

Updated 7/01/2024

Procurement for Federal and State Sponsored Awards Under Uniform Guidance

Vincennes University is responsible for following the Uniform Guidance General Procurement standards (§200.318), when procuring goods and services with federal and state funds. The University also must maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts. Secondly, the University is bound to use one of the methods of procurement outlined in §200.320.

The following procedure applies to federal and state funded grants, contracts, sub awards, etc. Additionally, this procedure addresses institutional responsibilities and assists Project Managers and administrators to ensure that Uniform Guidance procurement standards are followed. The non-Federal entity must award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, proper classification of employees under the Fair Labor Standards Act, 29 U.S.C 201, record of past performance, and financial and technical resources. The §200.214 Suspension and debarment section must be followed. The University must maintain records sufficient to detail the history of procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price. All procurements will incorporate a clear and accurate description of the technical requirements for the property, equipment, or service being procured. Lastly, once contracts are awarded, project directors must maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

Reason for Procedures

OMB Uniform Administrative Requirements, General Procurement Standards for Federal and State awards (2 CFR 200) ("Uniform Guidance"), specifically §200.318 and §200.320, requires the University to follow one of the following methods of procurement:

- Procurement by micro-purchases and acquisition of supplies or services, the aggregate dollar amount does not exceed \$10,000.
- Procurement by small purchase procedures (between \$10,000 - \$100,000 per University's threshold since it is under the federal threshold of \$250,000).
- Procurement by sealed bids and competitive proposals (greater than \$100,000 - per University's threshold since it is under the federal threshold of \$250,000).
- Procurement by noncompetitive proposals (special circumstances for all levels).

Sole-source purchases for federal and state grants have strict requirements. The following requirements are stated under §200.320 (f):

- (1) The item is available only from a single source. In most cases, sole source will need to be proven through solicitation of competitive quotes.
- (2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- (3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
- (4) After solicitation of a number of sources, competition is determined inadequate.

Who Must Comply

All Principal Investigators and (PIs) and administrators at the University within all schools, units, divisions, University-wide initiatives, and centers, who are involved with the procurement of goods and services for federal and state sponsored awards must comply with these procedures

Procurement Procedures

Purchase Orders

- Three quotes will be required for all single purchases over \$10,000 (Regardless of how many items).
- Sole source vendors require appropriate justification according to the applicable university procurement policy.
- Purchasing will assist grant personnel with obtaining quotes.
- Any purchase requiring quotes will require the setup of a purchase order.
- The three quotes will be attached to the purchase requisition or it will not be processed.
- The capital equipment threshold is \$5,000. The University policy will be followed.
- A single purchase may not be “split” into multiple invoices for the purpose of circumventing the purchasing thresholds.. Such splitting will result in the immediate loss of purchasing privileges.
- These procedures are applicable to all service contracts. There must be a purchase order issued for all service contracts.
- Determine that the selected vendor is not on the Debarred or Suspended list on the System for Award Management website (www.sam.gov). Reference the Instructions “Verifying a Vendor has not been Debarred or Suspended”. This step must be followed prior to making the purchase or engaging the service. Evidence of this review must be attached to the purchase or direct pay invoice.
- Use of personal reimbursement is prohibited.

- Assure that small and minority businesses, veteran owned and women's business enterprises are solicited whenever they are potential sources.

University Preferred Vendors

- Purchases of both supplies and capital equipment should be made using University preferred vendors whenever possible.
- Use of other vendors, with exceptions for the E&I Cooperative vendors and State contract vendors requires justification according to university procurement policies.
- In seeking bids and quotes, university preferred, E&I Cooperative and state contract vendors should be considered first.
- University Preferred Vendors have all gone through a bidding and vetting process initiated by the VU Procurement Department.

Buying Cooperative Vendors

- The University is a member of numerous buying groups and organizations.
- Each group has gone through the bidding and vetting process initiated by the Cooperative.
- Contact the Purchasing Department for assistance when using a buying group. All quotes must list which group is being utilized.

Contract cost and price

The University must comply with Uniform Guidance, §200.324. A cost or price analysis must be performed for those purchases in excess of the Simplified Acquisition threshold including contract modifications.

Contract provisions are described in Appendix II to Part 200 – Contract Provisions for non-Federal Entity Contracts under Federal Awards. All contracts must contain this language.

End of Grant Year Purchasing

Unusually large purchases should not be made at the end of the project as this will appear to be a last-minute attempt to use up remaining grant funds and the need for these purchases to complete project activities could be questioned by the funding agency. Furthermore, items should not be ordered near the end of the grant's funding period so that obligations can be liquidated in a timely manner after a grant ends.

Source - <https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200/subpart-D/subject-group-ECFR45ddd4419ad436d>