

RG:10 Procurement Policy

I. PURPOSE

This policy is set in place to ensure federal compliance within all federally funded grants. This policy applies to all grants containing federal funds received on behalf of the University and is in place to ensure that the best deal has been obtained through open and free competition.

II. POLICY STATEMENT

All federally funded grants and sponsored projects must abide by the purchasing guidelines listed below. This threshold can be met by the purchase of one or more like-items. It is to also be noted that any purchase over \$200.00 must have a purchase requisition tied to the purchase within self-service.

- i. Micro-purchases:
 - a. Purchases less than \$10,000
 - b. No quotations required
- ii. Small Purchases:
 - a. \$10,000 - \$250,000
 - b. Rate quotations required (3)
- iii. Sealed Bids:
 - a. >\$250,000
 - b. Construction Projects
 - c. Price is a major factor
- iv. Competitive Proposals:
 - a. >\$250,000
 - b. Fixed price or cost reimbursement
 - c. RFP with evaluation methods
- v. Sole Source
 - a. Unique
 - b. Public Emergency
 - c. Authorized by agency (or PTE)
 - d. No competition

Avoiding Conflicts of Interest: The University shall avoid real or apparent organizational conflicts of interests and non-competitive practices among contractors with procurement supported by Federal funds.

Construction Projects: It is the responsibility of the University to ensure that all construction projects that are federally funded solicit U.S. - produced materials to build, alter, repair, or maintain infrastructure projects. (Build America, Buy America Act).

Sole Source Exception: The above purchasing requirement may be waived in instances of sole source purchases. These determinations must be approved by ORGSP and documentation as to the justification of this sole source should be filed with ORGSP.

Emergency Purchases: Purchasing requirements listed above may be waived in emergency situations where time restrictions become apparent. In these instances, a good-faith effort should be made by the PI/PD to still follow these procedures. Ways to accelerate the process may include requesting quotations by email and informing ORGSP of the emergency purchase(s) needing to take place. If procedures cannot be followed, the purchase must be approved by the Executive Director of ORGSP before the transaction is initiated.

III. DEFINITIONS

Procurement: The acquisition of goods or services (including construction) from non-Federal sources by using competitive procedures and awarding a contract.

Sole Source Purchases: Purchases from a single entity due to the uniqueness of the item or service which causes only one provider to be able to carry out the service/purchase.

IV. AUDIENCE

This policy applies to Lincoln Memorial University staff, faculty, students, and clubs/organizations who are making grant/sponsored project purchases with federal funds.

V. COMPLIANCE

Failure to follow this policy can result in unapproved purchases and could ultimately cause loss of funding.

VI. ROLES AND RESPONSIBILITIES

Principal Investigator (PI)/Program Director (PD): Initiates the procurement of goods and services. The PI/PD of the grant is responsible for obtaining the appropriate level of competitive sourcing based on the purchasing requirement listed above. The PI/PD should choose the vendor with which the lowest and best deal has been granted. They are also responsible for ensuring that the vendor is licensed and has the authority to perform the work.

Post-Award Grants Manager: Ensures compliance with procurement policy. Reviews all documentation and chosen vendor. The Post-Award Manager should investigate any decisions made where the vendor with the lowest quote/bid was not chosen. He/she is responsible for approving the chosen vendor.

VII. APPLICABLE STATUTES, REGULATIONS, AND RELATED POLICIES

- 200 CFR 200.318

- Federal contract relevant to the federal funds being spent.

VIII. PROCEDURE

When it comes to the attention of the PI/PD that work or items must be sourced through competitive bidding, the PI/PD should notify the office of research grants and sponsored programs (ORGSP). ORGSP will then assist the PI/PD, if needed, in public solicitation of these items/services. If a lesser requirement is needed (i.e. quotes) for solicitation, ORGSP does not need to be notified before solicitation. The PI/PD is responsible for conducting bid tabulations and making an informed decision on which vendor to choose. Once the PI/PD has chosen a vendor (whether it be through the bidding process or requests for quotes), this decision should then be communicated and approved by ORGSP before the vendor is awarded the contract. This communication must be in writing and all instances where the lowest bidder is not the chosen vendor must include the reasoning of the decision. Once this decision has been approved by ORGSP, the purchase can be made, or the contract created.

IX. CONTACT INFORMATION

For more information regarding this policy, please contact the Office of Research, Grants, and Sponsored Programs.

X. DOCUMENT HISTORY

Effective Date: 10-16-2024