm stays with the project throughout its various phases (design phase, construction, change orders, up to one year after the project ends if needed).

THE SELECTION PROCESS:

In either case above...

- The requesting department should submit to Procurement the following:

  - Selection committee: Name of three (3) persons to serve. For every two (2) from the requesting area, one (1) should not be supervised by the requester.

  - Advertisement purchase requisition to the Democrat Gazette for $400.00. (estimate)

  - Scope of work for the construction project. Scope must be at least ½ page typed to include: Project name, purpose of the project, est. square footage, project site location, budgets and timetable for the work, is there an intent for historic
preservation work, etc. Be succinct with just the salient point but specific. The more you write the greater the cost for advertisement.

-Interview site-The name and location of a room that will seat 10-15 where snacks can be served.

-Provide refreshments for the interview period (usually is an all day process). Box lunches for committee and morning light refreshments (coffee-fruit)

The Office of Procurement will coordinate the selection process once all of the above has been met.

This process only identifies an architect or engineer to recommend to the Chancellor and the Board. The service does not commence until Board approval has been met and the Professional Services contract (PSC) has been executed by Contract Administration (Procurement).
UNIVERSITY OF ARKANSAS AT PINE BLUFF

ARCHITECT / ENGINEER / CONTRACTOR PERFORMANCE FORM (CIRCLE ONE)

Agency 160: Complete this form to report unsatisfactory or exceptional performance. The original copy of this form is to be sent to the Office of Procurement, P. O. Box 4979, Pine Bluff, Arkansas 71601. THIS FORM MAY ALSO BE USED AS A CASE DOCUMENT TO ADDRESS IRREGULARITIES.

PURCHASE ORDER NO: DATE ISSUED CONTRACT / BID NO: DELIVERY / COMPLETE REQUIREMENT DAYS

AGENCY NAME AND ADDRESS FIRM OR CONTRACTOR NAME AND ADDRESS

QUALITY NOT IN ACCORDANCE WITH CONTRACT SPECIFICATIONS

NATURE OF REPORT: LATE DELIVERY UNAUTHORIZED SUBSTITUTION OTHER (EXPLAIN)

EXCEPTIONAL PERFORMANCE

ACTION YOU REQUEST OF SYSTEM'S OFFICE REQUEST UAPB TO TAKE NECESSARY ACTION

THIS REPORT FOR COMPLIANCE IMPROVEMENT OF FIRM OR CONTRACTOR

Detailed Explanation: AGENCY/ARCHITECT/ENGINEER/CONTRACTOR RESPONSE – SECTION

(be specific, use reverse or attach additional sheets if more space is needed)

The above statements and documents have met with our approval:

/                             / Date

Plant Director/UAPB

/                             / Date

Vice Chancellor of Finance /UAPB

Agent authorized to sign for the resident Firm or Contractor

Title

Date

Name of Firm or Contractor

Address

FIRM / CONTRACTOR RESPONSE SECTION

Upon receipt of this report respond in writing within five (5) working days to:

UNIVERSITY OF ARKANSAS AT PINE BLUFF
ATTN: KAY TURNER
P.O. BOX 4979
PINE BLUFF, ARKANSAS 71601

RESPONSE TO AGENCY CONCERN: (attach additional sheets if more space is needed)

Signature of person authorized to bind Firm or Contractor

Name

Title

Date

( )

NAME TITLE DATE PHONE

AGENCY'S FINAL DISPOSITION: (attach additional sheets if more space is needed)

Agency Head or Designee's Approval:

Name

Title

Date

UA System Approval:

Name

Title

Date

PRIOR TO RECOMMENDATION FOR SUSPENSION OR EXCLUSION FROM FUTURE BIDS

Due Process Required:

1. This Procedure requires that Firm or Contractor is notified by Agency or Architect (in the case of a Contractor) as early as possible of the problems with detailed documentation.

2. Agency must give Firm or Contractor a reasonable but specific time frame to complete project and or make remedy (cure).

3. Firm or Contractor shall keep agency fully abreast of the progress made or not made in written form.

4. Agency documentation (detailed explanation) shall include: name of project, date, scope of work, expectation of the Firm or Contractor and details of non-performance or other infractions.

FINAL DISPOSITION: The agency will make a recommendation to the System's Office requesting its approval of their final disposition.

All pertinent documentation to be attached. Recommendation must meet with System's Written approval before action by Agency or Architect.
1. Contact Person’s Name: ___________________ Signature ___________________ Phone: ___________________

2. Purpose/Description of the Project: 

   ________________________________________________________________
   ________________________________________________________________
   ________________________________________________________________

3. Name of Proposed Architect/Engineer (If applicable) _____________________________

4. Approval: Plant Director’s signature ____________________________________________/

5. Construction Cost Estimate: $________ Does it Require Bidding? Yes ☐ No ☐

6. Cost of Architect/Engineer $________ Total Estimated Cost $________

7. Budget Officer’s Signature: _____________________________________________/

<table>
<thead>
<tr>
<th>Account Number</th>
<th>Account Title</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

8. Construction Specifications (attach additional pages of instructions, diagrams, or blue prints as necessary): Check one.
   - ☐ Will need to be developed by architect or engineer
   - ☐ Are already prepared and have been given to the Procurement Agent
   - ☐ Other (explain fully) may attach additional sheet(s) of paper if necessary

   ________________________________________________________________

9. Approval to proceed with work including bidding as appropriate: Signatures below:

   Vice Chancellor for Finance Date (or) Chancellor Date

   Note: GET THE CONTROLLER’S SIGNATURE LAST AND LEAVE A COPY OF THE FORM WITH HER. THE COMPLETED ORIGINAL SHOULD BE RETURNED TO PROCUREMENT.

10. Method of Finance if Need: ☐ Yes ☐ No

    Signature required (Chaundra Love-Hall), Controller _____________________/

Rev: 9/11/09
UNIVERSITY OF ARKANSAS AT PINE BLUFF

Pine Bluff, Arkansas 71601

REQUIREMENTS OF THE SUCCESSFUL ARCHITECT OR ENGINEER

Listed below are requirements which may be necessary in the execution of any projects.

In addition to those requirements set forth by the Arkansas State Board of Architects and the Arkansas Board of Engineers and Land Surveyors and any other governing board for Ark. Licensed architects/engineers, the selected firm shall also provide the following service to the Owner (the Board of Trustees of the University of Arkansas acting for the University of Arkansas at Pine Bluff).

1. Make sure that any and all design/specification work is based around “what remains” after any asbestos or other building toxins have been abated if toxins exists. Any exceptions for preparing the design/specification requirements before the abatement work is completed would need to be pre-approved by the Plant Director. The University must be mindful of its exposure in these type situations.

2. The University has an on-call contract with an Environmental Assessor to determine if a building or other structure has toxins.
   - If toxins are found, the University currently has two (2) on-call Contractors to provide abatement services. The Plant Director can provide more instructions in this regard

3. Development of plans, drawings and specifications according to AIA requirements for all projects.

4. Permits/Licenses – Coordinate the process with both the Owner and Contractor to obtain all licenses, permits and other permissions such as (highway department permits, building permits, utility permits etc.) which may be necessary for public works projects at hand.

5. Other Consulting Services – Other minimal consulting services which may be applicable to a project such as Engineering if an Architect or vice versa which have been requested by the Plant Director, shall be obtained by the A/E and billed as a reimbursable expense under the A/E’s contract with UAPB. Such services shall be: Geo Technical (where there is a requirement to disturb the infrastructure, demolition or other), Civil, Survey or Agriculture.

6. COST ESTIMATING HISTORY- A critical responsibility of the architect/engineer is to give good cost estimates (within 10%) and design specifications to come within the budgeted amount. It is more costly to the University and causes time delays which escalates cost to have to re-bid projects due to poor estimates. We are conscious of market price volatility and do not hold these against the design professional.
7. Inclusion of Division Zero and Division One in the specification book (diskette may be provided by calling 870-575-8735).

8. Once developed two (2) sets must be in a bound format and the same must be sent to Kay Turner, P.O. Box 4979 – Office of Procurement – Univ. of Arkansas at Pine Bluff – Pine Bluff, Arkansas 71601 for pre-view and to set bid dates.

9. Once the book and specifications are finalized they must be placed by the A/E in the following plan rooms for contractors:

<table>
<thead>
<tr>
<th>F.W. Dodge Co.</th>
<th>Const. Market Data</th>
<th>Southern Reprographics</th>
</tr>
</thead>
<tbody>
<tr>
<td>1701 Centerview Drive</td>
<td>501 N. Pierce St.</td>
<td>901 W. 7th</td>
</tr>
<tr>
<td>Suite #110</td>
<td>Suite #102</td>
<td>Little Rock, AR 72201</td>
</tr>
<tr>
<td>Little Rock, AR</td>
<td>Little Rock, AR 72201</td>
<td></td>
</tr>
</tbody>
</table>

10. Be present at the Pre-Bid conference to answer questions about the drawings and show/explain the site/scope to prospective bidders.

11. Be present at the bid opening to review all bids for compliance with specifications.

12. Be in attendance at the Pre-Construction Conference(s).

13. Once notified by UAPB, the Architect/Engineer may be required to issues the Notice to Proceed to the Contractor.

14. Review all pay requests which have been prepared on the standard AIA agreement with retainage.

15. Evaluate and approve any change orders.

16. Be present at the final review (punch list meeting) walk through for the construction project.

17. The Design Professional shall get from the Contractor prior to submitting to the Owner (Plant Director or Designee) the following:

1. Contractor’s one-year acceptance warranty
2. Bonds
3. Roof Warranties
4. Any HVAC Control Warranties
5. Termite Inspection
6. Maintenance and Operation Manuals and Operation Training
7. Air Balance Data
8. Shop Drawings
9. Catalog Data
10. As-built “record” Reproducible Prints
11. Supply a full set of auto cad drawing in an electronic file without security or additional cost.

12. Contaminant abatement (asbestos, lead or other) post test results

18. Coordinate and evaluate with the Plant Director or persons otherwise designated by the Chancellor the one (1) year warranty walk through. (This takes place twelve (12) months after the construction is completed.)

The University reserves the right to expand this scope should there be other duties/or responsibilities which may be related to the project at hand.
RE: POLICY ON PURCHASES MADE WITHOUT PURCHASE ORDERS

Just a reminder that Arkansas statues stipulate that all purchases of goods (supplies/equipment), services, rental or leases to which the University is a party are subject to rules and regulations. These purchases require prior approval with the assignment of a “purchase order” by the Procurement department.

Without a duly authorized purchase order, the University takes no liability or legal obligation for merchandise or services arbitrarily received by any other means. *Any individual making a purchase without proper authorization may be required to assume personal liability.*

The University is not yet poised to handle the following types of orders:
- Electronic purchase orders
- Internet orders
- Verbal telephone orders
- Unauthorized merchandise shipped on approval (demonstration, test or review)

Additionally, before a purchase order can be changed in any way; *price, quantity or actual exchange of items, prior notification must be received from the Office of Procurement (870-575-8735)*

THE PURCHASE ORDER IS THE PRIMARY MEANS BY WHICH THE UNIVERSITY IS Fiscally OBLIGATED.

"Purchase Order" distributions — Once the purchase requisition is approved and enters Procurement, the purchase order is established and distributed accordingly.

1. The original and six (6) copies are prepared by Procurement.
2. The original purchase order (white) is mailed to the vendor by Procurement.
3. The second copy (yellow) is sent to the requester as a file copy.
4. The third and fifth copies (blue and gold) respectively, are sent to Accounts Payable.
5. The fourth copy (green) is filed in numerical order in Procurement.
6. The sixth copy (pink) is sent to Property Control if capitalized or non-capitalized equipment.
QUOTATION BID DELEGATION

WHAT TO KNOW ABOUT BIDDING (BIDS BETWEEN $5,000 - $25,000)

At all times, solicitation of quotation bids is the responsibility of the Procurement Office. However, this responsibility may be delegated to a department (with prior approval) provided the following is met with compliance and understood.

a) You must make sure that a responsible, ethical and knowledgeable person is soliciting the bids as it is important at all times that a “level playing field” is created for all bidders, more specifically,...

b) Make sure that all vendors are given the same information.

c) Prefer all equipment and supplies be NEW, not used.

d) Make sure that all vendors are given complete performance/design specifications such as the size, brand, or equal, color if relevant and not just the item’s generic name like; TV, or VCR, etc. They will need as much information as can be provided on the specification.

NOTE: Brand names are given as a specification, not a statement of preference.

e) All bidders must be told to include freight, installation if applicable, etc., and all costs for which the University will be billed, except tax.

f) Must indicate on the “request for bid sheet” the cut off time and date for receiving quotes. This is established by a reasonable person allowing a reasonable time.

g) Only bidders who carry the products requested should be contacted for a quotation.

h) Bid specifications and responses must be in writing. You must prepare a request for Quotation specification sheet and include the following: (we have one on file)

- Detailed description of all items (quantity, brand, stock#, description etc.)
- Lines for the bidder to indicate his companies particulars (name, address, company name, phone, fax and e-mail address)
- The address or fax number in which the responses is to be returned
- Cut off date/time for receipt of responses

i) Once the written quote responses have been received all three (3) will be attached to the purchase requisition; obtain the signatures of approval for the
requisition and forward to the Procurement Office for review and award to the lowest bidder who is responding according to specifications.

j) A bidder may bid an “approved equal” or alternate product provided it meets or exceeds the specification as stated in the request for bid.

k) You must never discuss quotes among bidders in an attempt to get a bidder to lower his offer; this is not allowed, in this procedure.

l) At any point the Office of Procurement can assist with this process.

m) Quote bidding is not advisable or approved for (Public Works) construction projects.

REBATES
Wherever rebates are applicable to any purchase the rebate should be credited back to the account originally expensed to be used for University business. It is never to be taken as a personal use rebate.

REIMBURSEMENT CLAIMS
This form must accompany each purchase requisition along with receipts where there is an intent to be reimbursed for expenditures. It is recommended that a call be made to the Director of Procurement and/or a list of the items sent which are to be purchased in advance so they may be reviewed for compliance to existing state laws as some items are not reimbursable. **For example:** Printing, items on state or agency contracts and those items which should have been bid prior to the expense. For Reimbursement Claim forms, contact Accounts Payable (ext: 8281)

RESTOCKING FEE
Whenever there is a need to return merchandise, especially if the need for such arises as a result of some fault of the University or requester, there is an associated restocking fee which normally starts at 15%. Such needs may be due to incorrect ordering, duplicate ordering, both faxing and mailing of the same order, etc. The restocking fee is automatically charged against the initially expensed account if it is determined to be the agencies fault.

SELLING OF STATE PROPERTY
It is a prohibition of state law to take or sell state merchandise (supplies or equipment) regardless of the dollar amount. When state property (equipment or supplies) has fulfilled its useful life or intended purposes there are guidelines for proper disposal. Check with Property Control for further details (8371). **Some examples of items that are commonly overlooked that are affected by this directive are:** T-shirts, audio visuals (tapes, camera equipment, VCR'S, DVD'S; promotional items, printed material, student programs or brochures) – not an exhaustive listing and are not intended for resale if purchased with state or federal funds.
SERVICE CONTRACTS
These are those services with an individual or company which are external to the University. They usually are agreements calling for a level of effort rather than the delivery of an end product or commodity. These contracts should never be used as salary supplement to a state employee or his immediate family member.

Types of Service Contracts:

Performance Based Contracts — The law now requires that service contracts requiring the Request for Proposal (RFP) method of acquisition include performance measures — meaning that the RFP must state how the contract will be evaluated (deliverables). What specifically will be done at pre-set milestones/interervals to let us know that this is not only an effective contract to meet our objectives but economically advantageous to the agency.

Consultant Service Contracts - is a contract between a state agency and an individual or organization in which the service to be rendered to the state agency under the contract is primarily the giving of advice by the contractor on a particular problem or problems facing the agency occasionally with resolution. This is an independent contractor relationship with respect to the state agency. The state agency shall not exercise managerial control over the day-to-day activities of the contractor, but the contract shall specify the results expected from the services to be rendered by the contractor and the advice or assistance to be provided. Ex: Efficiency Assessment, Space Utilization Study, etc.)

SERVICES: TYPES AND DEFINITIONS

Professional Services — They are unique and usually require licenses, certification (ex: lawyers, doctors, architects/engineers). They are tailored to the campus’s need.

- The services to be rendered consist of the personal services of an individual/firm that are professional in nature
- The agency does not have direct managerial control over the day-to-day activities of the individual/firm providing the services
- The contract specifies the results expected from the rendering of the services rather than detailing the manner in which the services shall be performed.
- Selected by a review of qualifications.

Methods of Procurement (may vary depending on the nature of the service). Most often used is the Selection Method (review of criteria, resume and personal interviews).

Technical Services — Those services, where there are clearly competitors, a license may or may not be required in the performance of the service. Ex: Development of a Video, Marketing Survey Services, Internships, Broadcasting services, Bookstore Management, Food Service Operations, Plant Maintenance, Economic Impact). The Request for Proposal method of bidding is required here.
OTHER CONTRACTUAL AGREEMENTS (3 STEP PROCESS)

Step #1-Review by General Counsel - From time to time we will get requests to have a document that the vendor (payee) wants the University to review for agreement that will accompany the purchase order. These have to be reviewed by General Counsel for language appropriateness to State law.

Step #2 – Signatures - Once the revisions are made and both sides agreed, the requester will secure the signature of the vendor and return to Procurement to get the signature of the Chancellor or Vice Chancellor of Finance.

Step #3- Purchase Order Issued - If there is intent to pay with state or federal funds the requester must include the signed agreement with the approved purchase requisition and send through the channels for purchase order issue.

THIS LATTER STEP (#3) ONLY AUTHORIZES THE VENDOR (PAYEE) TO PERFORM THE SERVICES REQUESTED.

Sole Source Services – (Ex: Artist, lecturers, groups or individual. Ex: The President of the USA, Singing groups, Maya Angelou, etc.

Sole source professional and consultant service contracts, except for those exempt by law and those that are documented by sole source justification, may only be awarded after legal public notice of intent has been published in a newspaper of statewide circulation. The notice must clearly state the nature of the contract, the contracting agency, and the deadline by which interested providers must respond.

➤ The Request for Proposal process takes approximately 8-10 weeks lead time to completion: plan early.

SIGNATURE AUTHORIZATION (w/form) – Prior to the acceptance of any purchase requests, the assigned Budget Officer for the account must have on file “annually”, In Procurement a current signature authorization form. Purchase orders will be established based on fund approval and the signature of the Budget Officer or his/her designee if any. Access to this form is also electronic, via the campus web.

SOLE SOURCE JUSTIFICATION (w/form)

➤ SOLE SOURCE PROCUREMENT JUSTIFICATIONS (August 15, 2007)
From the Office of State Procurement Manual 2007; Sec: 19-11-232(R1)

In additional to the following reasons which may be used to justify “sole source purchases” the option in bold has been recently added:

• Compatibility with existing commodities or services
• Repairs involving hidden damages
• Patent, Copy Write or Proprietary rights (with documentation of the same)

• Program Considerations - which make the use of a “Sole Source” critical to the successful completion of the agency’s task.

Again, Sole Source justifications should:

• Be in writing which has met with the signature approval of the Vice Chancellor for Finance or her designee
• Be attached to the approved purchase requisition
• In some cases, “public notice” (advertisement) may be required to document a true sole source.

1. You may use the “Sole Source” form on the web or a letter of explanation
2. A letter is required for the “Program Considerations” option which must include...
   a) Why the service is needed?
   b) Methods used to determine the lack of responsible competition.
   c) Why this provider possesses exclusive capability?
   d) Why the service is unique?
   e) Is there a patent or other proprietary right to this source?
   f) What would happen if the provider/service were no longer available?
   g) The program consideration that makes the use of a sole source critical to the successful completion of the agency’s task.
SPECIFICATION PREPARATION BY VENDORS (Prohibited)

Preparation of specifications by outside vendors especially if there is an intent that they themselves will bid the specification is not advisable.

More specifically, when a prospective bidder works closely with a department by preparing in-depth specifications (especially where the cost of the project will exceed $5,000) this has the potential for the following disadvantages/infractions:

- It provides an unfair advantage for all other prospective bidders
- It may cause the company who prepared the specifications to be disqualified from bidding the final project
- The vendor has invested a lot of time and energy in efforts that may not be productive for him (he may not be the successor in the bid process)
- It gives a gross appearance of impropriety and the University is without obligation for the “specifications” should they be incorporated into the bid package without prior knowledge to the UAPB Procurement Agent
- The department may choose to not include the vendor on the final bidder’s list (again all unknown to the Procurement Agent)
- Prospective bidders (nor any of their employees) should never be asked to serve on boards or committees which may result in a bid process in which his company is likely to participate – this is a conflict of interest
- We cannot pay for specifications
- The specifications may be proprietary and exclusive (without competitor)

The above applies to goods (commodities) as well as services, bids as well as requests for proposals.

You are strongly advised to check with the Procurement Office prior to soliciting bids.

SPENDING LIMITS

$.01 - $5,000/per commodity class “small order” (bids are generally not required. However, this does not preclude that on occasion, orders in the same commodity class may not be combined if the combined commodity class exceeds the small order limit requirement).

$5,001 - $25,000 “fax quotation limit” (3 hard copy quotes; use minority vendors if available; applicable costing elements must be level for all bidders (product, freight, installation etc.) – all documentation must be forwarded to the Procurement Office for purchase order issue. (See “Quotation Bid Delegation” for more details)
$25,001 ad infinitum — “formal bid limit” (handled exclusively via the Office of Procurement)

Again the exceptions to these limits are public works (construction); printing and items on state contract. (Agencies are encouraged to use competition to the maximum extent practicable).

NOTE: Public works/Construction — outside labor limits are the same as the above.

At $20,000 — Plans, specifications and drawings by a licensed A&E authorized to do business in the State of Arkansas prior to bid release are generally required.

SPLIT PURCHASING

Nothing in the above encourages split purchasing as it is illegal (artificially dividing small orders on a recurring basis (those in the same commodity class) to keep from bidding). EX: If the initial intent to purchase Shop and Industrial supplies is $6,000, a purchase request today for $5,000 and another for $1,000 within a few days thereafter, where it is clearly evident that the requester would have known the total intent to buy and there are clearly no budgetary constraints precluding the latter purchase, this is split purchasing or splitting a bid. The account name/number or vendor is inconsequential, the “commodity class” governs. Whenever the initial intent to buy exceeds $5,000 for a commodity class — bids are required. This applies to goods and services.

➢ STATUTORY LAW: 19-11-234 – SPLIT PURCHASING — Repeated small quantity procurements to circumvent the competitive bid limits or failure to obtain competitive bids without justification shall constitute a violation of these procedures and shall result in withdrawal of the state agency’s competitive bid privileges. Ref: Arkansas State Procurement Laws and Regulations.

STIPENDS

Stipends are paid to eligible students for program participation only. If there is a requirement to keep time sheets for work performed, or they can be penalized for not coming to work this is “not a stipend,” rather considered employment, and should not be processed via purchase requisition.

STOCK NUMBERS – CHECK THOSE STOCK NUMBERS WELL

In preparing a purchase request on line, it is critical that the stock/model number be correct as many companies fill orders based on the stock or model # rather than the item name. Company policy, in most cases where the error was with UAPB, is that UAPB pays the
return freight. Suppose you received an elephant, but your stock # referenced a cat – WOW!

STATE CONTRACTS

The items listed below are state or agency contracted items, which means that these commodities must be purchased from the vendor(s) so named on the respective contracts, if listed as mandatory on the State’s web site. Reimbursement may not be possible if procured from some other source when a contract exists.

Listed below are the items that are currently covered under and/or procured from State Contracts:

A/C Heat Pumps
Computers (Apple, Dell, Gateway, HP’s)
Copier Rental
Diploma Inserts & Covers
Envelopes (Letter Head)
Envelopes (Plain)
Envelopes (Printed)
Forms (Custom Continuous,)
Forms (Custom Snap-Out)
Fuel Card (Voyager)
Gasoline
Index Tab Dividers, (Custom)
IT Contract Services
Lamp & Lamp Ballast
Lawn Care Equipment

Library Binding
Natural Gas (Energy Management)
Office Furniture
Office Supplies
Paper (Continuous)
Paper(Xerox/print shop)
Pocket Folders
Radar
Toilet Tissue
Telephone Equipment/repair
Tires
Vehicles

AGENCY CONTRACTS

These are in-house contracts that have been established for agency use. Currently, we have the following items on Agency Contracts:

Bookstore Services
Carpentry Supplies
Coin/Card Laundry
Fire Alarms
Fish Feed (bagged and bulk)
Food Service
Hazardous Waste Remediation
HVAC
Janitorial Supplies

Non-Perishable Foodstuffs
Paint Supplies & Materials
Pest Control Contract
Sign language Contract
Specialized print Shop Papers & Supplies
Temp Employment Services
Uniform Services
NOTE: Before any purchase order is issued this form must be completed with all the requested signatures on file in the Procurement Office. Should you opt to have a designee it does not relieve you (Budget Officer) of fiscal responsibility for this/these account(s). Should the Budget Officer change, a new sheet is required prior to receipt of Purchase Requisitions.

<table>
<thead>
<tr>
<th>Account Number:</th>
<th>Account Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant Title:</td>
<td></td>
</tr>
<tr>
<td>If grant/sponsored program, please fill in the following blanks:</td>
<td></td>
</tr>
<tr>
<td>CPDA #</td>
<td>Grant ID #</td>
</tr>
</tbody>
</table>

Primary Function (check as appropriate)

- [ ] Instruction  [ ] Research  [ ] Public Service  [ ] Other (explain)

Budget Officer

<table>
<thead>
<tr>
<th>Print Name (below)</th>
<th>Title</th>
<th>Signature</th>
<th>Initials</th>
</tr>
</thead>
</table>

Desigenees:
Must be completed by each designee, not the Budget Officer. The designee can sign in the Budget Officer's stead.

<table>
<thead>
<tr>
<th>Print Name (below)</th>
<th>Title</th>
<th>Signature</th>
<th>Initials</th>
</tr>
</thead>
</table>

List each account name and corresponding number above for which you will serve as Budget Officer. (You may copy this form as needed or attach an addition sheet for this information)

REQUIRED AUTHORIZATION APPROVAL (both signature blanks must be completed)

Budget Officer's Immediate Supervisor

(Signature)

Budget Officer's Dean, Vice Chancellor, or Chancellor

(Signature)
STATE PURCHASING REGULATIONS REQUIRE THAT SOLE SOURCE PROCUREMENTS BE JUSTIFIED IN ONE OF THREE WAYS. PLEASE CHECK AND COMPLETE THE SECTION THAT APPLIES TO YOUR PURCHASE AND ATTACH THIS FORM TO YOUR PURCHASE REQUISITION. BE SURE THAT YOUR REQUISITION HAS A COMPLETE DESCRIPTION OF THE ITEM OR ITEMS, INCLUDING BRAND AND MODEL NUMBER.

I. THIS IS A PURCHASE OF REPAIRS INVOLVING HIDDEN DAMAGES; MEANING VENDOR MUST DISASSEMBLE ITEM BEFORE COST OF REPAIRS CAN BE DETERMINED.

II. THIS IS A PURCHASE REQUIRING PERFORMANCE COMPATIBILITY WITH EXISTING COMMODITIES AND/OR SERVICES.

EXPLAIN THE COMPATIBILITY REQUIREMENTS:

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

III. THIS IS A SOLE SOURCE BASED ON PERFORMANCE SPECIFICATIONS. (BRAND NAME OR DESIGN SPECIFICATION REQUIREMENTS ARE NOT ACCEPTABLE)

WHAT IS THE UNIQUE PERFORMANCE REQUIREMENT?

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

WHY IS THIS FEATURE NECESSARY?

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

WHAT OTHER SOURCES WERE CHECKED?

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

IV. IS THE PRODUCT PATENTED? IF SO LIST PATENT NUMBER.

IN WHAT WAY DID THE OTHER SOURCES NOT MEET THE PERFORMANCE REQUIREMENT?

__________________________________________________________________________

__________________________________________________________________________

__________________________________________________________________________

IS THE PRODUCT REQUESTED AVAILABLE FROM MORE THAN ONE DEALER OR DISTRIBUTOR?

[ ] YES  [ ] NO

DESCRIPTION MAKE & MODEL: ________________________________

REQUESTER’S SIGNATURE ___________________________ DATE ___________________________ EXT ____________

APPROVAL: AGENCY HEAD/DESIGNEE* ___________________________ SIGNATURE ___________________________ DATE ___________________________

*VICE CHANCELLOR FOR FINANCE

With II, III or IV above must attach a letter from the company or manufacturer to support this Sole Source. Public Notice (Advertisement) may be required.
STUDENT FUND REQUISITIONS:
CHANGE IN SPENDING REQUIREMENTS

Excerpts from General Counsel’s e-mail (Fred Harrison) dated 2/23/10 advising and endorsing the change in the way student funds (910 accounts) are expensed:

“Student fees are cash funds like tuition and are public funds as are general revenues. Cash funds and general revenues are appropriated but only general revenues go through the State Treasury and the Revenue Stabilization Act. Procurement law applies to public funds as defined (exempts grants, donations, etc.). They are public funds to be spent according to law and regs. If there’s no statutory or regulatory exemption then someone needs to be able to justify spending public funds as being for a legitimate public purpose.”

Attached is more information on “Student Fund Requisitions:

a) Routing flow for requisitions
b) Memorandum delineating expense classifications.
ROUTING FLOW FOR ALL “910” REquisitions

Revised 1/27/10

Budget Officer for all 910 accounts (Elbert Bennett, Adm. Coordinator for Student Affairs) receives prepared requisitions from those using 910 accounts and forwards to...

Procurement (for review as an allowable or non-allowable expense) Procurement forwards back to Mr. Bennett with the appropriate comment checked and initialed (allowable or non-allowable, need more information from requester, etc.).

Mr. Bennett gives signature approval or disapproval to the requisition (if disapproved he returns to the requester). If approved he forwards the requisition to Budget.

Budget (if funds are approved) will put in Procurement’s box for further processing.
STUDENT FUND REQUISITIONS: NEW PROTOCOL FOR EXPENSES

UNIVERSITY OF ARKANSAS AT PINE BLUFF
PINE BLUFF, ARKANSAS  71601

Office of Procurement
870-575-8735

MEMORANDUM

TO:    Elbert Bennett, Vice Chancellor Student Affairs
       Dovie Burl, Dir. Student Activities
       Donna Mooney, Advisor
       Leon Crumblin, Dean of Students

FROM: Kay Turner, Dir. Of Procurement

DATE: JANUARY 22, 2010

RE:    MAJOR CHANGE IN PROCESSING OF “910” PURCHASE REQUISITIONS

In the past, accounts that were prefaced with “910” were not subject to state laws and regulations. Effective immediately, there will be a major change in the Procurement procedure for these accounts. Expenditures against these funds must be subject to all Arkansas state laws and regulations and “all” 910 requisitions must have the signature of Chancellor Davis or his designee before being sent to Procurement.

Based on past spending practices I have reviewed the history on purchase requisitions and have developed these listings to familiarize you with the following:

A) Accounts Affected to date
B) Allowable expenses
C) Requisitions Requiring “Override” approval by Chancellor Davis or his designee
D) Non allowable expenditures
E) Lead time schedules

A) ACCOUNTS AFFECTED:

<table>
<thead>
<tr>
<th>Account Name</th>
<th>Account Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arkansawyer</td>
<td>910-00-09100006 – Donna Mooney</td>
</tr>
<tr>
<td>Classes/Union Leaders</td>
<td>910-00-09100015</td>
</tr>
<tr>
<td>Lion Yearbook</td>
<td>910-00-09100008</td>
</tr>
<tr>
<td>Ms UAPB</td>
<td>910-00-09100010</td>
</tr>
<tr>
<td>Ms UAPB Coronation</td>
<td>910-00-09100017</td>
</tr>
<tr>
<td>SGA</td>
<td>910-00-09100001</td>
</tr>
<tr>
<td>Student Activities</td>
<td>910-00-09100009</td>
</tr>
<tr>
<td>Student Clubs/Organizations</td>
<td>910-00-09100016</td>
</tr>
<tr>
<td>The Roar</td>
<td>910-00-09100014 – Leon Crumblin</td>
</tr>
</tbody>
</table>

B) ALLOWABLE EXPENSES:

1) Food request to Thompson’s Hospitality—(However, these require an Official Function Letter that has been pre-approved by Chancellor Davis that is compliant with Board Policy 260.1
   ➤ Recommend that you list all of your annual official functions and get them approved under one letter. Each time a request comes through for one of the function listed thereon attach a copy of the letter and highlight the function name.

2) Plaques to student or speakers (non-state employees only) for events if the event has been declared an official function minimal ($20 or less) cost (recommend you add this to your letter above.)

3) Travel where students are participants in “academic events” or official travel

4) Clothing like sweaters and tee shirts for officers or advisors in an official capacity

5) Printing (wet ink processing) Xerxing – (dry ink processing) –official business only. If not done on campus must be prior bid by the Office of Procurement

6) Promotional items designed with the intent to recruit
7) Memberships in academically related associations
8) Badges for officers and staff
9) Stipends for student participation Ex: with the Year book; Golden Ambassadors, Arkansawyer.
10) Movies and games for students (reasonable costs)
11) Rental of plants for official meetings
12) Ad and radio, television spots that market the University
13) Furniture and office supplies
14) Performers, speakers for official business
15) Vehicle rentals, official business
16) Sports and recreational items for intramural sports (minimal reasonable costs)

17) Reimbursement to student for theft or damages where it is apparent that the fault lies with an agent of UAPB
   Ex: Pest spray damaged a students clothes or books, damage to a student's car due from lawn work or painting or other. Written, documentation required to include date, summary of the incident, police report if applicable, eye-witness statement or other, to include estimated cost of damages. Signatures required: Student, Supervisor, appropriate Vice Chancellor. Receipts are preferable, however the final determinate of the amount to be reimbursed will be at the discretion of the Chancellor or his designee and may be with the advice of General Counsel.

C) REQUISITIONS REQUIRING "OVERRIDE" APPROVAL BY CHANCELLOR DAVIS or his Designee

The Chancellor's signature says to Procurement "that these should be processed without being subject to state laws and regs," but must be accompanied with a justification for legitimate use of public funds.

Mr. or Miss UAPB and their court when representing the University in an official capacity.) Such would be:

1) Homecoming clothing, hair, other required preparations within moderation
2) Float decorations
3) Game tickets for Mr./Miss UAPB and Court
4) Limousine services
5) All expenses of the Coronation Ball

D) NON ALLOWABLE STATE EXPENSES

1) All payments to persons who are state employees or an immediate family member of a state employee for commodities or services are prohibited.
2) All other requisitions where the payee is an individual but not a state employee or family member must be accompanied with …
   ➢ The Completed Conflict of Interest form
   ➢ Tax Id or W9 form
   ➢ Ethnicity classification checked on the requisition

**OTHER NON ALLOWABLES**

3) Holiday or celebratory decorations of any kind to include cards
4) Expenses for expressions of sympathy or get well messages (flowers, memorial, etc)
5) Cash, donations to Greek shows and/or other organizations for student activity winners or for other reasons
6) Seed money to classes or other projects
7) Game reception food off campus not covered by an Official Function letter
8) Disk Jockeys; Host for shows
9) Choreographers, Entertainers, Performers for non-academic purposes
10) Stage builders for strut shows, etc.
11) Sponsorships and donations
12) Non-recruiting ads, radio or television spots such as congratulatory, banquets, etc.
13) All printing or duplicating (non-official business)
14) Game or other event tickets
15) Parking Passes
16) Souvenirs books or other books or publication for resale
17) Food not provided by Thompson's Hospitality on a pre-approved official function letter to include snack baskets
18) Gift cards, balloons door prizes and other paraphernalia from the campus bookstore or other locations
19) Bottle water services (rental or purchase)
20) Reimbursements to other state employees for making purchases against a 910 account that are not allowable
21) Security Services that exceed $5,000 on a recurring basis (Split bidding)*
22) Payments to students for assisting or working at events that are not official functions
23) Buses or other vehicles expenses to transport students as fans or for non-academic purposes. The state will pay for the band, teams, choir but not for student to be fans or participants at funerals or non academically related events.
24) Rooms for sick students at the Days Inn $$$600 P.O #144677- Crumblin
(46)
25) Reimbursement to student for theft or property or damage to property where an agent of UAPB does not appear to be liable.

E) LEAD TIME SCHEDULES TO PURCHASE ORDER ISSUE

Lead time means the number of days (best estimate) required before a purchase order can be issued to a vendor.

- **Printing**— not done in house but required to be run on a press—bid time 6–8 weeks to purchase order issue. Must be a publication that is academically related
- **Lion Yearbook**— If it cannot be done by our Printing Service and must be produced off campus then any aspect (art work, production, reproduction etc.) Must be bid by the Office of State Procurement and they require the following:
  a) Detailed printing specifications (hard copy and electronic files)
  b) The type of production materials that the vendor will be given
  c) Samples of past yearbook types/styles you like
  d) Their required lead time to purchase order issue is 2–4 months after they get all of the above. They recommend you start in January for a September distribution

- **Coronation Sound Production**— This usually goes over $5,000—Bids will be required.—Lead time to purchase order issue is 2–3 weeks prior to need
- **We are generally able to issue purchase orders on all other requisitions within a day or two if no bids are required**

Performers/ Speakers/ Seminars/ Vehicle rentals

a) **Performers and Speakers**: Sole source justification form completed and approved – They must have uniqueness unto themselves. (The Sole Source form is on the web under Procurement)

b) If they require we sign a contract this must have been prior approved by our General Counsel (allow 1–2 weeks for his review)

c) **Seminars/Conferences**— If the service can be done by other competitors and there is nothing unique these require bidding if over $5,000(2–4 weeks after I get your specifications)

d) **Vehicle Rentals**— All vehicle rentals must be pre-approved by Mr. Campbell, UAPB Motorpool Supervisor when renting cars or vans. No rental can exceed 30 days without prior approval from the Legislative Counsel.
WHAT IS SPLIT BIDDING? Split bidding is artificially dividing a purchase to keep from bidding when you know that the initial and total intent to purchase exceeds $5,000 or more. This is illegal according to State Procurement law.

The requirements in this document are subject to change as state policy changes and any listings, herein are in no way exhaustive. Specifically, each requisition must be reviewed prior to purchase order issue to determine the best method of Procurement.

I invite you to access our Procurement Manual online or come over to discuss this further.

Again, the main rule to remember is “BEFORE YOU OBLIGATE THE UNIVERSITY FISCALLY MAKE SURE YOU HAVE AN APPROVED PURCHASE ORDER” in hand. The requisition is not the purchase order.
TAX: Sales and Use

The University of Arkansas at Pine Bluff is not tax exempt, we pay both sales and use taxes. **Sales Taxes** — are those taxes which are levied against purchases made from vendors/contractors whose primary place of business is in the State of Arkansas.

Effective July 1, 2009 the sales tax rate for all tangible property and taxable services is as follows: 6%-state: 1.25% Jefferson County and 1.00% Pine Bluff=8.25% total.

Please add the same to all purchases as we are taxable !!!

**NOTE:** The amount of tax paid (the rate) is governed by the place the merchandise is coming too or the service is performed. Out-of-state merchandise should be taxed at our rate.

New areas of taxation (as of July 1, 2004) that came with this increase are as follows:
- Mini Storage Usage
- Pest Control Services
- Alarm Monitoring Services
- Boat Storage and Docking Fee
- Locksmith Services
- Dry Cleaning/Laundry
- New Installation and Replacements (all flooring types)

**Use Taxes** — are those taxes which are levied against out-of-state vendors/contractors doing business in the State of Arkansas. The rate charged is the same as that for Arkansas state sales tax, up to $2,500.

**Federal Tax ID# - The University's Federal Tax ID# is 71601-0030**

Other taxing information affecting UAPB:
- Currently, there is an exemption for dedicated off-road farm machinery and self propelled vehicles(Ref Tax Code GR-34)
- Effectively July 1, 2001 there is an additional 5% vehicle rental tax for a total of 10%.

**TELEPHONE SERVICE/AGREEMENT**

**Cellular Phone Allowance Only**

The University is out of the cell phone business so far as obtaining, maintaining and disposal of phone instruments. However, we do give monthly allowances to any UAPB employee who has a cellular phone and it has been determined by his/her supervisor that they make or receive many business calls on behalf of the University.
The allowance amount is set by the supervisor and employee w/state and federal deductions and reportable at year end as income. The allowance is included in the bi-monthly payroll check.

Attached are the required forms that an employee must complete prior to Procurement issuing an authorization for an allowance to Payroll.

If a UAPB employee currently has a cellular phone that was received when we were under the program he/she must surrender the phone and all accessories at termination or will be assessed a $150.00 penalty fee. At separation from the University the employee or his supervisor should notify Procurement to stop the current allowance plan.
UNIVERSITY OF ARKANSAS AT PINE BLUFF
PINE BLUFF, ARKANSAS 71601

Date 2010

THIS FORM IS FOR "910" ACCOUNTS

Dr. L. A. Davis, Jr.
Chancellor
University of Arkansas at Pine Bluff
Pine Bluff, Arkansas 71601

RE: Request for Official Function Approval

The ______________________ will be hosting the following event(s). ______________________

Certainly, all activities associated with the function of the following events would be considered essential to the vitality of the program and therefore, make it an "Official Function of the University."

However, requisitions for each event would be reviewed case by case and some may be subject to an additional written determination for those expenditures which are not covered by statutory or regulatory exemptions as being such that the Chancellor or his designee must be able to justify spending public funds as being for a legitimate public purpose. (required documentation before purchase order issue)

(Recommended by General Counsel’s e-mail 2/23/10)

However, we understand that we are not exempt from ensuring that proposed expenditures are properly budgeted and accounted for. Rather it is meant to authorize the use of state controlled funds, when properly budgeted, for expenditures inherent with hosting guest of this University at official function. Your approval of this letter will also be sent to the UAPB Office of Procurement to assure that Board Policy 260.1 regarding “Official Functions” is adhered to for this and all other expenses relative to these events.

Request made by: __________________________

Thank you for your approval.

Approval: __________________________/ ________________ Dr. L. A. Davis, Jr. Chancellor or Mr. Elbert Bennett, Student Affairs

This completed form for the events listed there on is "transferrable" year after year unless the approver decides to cancel in part or the whole.
ACKNOWLEDGEMENT OF UAPB CELL PHONE POLICY

I acknowledge receipt of UAPB’s cell phone policy effective 10-1-07, and certify that the requested allowance listed below is needed to cover work-related expenditures due to cell phone use.

I understand that I will provide my supervisor my personal cell phone number for business use. I further understand that if I do not continue my personal cellular phone plan, I will notify both my supervisor and the Office of Procurement so that the cell phone allowance can be discontinued. I also understand that upon termination of employment with the University, any cell phone provided by the University must be turned in to the Office of Procurement with all accessories prior to receiving my last check.

Your Cell Phone # ______________________

Department Name_________________________
Account Number __________________________
Amount of Allowance Requested $_________ X 12 mos = $_________ annually
Budget Officers Approval of Annual Amount _________________

Employees' Name:
(Printed) ________________________________
Signature: _______________________________
Date: _________________________________

Budget Officer’s name if different from Supervisor’s name
(Printed) ________________________________
Signature: _______________________________
Date: _________________________________

Supervisor’s Name
(Printed) ________________________________
Signature: _______________________________
Date: _________________________________

Approved:
Chancellor/VC Name: (Printed) ________________
Signature: _______________________________
Date: _________________________________

FOR OFFICE USE ONLY

Allowance amount to be divided equally between the semi-monthly pay periods
$____________
Cell Phone Policy
University of Arkansas at Pine Bluff
Effective 10-1-07

Background
The Internal Revenue Service (IRS) has recently conducted several audits of universities. Their audit procedures were established to determine if any tax revenue was due the Federal Government. The IRS audited all of the functions at these institutions and found one issue that was not being managed according to the tax code: the use of cell/data phones. The IRS did not object to employees using cell phones personally; however, they insisted that these uses be subject to appropriate fringe benefits tax. This means that the employee must pay income taxes to the Federal Government and the State Government, and taxes to Social Security and Medicare for this use. The amount of tax to pay was based on a person's personal tax bracket; however, Social Security and Medicare is 7.65% of the employees pay. Moreover, the employer is responsible to match the Social Security and Medicare payments.

These universities argued that their policy did not allow personal use by employees; therefore, this would make the use de minimus by IRS tax code standards and not taxable. However, the IRS has declared that even one personal phone call received or sent is justification enough to tax the value of the phone to the employee as a fringe benefit.

In addition, the Arkansas Division of Legislative Audit questioned UAPB's cell phone policy two years ago. At that time, a new policy was put into place. This policy allowed the employee to use the cell phone for occasional personal calls, but also required the employee to pay $10 per month to compensate for those calls. However, upon further review and discussion with the IRS, UAPB has determined that the policy must be modified.

What's In? The following new policy to address IRS issues concerning cell phones, which becomes effective October 1, 2007: For those employees who are required to maintain a cell phone for use in their job, a monthly allowance will be determined by their supervisor (and approved by the appropriate Vice Chancellor or Chancellor) that is appropriate to the level of need. This allowance, which will require an employee to purchase their own wireless service plan, will be paid to the employee on a semi-monthly basis, reported on the employee's W-2 and is subject to withholding taxes. It will not be considered for retirement and fringe benefit calculation purposes nor is it considered a part of base salary. An employee receiving such an allowance is required to notify their supervisor should their cellular service be discontinued.

What's Out? Effective October 1, 2007, the University will no longer provide cellular phone service for employees.

Most Frequently Asked Questions

Question #1: How much tax will I be required to pay?

Applicable federal and state taxes will be withheld from your paycheck based on the allowance which you receive. The amount of taxes that you pay is determined by your personal tax bracket. The highest tax bracket for the Federal Government for most UAPB employees is 32%, the highest for the State of Arkansas is 8%, and taxes for Social Security and Medicare total 7.65%. If you were at the top of the tax bracket, you would pay 47.65% of the value as a fringe benefit tax. Most individuals would fall into the 20% to 30% combined brackets. This would mean that if your cell phone monthly allowance is $65.00 you would be required to pay $13.00 per month to $19.50 per month depending on your tax bracket.

Question #2: Why can't the University simply issue a policy that prohibits personal calls on cell/data devices and fire or discipline anyone who violates the policy?
**Answer:** Universities in Utah attempted this defense when they were audited by the IRS. The IRS sampled several cell/data phone billings and found that it was not being enforced. The University would have had to terminate or discipline some 60 to 70% of its employees who had a cell/data device. Consequently, the IRS ruled that even though the “no personal calls” policy was in writing, it was impossible to enforce or manage. The IRS issued fines, back taxes and interest penalties against those universities.

**Question #3:** When do these changes become effective?

**Answer:** Your semi-monthly allowance will be added to your paycheck beginning October 15, 2007. This same process will continue to be followed each pay period in which you keep your personal cellular number that is accessible for business use.

**Question #4:** What must I do now?

**Answer:** If you chose to take the semi-monthly cell phone allowance information about your current plan (dollar amount and number of minutes) will be sent to your VC for their use in determining the amount of your allowance. The form below ("Acknowledgement of UAPB Cell Phone Policy") will then need to be completed and sent to the Office of Procurement by September 15, 2007, authorizing the university to pay you a cell phone allowance appropriate to your level of need. You will need to contact a cellular phone provider and have your current university issued cellular number transferred to a personal plan effective October 1, 2007.

If you chose not to take the semi-monthly cell phone allowance you will need to turn in your university issued cell phone and all accessories to the Office of Procurement no later than October 1, 2007.

All cell phones not transferred by this date will be terminated through the university’s provider.

**Question #5:** How will my department’s expenses be affected by this change?

**Answer:** Instead of a charge to the department’s telephone expense budget for the cost of your monthly university-issued phone, there will be a charge for the cell phone allowance. It will not affect salary expense.
**Contract and Grant Disclosure and Certification Form**

Failure to complete all of the following information may result in a delay in obtaining a contract, lease, purchase agreement, or grant award with any Arkansas State Agency.

<table>
<thead>
<tr>
<th>Social Security Number</th>
<th>Federal ID Number</th>
<th>Subcontractor:</th>
<th>Subcontractor Name:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Taxpayer ID #:</td>
<td></td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

**Taxpayer ID Name:**

**Your Last Name:**

**First Name:**

**M.I.:**

**Address:**

**City:**

**State:**

**Zip Code:**

**Country:**

As a condition of obtaining, extending, amending, or renewing a contract, lease, purchase agreement, or grant award with any Arkansas State Agency, the following information must be disclosed:

### For Individuals *

Indicate below if you, your spouse or the brother, sister, parent, or child of you or your spouse is a current or former: member of the General Assembly, Constitutional Officer, State Board or Commission Member, or State Employee:

<table>
<thead>
<tr>
<th>Position Held</th>
<th>Mark (✓)</th>
<th>Name of Position of Job Held [senator, representative, name of board/commission, data entry, etc.]</th>
<th>For How Long? From MM/YY</th>
<th>To MM/YY</th>
<th>What is the person(s) name and how are they related to you? [i.e., Jane O. Public, spouse, John Q. Public, Jr., child, etc.]</th>
<th>Person's Name(s)</th>
<th>Relation</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Assembly</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Constitutional Officer</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Board or Commission Member</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Employee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

☐ None of the above applies

### For an Entity (Business) *

Indicate below if any of the following persons, current or former, hold any position of control or hold any ownership interest of 10% or greater in the entity: member of the General Assembly, Constitutional Officer, State Board or Commission Member, State Employee, or the spouse, brother, sister, parent, or child of a member of the General Assembly, Constitutional Officer, State Board or Commission Member, or State Employee. Position of control means the power to direct the purchasing policies or influence the management of the entity.

<table>
<thead>
<tr>
<th>Position Held</th>
<th>Mark (✓)</th>
<th>Name of Position of Job Held [senator, representative, name of board/commission, data entry, etc.]</th>
<th>For How Long? From MM/YY</th>
<th>To MM/YY</th>
<th>What is the person(s) name and what is his/her % of ownership interest and/or what is his/her position of control?</th>
<th>Person's Name(s)</th>
<th>Ownership Interest (%)</th>
<th>Position of Control</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Assembly</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Constitutional Officer</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Board or Commission Member</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>State Employee</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

☐ None of the above applies

*Note: Please list additional disclosures on separate sheet of paper if more space is needed*
Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that Order, shall be a material breach of the terms of this contract. Any contractor, whether an individual or entity, who fails to make the required disclosure or who violates any rule, regulation, or policy shall be subject to all legal remedies available to the agency.

As an additional condition of obtaining, extending, amending, or renewing a contract with a state agency I agree as follows:

1. Prior to entering into any agreement with any subcontractor, prior or subsequent to the contract date, I will require the subcontractor to complete a CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM. Subcontractor shall mean any person or entity with whom I enter an agreement whereby I assign or otherwise delegate to the person or entity, for consideration, all, or any part, of the performance required of me under the terms of my contract with the state agency.

2. I will include the following language as a part of any agreement with a subcontractor:

   Failure to make any disclosure required by Governor's Executive Order 98-04, or any violation of any rule, regulation, or policy adopted pursuant to that Order, shall be a material breach of the terms of this subcontract. The party who fails to make the required disclosure or who violates any rule, regulation, or policy shall be subject to all legal remedies available to the contractor.

3. No later than ten (10) days after entering into any agreement with a subcontractor, whether prior or subsequent to the contract date, I will mail a copy of the CONTRACT AND GRANT DISCLOSURE AND CERTIFICATION FORM completed by the subcontractor and a statement containing the dollar amount of the subcontract to the state agency.

I certify under penalty of perjury, to the best of my knowledge and belief, all of the above information is true and correct and that I agree to the subcontractor disclosure conditions stated herein.

Signature_________________________ Title_________________________ Date_________________________

Vendor Contact Person_________________________ Title_________________________ Phone No._________________________

AGENCY USE ONLY

Agency Number_________ Agency Name_________________________

Agency Contact Person_________________________ Contact Phone No._________________________

Contract or Grant No._________________________

*NOTE: PLEASE LIST ADDITIONAL DISCLOSURES ON SEPARATE SHEET OF PAPER IF MORE SPACE IS NEEDED*
TIE BIDS — In the event the lowest prices offered result in a tie bid, the person responsible for awarding a contract must ensure that all offers meet specifications. An award will be made by lot (flip of the coin). The coin flip will be done in the presence of a witness by the person responsible for awarding the contract. The witness must be an employee of the State of Arkansas. Documentation of the coin flip must be included on the tabulation or bid history sheet and be signed by both parties.

TRAVEL REGULATIONS AND RESTRICTIONS

➢ While this service does not require bidding, it is recommended that arrangements be made in time to avoid ticket increases.

TRAVEL AUTHORIZATION FORM INFRACTIONS

From time to time we will receive Travel Authorization Forms with the following infractions:

➢ SIGNATURES ARE TYPED (they must be signed)

➢ ONE SIGNATURE RATHER THAN THE REQUIRED TWO (2) – (must have the signed signature of the requester and his/her supervisor or budget officer – two different people)

➢ INCORRECT TRAVEL AUTHORIZATION FORM – (the newly revised form was recently put on the campus web under Administrative Forms in the Controller’s Office section)

➢ INCOMPLETE INFORMATION (All “spaces” must be complete with the associated “cost” that pertains to this trip (airfare, food, lodging, private vehicle mileage, etc.)

➢ TRAVEL EXPENSE REQUISITIONS WITHOUT THE TRAVEL AUTHORIZATION FORM – (the Travel Authorization form should be accompanied with any and all expenses, preferably they should all come to Procurement at the same time)

To avoid a delay in processing by having these forms returned, please make a note of the above.

➢ TICKET MATTERS

Before a ticket can be changed (ticket cost increase, refunds of any type, “no show”, or other changes involving cost, approval must be granted from the Office of Procurement (870-575-8736). IT IS ALSO YOUR RESPONSIBILITY TO NOTIFY THE AGENCY (IN ADVANCE) WHERE THE RESERVATION WAS MADE IF YOU WILL NOT USE A NON-REFUNDABLE TICKET. THIS ASSURES YOU CREDIT FOR FUTURE BUSINESS USE.
Failure to comply may leave you personally liable for the expense. **THE STATE TRAVEL REGULATIONS RECOMMEND THAT COMMERCIAL AIR TRAVEL BE WITH COACH ACCOMMODATIONS.**

- Procurement is unable to process any part (the advance, the registration, the ticket, the hotel, etc.) of the travel in the absence of the “authorization form” (Revised April 2009) – it must accompany each part if done separately. All other travel forms must accompany the purchase requisition. These forms must be secured from the Travel Clerk in the Controller’s Office (8878). They should also include a brochure or document supporting the nature of the trip with dates and trip location, where possible.

- The lead time for purchase request processing of tickets is one day in Procurement after receipt of the approved purchase requisition and completed travel authorization.

**MEALS**

Re: Payment or Reimbursement for Meals must be Travel Related with an Overnight Stay

We can no longer pay in advance or reimburse state employees who dine (breakfast, lunch or dinner) with prospective employees, interviewees, clients, visitors, recruits or others per State Accounting.

The **non-state employee** may be reimbursed if there is an overnight stay associated with their visit.

**PURCHASING POLICY UPDATE ON TRAVEL**

April 1, 2009 (via campus e-mail)

On November 4, 2008 management made changes to Procurement/Purchasing Policy relative to the required signatures for travel. For ease in reference, that memo stated the following:

All travel must be accompanied with the following:

1. A complete Authorization form listing best estimates of all trip expenses, not just the ticket.
2. The Authorization and requisition must show the signatures of the traveler as well as the traveler’s supervisor or Vice Chancellor (must have two (2) different signatures **if you are the traveler you cannot approve your own travel**)
3. All travel failing to comply with this request will be returned, unprocessed.

Update to #2 above. DESIGNEE SIGNATURE LIMITED
A designee cannot approve his/her own travel by signing the signature of their supervisor or Vice Chancellor even though they may be generally authorized to sign for that person in their absence. If they are absent, the designee must go to the next level for their travel signature approval.

FOR OTHER MATTERS AND REGULATIONS REGARDING TRAVEL such as per diem; reimbursements, travel advances; lead time for processing reimbursement checks, the appropriate travel forms to use; required receipts, contact the Travel Clerk in Accounts Payables Mrs. Sharon Shavers at Ex: 8878.

VEHICLE: RENTALS AND LEASES (w/FORM) — SENATE BILL 353/Act 588 of 2001

Vehicle Rentals — No legislative approval is required for the “rental” of a vehicle that is thirty (30) days or less, just the approved purchase order.

Vehicle Lease - Full Legislative Counsel approval is required – this is defined as vehicle needs which exceed 30 days. Counsel approval must be received prior to purchase order issue for these vehicles. It is recommended that the paper work be received by Procurement forty-five (45) days prior to need in the case of a “lease” as the Council meets monthly. Submitted to Procurement shall be the following documents:

1. An “approved” purchase requisition listing:
   - Destination
   - Number of days requested
   - Type of vehicle requested (year, make and model)
   - Total cost of lease
2. The completed Vehicle Lease Request Form

Statutory Law Act 455-Sec. 22-8-102 and 103  Leasing of vehicles by state agencies.

(a) (1) Before any state agency shall “lease” any motor vehicle or renew any existing lease for a motor vehicle, the agency shall submit a written request to the Director of State Procurement of the Department of Finance and Administration identifying the motor vehicles sought to be leased by the agency and all facts and circumstances. The Director of State Procurement may request to enable him to determine the economic need and feasibility of leasing the motor vehicle.

(2) Upon receipt, the Director of the Office of State Procurement shall review the request to lease the motor vehicle, and if it is determined that the lease is in the best interest of the State of Arkansas and that the agency has adequate funds to pay the lease, the
request may be approved, but only if he shall have first received the approval of the Legislative Council.

(3) After receiving the approval of the Legislative Council, the Director of the Office of State Procurement shall stamp his approval on the request and return it to the state agency, which may then proceed to enter into the lease as proposed and approved by the Director of the Office of State Procurement.

(b) If the Director of the Office of State Procurement shall disapprove a proposed lease of a motor vehicle, he shall stamp his disapproval on the request and return to the state agency. It shall be unlawful for the state agency to proceed to lease the motor vehicle.

§ 22-8-103. Penalty for noncompliance with §§ 22-8-101 and 22-8-102. Any department head or employee of the State of Arkansas failing or refusing to carry out the provisions of §§ 22-8-101 and 22-8-102 shall be deemed guilty of a Class B misdemeanor and upon conviction shall be punished in the manner provided by law.

VEHICLES: PRIVATE USE – PROHIBITED

➤ Private Use of State Vehicles – Penalty – The use of a state vehicle for private use is prohibited.

➤ Use Of Stock Vehicles – When there is a need to use one of the vehicles in our current rolling stock, contact the Motorpool supervisor (543-8834) for assistance in scheduling and completion of the Request for Use of the Motor Vehicle Form.

➤ Vehicle Rental Requests

All requests for vehicle rentals should be routed through Mr. Lecester Campbell, Motorpool Supervisor. If he determines that we cannot provide the needed vehicle(s) from our fleet, he would then submit a requisition to Procurement to rent whatever additional vehicles we need. Such requisitions would be charged to Motorpool and Mr. Campbell would bill the departments an appropriate charge.

VENDING SERVICES – Requests for vending machines (snack, beverages) to be located in a building must come from the building manager. It will be the responsibility of the manager to make sure the machines are located in a secure place and profitable. If either is found not to be, the service may be discontinued.

10 DAYS MEANS ACCEPTANCE - It is mutually understood between purchaser, vendor and the freight-lines that 10 days without a challenge to a delivery (whether damaged, incorrectly shipped, etc.) means that the ordering agency has ACCEPTED the merchandise. Therefore, immediate verification of the accuracy of the order is critical. We are greatly disadvantaged in having the order returned if it has sat for months unchecked and the invoice has been paid.
VEHICLE LEASE REQUEST
FOR THE UNIVERSITY OF ARKANSAS AT PINE BLUFF

Agency 160

Requesting Department

Reason for this request:

Is there no vehicle in the current fleet that will serve this purpose?

What is the period of time covered by this lease request (for how long)?

*(1 day) (1 week) (other explain)

*You may attach a schedule of possible lease dates.

Type of vehicle requested
(car) (van) (truck) (other)

APPROVALS:

Requester / Budget Officer /
Date Date

Supervisor of the Motor Pool /
Date

Vice Chancellor for Finance/UAPB /
Date

Once this form has been approved by all internal agents, it must be approved by the Director of State Procurement and the Chairman of the Legislative Council. Please allow 30-45 days processing time prior to the need for a vehicle lease.

FOR PROCUREMENT USE ONLY

Average rental cost for (van, car, truck) is currently $ per day + insurance $ rate per mile . Must attach quote bid sheets if total rental exceeds $5,000.

Director of Materials Management /
Date

Director of State Procurement /
Date

Chairman of the Legislative Council /
Date