



Purchasing

Fall 2019



Fiscal Affairs Purchasing Department Staff

- Clen Burton, VP of Fiscal Affairs ext. 8261
- Sonja Blinka, Director ext. 8474
- Jerri Glenn, Buyer ext. 8473
- Nicole Lloyd, Buyer ext. 8720
- George Howard, Shipping & Receiving ext. 8241
- Pat Harris, COM Mailroom ext. 8430



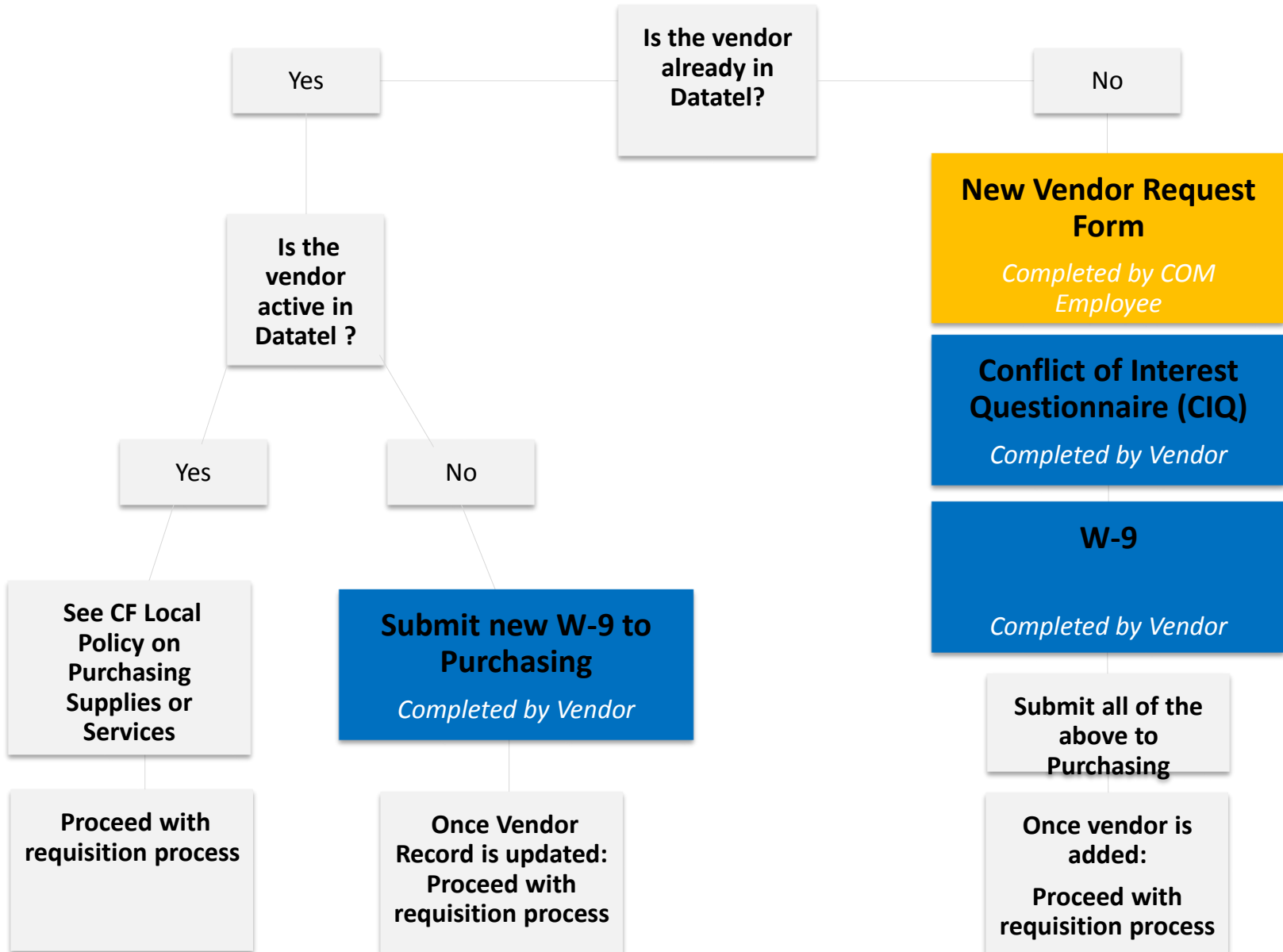
Purchasing Department Services

- Oversee and manage expenditures of college funds through acquisitions in accordance with the Texas Education Code, other applicable Government Codes and Local Policies adopted by College of the Mainland's Board of Trustees.
- Fixed Asset & Property Management including surplus property disposal
- Shipping & Receiving Services
- Central Mailroom Services



VENDOR MANAGEMENT

Vendor Records



HOW DO I BUY WHAT I NEED?

1ST THINGS 1ST **Know Your Budget**

- A. Requisition to a Purchase Order (P.O.)** – For most goods and services.
THIS IS THE MOST PREFERRED METHOD WITH SOME EXCEPTIONS
Backup Quotes: Proposal documentation is required to support the Requisition per dollar thresholds in CF Local. Back-up to be submitted to Requisitions@com.edu
- B. Direct Pay:** Food service contracts (College Caterer), Memberships , Professional licensing of employees , Preview materials, Subscriptions & Professional services (attorneys, architects, accountants)
- C. P-CARD:** For non-restricted goods or services as outlined in the P-Card polices and procedures.

Supporting documentation and budget manager approval is ALWAYS required for ALL purchases and payment methods.

Documentation should always be professional and legible.



Purchasing Methods

Purchase Orders

- A. **Standard Purchase Order:** One time purchase for goods or services.
- B. **Blanket Purchase Order: MUST BE FUNDED IN ADVANCE OF GOODS AND SERVICES BEING PURCHASED.** Multiple small dollar purchases of goods or services over an extended period of time with a selected vendor.
- IDENTIFY A PERIOD OF TIME (9/1 – 8/31)
 - NOT TO EXCEED \$15,000.00 annually
 - LIST OF AUTHORIZED USERS
 - MANAGED AND TRACKED BY BUDGET MANAGER OR DESIGNEE - Expenditure Tracking & Accountability
- C. **Tracking Orders:**
- Requisition Inquiries (RINQ)
 - Purchase Order Inquiries (PINQ)



POLICY

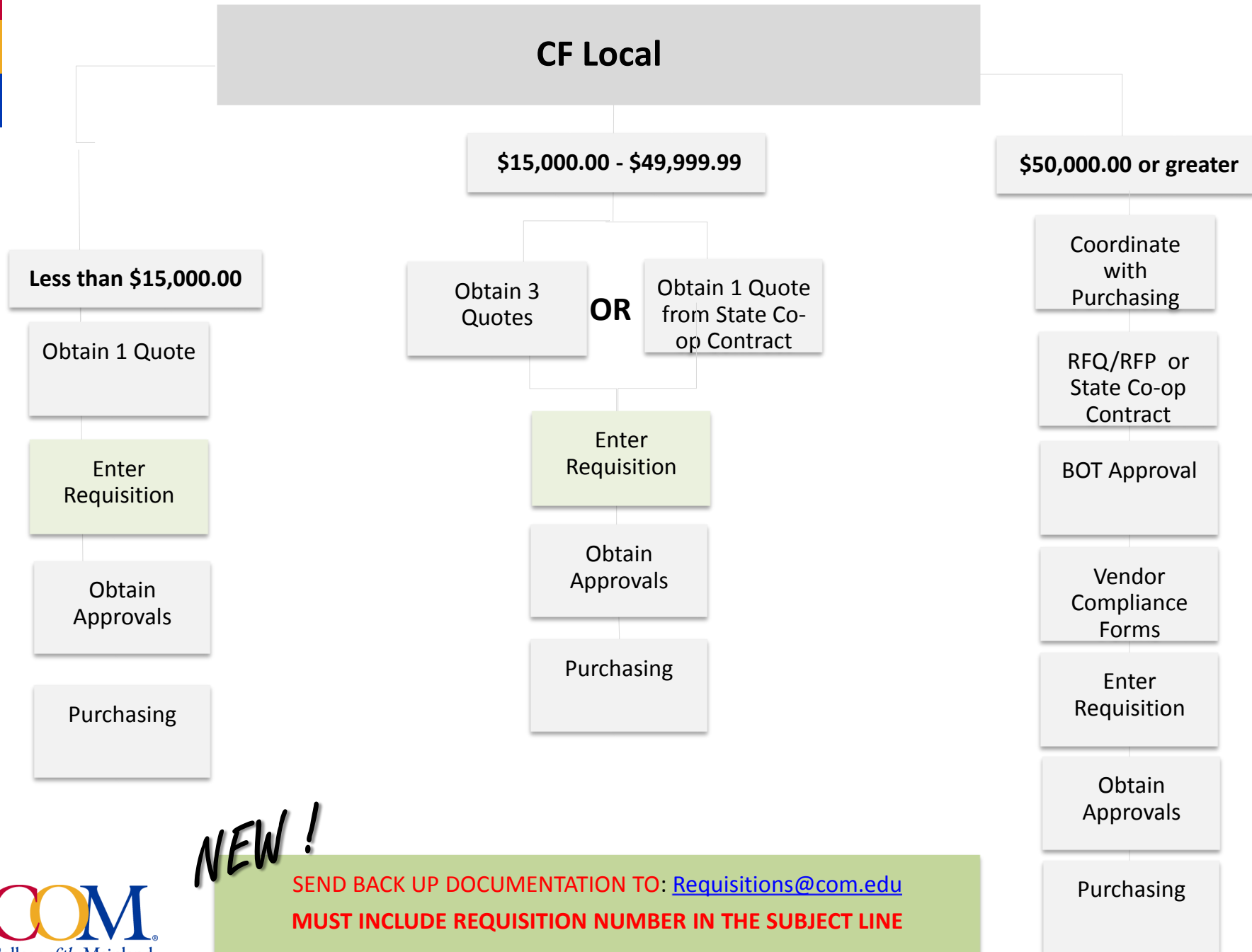


CF Local Purchasing & Acquisition

- Up to \$14,999: One (1) quote
- \$15,000 and Over: Three (3) quotes

- \$50,000 or more: Coordinate with Purchasing
Three (3) formal proposals
Board Approval Required
90 Day Lead Time

CF Local



NEW!

SEND BACK UP DOCUMENTATION TO: Requisitions@com.edu
MUST INCLUDE REQUISITION NUMBER IN THE SUBJECT LINE

Public Disclosure

Disclosure of Relationships with Vendors

Disclosure of Interests in Real Estate

Public Disclosure

Texas Local Government Code Chapter 176

A local government officer shall file a conflicts disclosure statement with respect to a vendor if the vendor enters into a contract with the local governmental entity or the local governmental entity is considering entering into a contract with the vendor; and the person:

1. Has an employment or other business relationship with the local government official or a family member of the official that results in the official or family member receiving taxable income, other than investment income, that exceeds \$2,500 during the 12-month period preceding the date that the official becomes aware that a contract between the local governmental entity and vendor has been executed or the local governmental entity is considering entering into a contract with the vendor;

Public Disclosure

Texas Local Government Code Chapter 176 (continued)

2. Has given to the local government official or a family member of the official one or more gifts that have an aggregate value of more than \$100 in the 12-month period preceding the date the official becomes aware that a contract between the local governmental entity and vendor has been executed; or the local governmental entity is considering entering into a contract with the vendor; or

3. Has a family relationship with the local government official.

A local government official shall file the conflicts disclosure statement with the records administrator of the local governmental entity not later than 5:00 p.m. on the seventh business day after the date on which the officer becomes aware of the facts that require the filing of the statement.

ETHICS

PROHIBITED PRACTICES - ILLEGAL GIFTS

A public servant who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions of government commits an offense if the public servant solicits, accepts, or agrees to accept any benefit from a person the public servant knows is interested in or likely to become interested in any contract, purchase, payment, claim, or transaction involving the exercise of his discretion. Penal Code 36.08(d)

ETHICS PROHIBITED PRACTICES

ILLEGAL GIFTS (continued)

A public servant who receives an unsolicited benefit that the public servant is prohibited from accepting under Penal Code 36.08 may donate the benefit to a governmental entity that has the authority to accept the gift or may donate the benefit to a recognized tax exempt charitable organization formed for educational, religious, or scientific purposes.

EXCEPTIONS

Penal Code 36.08 does not apply to:

- A political contribution;
- An item with a value of less than \$50;
- Transportation and lodging expenses or meals in connection with a conference or similar event in which the public servant renders services, such as addressing an audience or engaging in a seminar, to the extent those services are more than merely perfunctory;
- Food, lodging, transportation, or entertainment accepted as a guest and, if the donee is required by law to report those items, reported by the donee in accordance with that law.

AVOID EVEN THE APPEARANCE OF A CONFLICT OF INTEREST

- **Disclose and then disclose some more.** The College's reputation is its most valuable asset. Even the perception of a conflict of interest can be terribly damaging. Disclose the facts, and do so as quickly as possible. Disclosure applies to both personal involvement and issues on an organizational level.
- **Call out a conflict of interest when you suspect it.** If you believe that another board member has crossed a line by promoting his or her financial interest, take responsibility and disclose it. Try talking to the individual privately, but if this fails, bring it to the attention of the board chair and the rest of the board. Having guidelines in place first will make this much easier.
- **Recuse yourself.** If you think you have a conflict of interest and your colleagues agree, recuse yourself from the relevant discussion and votes. If you and the rest of the board have thought through potential issues early on and put guidelines in place, the likelihood of having to recuse yourself is much less likely.



GRANTS

How do I buy what I need using Grant funds?

Education Department General Administrative Regulations (EDGAR)

GRANT COMPLIANCE OFFICER:

Cynthia Pagan, cpagan2@com.edu

Institutional Advancement, Suite 16
409-933-8672

Lower thresholds with more stringent requirements

- Up to \$9,999: One (1) quote
- \$10,000 – 49,999: Three (3) quotes
- **\$50,000 or more:**
 - Coordinated with Purchasing
 - 90 Day Lead Time
 - Formal RFP/State Coop
 - Board Approval Required**
 - Price/Cost Analysis**
- **\$250,000:**

Grant Purchases

Less than \$9,999.99

Obtain 1 Quote

Enter Requisition

Obtain Approvals

Purchasing

\$10,000.00 - \$49,999.99

Obtain 3 Quotes

OR

Obtain 1 Quote from State Co-op Contract

Enter Requisition

Obtain Approvals

Purchasing

\$50,000.00 or greater

Coordinate with Purchasing

RFQ/RFP or State Co-op Contract

BOT Approval

Vendor Compliance Forms

Enter Requisition

Obtain Approvals

Purchasing

NEW!

SEND BACK UP DOCUMENTATION TO: Requisitions@com.edu
MUST INCLUDE REQUISITION NUMBER IN THE SUBJECT LINE



STANDARD SERVICES

Standard Service Agreement Form(s) Flow Process

#1



REQUEST FOR CONTRACT SERVICES

By submission of this request, the requestor of the subject services understands and complies with COM CF Legal and CF Local whereby only the college President and authorized designees are permitted to make a contractual commitment on behalf of the college. The following information, approvals and attachments must be obtained *prior* to the start of services.


1. Name of firm or consultant: _____
2. Description of services to be acquired: _____
3. Purpose for services: _____
4. Estimated Fiscal Year Cost: \$ _____
5. Estimated total Contract Cost: \$ _____
6. Estimated length of Contract: Start Date: _____ End Date: _____
7. Is the G/L Account funded and approved in the current Fiscal Year budget:
 Yes _____ No _____
8. G/L Account Number: _____
9. G/L Account Description: _____

_____ Requestor (Print & Sign)	_____ Date
_____ V.P (Print & Sign)	_____ Date
_____ V.P for Fiscal Affairs (Print & Sign)	_____ Date
_____ Executive Director of Human Resources (Print & Sign)	_____ Date

ATTACHMENTS to follow final approval of the subject form: <http://www.com.edu/purchasing>
 A. New Vendor Request Form (If applicable)
 B. Professional/Consulting Services Agreement



#2



Standard Services Agreement (SSA)

This Agreement is entered into as of _____, 20____ between College of the Mainland, on behalf of the Department/Division of _____ ("College") and _____ ("Service Provider") the foregoing referred to collectively as the "Parties".

← Check box if Service Provider is represented by an Agent.

In consideration of the mutual promises and agreements of the Parties hereto, as hereinafter set forth, it is agreed as follows:

Service Provider: _____

Topic or Type of Performance: _____

Date(s): _____

Time(s): _____

Location(s): _____

Additional Activities/Terms: _____

Compensation/Honorarium:
 The total amount to be paid by the College shall not exceed: \$ _____
 This amount includes \$ _____ paid to Service Provider and \$ _____ for food, lodging and transportation.

Any terms unfilled may be cause for renegotiation or non-payment. Either party may terminate this Agreement with _____ days' written notice. Service Provider is an independent contractor and not an agent or employee of College.

ISSUING PAYMENT: College will issue payment to Speaker or Performer following the performance of services and receipt of an invoice and expense receipts (if any) and such payment shall not exceed the amount indicated in this Agreement. College shall pay Service Provider with a check.

INDEMNIFICATION: Service Provider agrees to indemnify, defend and hold College, its trustees, officers, agents, and employees, harmless from any claims, losses, suits, proceedings, damages and liabilities, including attorney's fees, for property damage, personal injury, death, or any other cause of action that arises out of or is based, in whole or in part, upon any act or

Office of the Staff Attorney
 Speaker Agreement Form
 SA-8-20-2018
 Page 1 of 2

Once these two forms are completed, submit to the Purchasing Office for review and final signature on behalf of College of the Mainland (bottom left side of the Standard Service Agreement)

STANDARD SERVICES

STEP 1

Standard Services Agreement (SSA)

EX: Consultants, Speaker, Performer, (Within Current Fiscal Year)

Complete
Request for Contract Services (RFCS)

Route for Approvals

STEP 2

After RFS is completed & all approvals have been obtained

Complete **Standard Services Agreement Form**

To be completed by COM Employee & Vendor

A. Is vendor in Datatel or New Vendor?

See Vendor Records Flow Chart

B. Submit the following to Purchasing:

- RFS Form
- SSA Form
- New Vendor Request form, W-9, and CIQ *if applicable*


C. Payment: Once services are complete submit Direct Pay with Invoice to A/P



PROFESSIONAL SERVICES

Contract for Professional Consulting Services Form(s) Flow Process

#1



REQUEST FOR CONTRACT SERVICES

By submission of this request, the requestor of the subject services understands and complies with COM CF Legal and CF Local whereby only the college President and authorized designees are permitted to make a contractual commitment on behalf of the college. The following information, approvals and attachments must be obtained *prior* to the start of services.


1. Name of firm or consultant: _____
2. Description of services to be acquired: _____
3. Purpose for services: _____
4. Estimated Fiscal Year Cost: \$ _____
5. Estimated total Contract Cost: \$ _____
6. Estimated length of Contract: Start Date: _____ End Date: _____
7. Is the G/L Account funded and approved in the current Fiscal Year budget:
 Yes _____ No _____
8. G/L Account Number: _____
9. G/L Account Description: _____

Requestor (Print & Sign)	Date
V.P (Print & Sign)	Date
V.P for Fiscal Affairs (Print & Sign)	Date
Executive Director of Human Resources (Print & Sign)	Date

ATTACHMENTS to follow final approval of the subject form: <http://www.com.edu/purchasing>
 A. New Vendor Request Form (If applicable)
 B. Professional/Consulting Services Agreement



#2



CONTRACT FOR PROFESSIONAL CONSULTING SERVICES

THIS AGREEMENT is entered into as of _____ ("Effective Date") between College of the Mainland (the "College"), a public junior college pursuant to Section 130.004 of the Texas Education Code, and _____ ("Contractor").

1. SCOPE OF WORK.

2. COMPENSATION. For the services to be provided hereunder, the College shall pay Contractor a fee, plus reimbursable expenses, as follows:
 - a. _____ This is a fixed price contract. College will pay Contractor the amount of \$ _____
 - b. _____ This is not a fixed price contract. College will pay Contractor an amount not to exceed \$ _____ based on \$ _____ (hourly rate) or as set forth in the Contractor's proposal dated _____, attached hereto.
 - c. Reimbursable Expenses: Not to exceed \$ _____, which will include but not be limited to the following:
 - (i) Expense of transportation and living when traveling in connection with the project, at College's prior request, for other than regular trips within the College District area.
 - (ii) Actual cost for long distance calls and/or Telex charges in connection with the project.
 - (iii) Actual cost of printing and copying in connection with the project.

The above costs will be processed for reimbursement upon receipt of original invoice or other acceptable verification.

All payments must be supported by properly detailed invoices. Payment shall be rendered within forty-five (45) days of receipt of proper invoice from Contractor for services performed. If payment is not rendered within forty-five (45) days of invoice date, there will be a late charge equal to 1% of the amount due in accordance with Section 2251.026 of the Texas Government Code.
3. SCHEDULE. The work to be performed under this contract shall commence upon the Effective Date of this agreement and continue until the earlier of _____ or until all work is

Once these two forms are completed, submit to the Purchasing Office for review and final signature on behalf of College of the Mainland (bottom left side of the Contract for Professional Consulting Services Agreement)

Professional Services

STEP 1

Professional Services Agreement (PSA)

EX: Engineer, Architect, Land Surveyor
(Within Current Fiscal Year)

Complete Request for Contract Services (RFCS)

Route for Approvals

STEP 2

After RFS is completed & all approvals have been obtained

Complete Professional Services Agreement Form

To be completed by COM Employee & Vendor

A. Is vendor in Datatel or New Vendor?

See Vendor Records Flow Chart

B. Submit the following to Purchasing:

- RFS Form
- PSA Form
- New Vendor Request form, W-9, and CIQ *if applicable*

C. Payment:

- Enter requisition for Blanket PO
- Obtain Approvals
- Purchasing
- Or submit Direct Pay to A/P



PENALTIES

OFFENSES AGAINST PUBLIC ADMINISTRATION

Gifts to Public
Servants – Texas
Penal Code §36.08

- A public servant who exercises discretion with contracts, purchases, payments, claims or other pecuniary transactions of government commits an offense if he solicits, accepts or agrees to accept any benefit from a person the public servant knows is interested in or likely to become interested in any contract, purchase, payment, claim or transaction involving the exercise of his discretion.



Class B Misdemeanor: An ***Officer, Employee, or Agent*** of a school district commits an offence if the person with criminal negligence violates Texas Education Code section 44.031 or makes or authorizes separate, sequential purchase to avoid the requirements set forth in this section can result in a Class B Misdemeanor and office involving moral turpitude.

Separate Purchases: purchases, made separately, of items that normally would be purchased in one purchase.

Sequential Purchases: purchases, made over a period, of items that normally would be purchased in one purchase.

Class C Misdemeanor: An ***Officer or Employee*** otherwise knowingly violates Section 44.031, the person commits a Class C misdemeanor per Texas Education Code 44.031(a)-(d)

Final conviction of a person other than a trustee of a school district for a purchasing offense requires the immediate termination of employment. A trustee who is convicted of an offense is considered to have committed official misconduct and is subject to removal from office. Four years after the date of the final conviction, the removed person is ineligible to be a candidate for or to be appointed or elected to a public office...

FBI ACTIVELY PURSUES PUBLIC CORRUPTION (continued)

Former Officials Indicted in Weslaco Bribery Conspiracy

Former Weslaco City Commissioner John F. Cuellar, former Hidalgo County Commissioner Arturo Cuellar, and several others were indicted for a bribery scheme. In exchange for \$405,000 the public officials allegedly took several official actions to benefit 3 construction companies, including the award of a \$38.5 million contract to rehabilitate Weslaco's water treatment plant. If convicted, they face up to 20 years in Federal Prison for wire fraud and money laundering charges, 10 years for bribery, and 5 more years for related crimes.

Two Donna ISD school board members plead guilty to accepting bribes in connection with a services contract held by the school district. Between February and May 2015, the men attempted to extort, and solicited and accepted bribes from an individual whose company provided services to the Donna school district.

A former Houston Community College trustee was sentenced to nearly six years in prison after a judge said he accepted about a quarter-million dollars in bribes to steer contracts to select HCC vendors.

July 2017

(Currently serving his time in a Federal Prison in Louisiana)

HCC FALLOUT

HCC hired private consultants to investigate HCC;s procurement, facilities employment and related financial affairs costing in excess of \$350,000.

The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) began a review asking for more information on board governance.

It also requested HCC prepare a report explaining its compliance with an accreditation standard that requires board members to act collectively.

Sanctions could include monitoring, sanction or the appointment of a Special Committee to review the institution.

WORDS TO THE WISE



Understand Legal and Local Policy

Ask, if you don't know

Know who has the authority to make a commitment on behalf of the college

Train and be trained

Be smart with budget – It is tax payer money, YOU are accountable



PROPERTY MANAGEMENT

Inventory Management

Property Custodian: Steward of each organization responsible and accountable for the whereabouts of fixed assets within their department.

Property Transfers: Property for continued use from one department to another.

Surplus Property: Property for permanent disposal.

Annual Auction: Sale of surplus property to the general public for revenue gain to the General Fund.

Property Custodian: Responsible party (Budget Manager of each individual Department)

- **Documentation:** *Property Disposition Form – COM I:/Drive*
- **Facilities Work Order**

Information Technology (IT) Purchases

- **IT Purchase Request Form:**
located on Infocentral (anything but consumables)
"I:\Campus Forms\ITS Forms\ITS-Technology-Purchase-Request-Form.pdf"
- **IT Standard Equipment List**
- **Information Technology Services evaluation:**
 - Operating system compatibility.
 - Hardware compatibility.
 - Integration with existing systems.
 - Authentication method.
 - Unique capability of the product
 - Will additional resources be required to support the product?
 - Network resource impact.
 - Licensing (term).
 - Vendor support.
 - Training.
 - Stakeholder product requirements.
 - Responsible stakeholder determination post deployment.
 - Responsible budgetary stakeholder.
 - Installation scope and type.
 - Projected update frequency.
 - Competing product comparison.
 - Projected implementation date.
 - Technical contacts.



Marketing & Public Affairs (MPA)

MPA now pays for:

- Business cards (250)
- Nametags (1 per employee)
- Fact Sheets (500/year)
- Tri-fold brochures
- Advertising

All requested promotional items, signage, and materials requiring the college logo and brand must be routed through the MPA Office.

MPA provides generic promotional items and table drapes for departmental use

Refresh

Effective January 1, 2019

- Requisitions@COM.edu (NEW)
- Shipping@COM.edu (NEW)
- Education Department General Administration (EDGAR) Increase \$ for three (3) bid threshold (NEW)
- Vendor Records & Vendor Processing
 - ✓ W9 or W8
 - ✓ Conflict of Interest
 - ✓ Approvals
- Request for Proposal (RFP) Funding Agreement
- Catering/Food Services
 - ✓ Student Center Market
 - ✓ Chick-Fil-A: Monday through Thursday
TVB Kiosk 11:00 – 1:00 (pending sales or other campus activities)
 - ✓ Single Centralized Catering Budget
 - ✓ Vending Contract



College of the Mainland (COM) Campus-Wide Contracts

OFFICE SUPPLIES: OFFICE DEPOT

- Online Ordering (User Log-In & Password, Budget Manager, and Budget Code Required)
- No Online Furniture Orders
- Paper
- Virtual Invoice – Packing Slips/Proof of Delivery MUST be provided to Accounts Payable for payment processing within 1 business day of receipt.

PRINT & COPY SERVICES: OFFICE DEPOT

- User Log-In and Password
- COM and Bookstore Orders
 - Separate Accounts/Same Log-In
 - No Mailing Services
- Virtual Invoice - Packing Slips/Proof Of Delivery

BOOKS & INSTRUCTIONAL MATERIALS

- Texas Book Company



College of the Mainland (COM) Campus-Wide Contracts

- **Furniture: Facility Interiors**

Must coordinate with Purchasing and Facilities

- **Canon Copier Fleet**

- Services & Supplies:
- Call 713 number located on tag of machine
- Maintenance Plan Includes Toner & Staples

- **Catering**

See Catering Guide and Awarded Vendor List on Purchasing Website: <http://www.com.edu/purchasing>

Central Mail

Mailroom Hours: Monday – Friday (9:00 a.m.– 4:00 p.m.)

ALL MAIL must have:

- A return address
- All Grants require budget code identification
- Regular & Priority Mail: Monday – Friday, 3:00 p.m.
- Certified Mail: Must complete the Certified Mail Label
- **Bulk Mail:**
 - 200 + pieces
 - Must be uniformed by zip code order from the lowest to highest
 - Must be flaps down
 - Indicate the Exact Count for all Sealed and Postcard
 - Identified with Permit No. 54
 - Must state “Or Current Resident” under the address of the recipient
 - **Must be submitted to the mailroom clerk by 11:00 a.m.**



Shipping & Receiving

Hours of Operations

Monday – Friday (8:00 a.m. – 5:00 p.m.)

- Outgoing Shipments:
 - Shipping Report Requirements
 - Grant Budget Codes if applicable
- Incoming Shipments:
 - Proof of Delivery by Signature, E-mail, etc.
 - Packing Slips & Accounts Payable

KNOW WHAT YOU ARE SIGNING FOR



Purchasing Website Tools

[HTTP://WWW.COM.EDU/PURCHASING](http://www.com.edu/purchasing)

Purchasing Department Website Resource

- Request for Professional/Consulting Services
- New Vendor Request Form
- Standard Service Agreement (SSA)
- Professional Services Agreement (PSA)
- Department Contacts
- External Site for Public Info
- Internal Site for Employee Only Access
- State Co-Operatives and Inter-Local Contracts
- Surplus & Auction Details