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| <b>Procurement and Contracting Procedure</b> | Procedure Number | 4.2.1P       |
|  | Effective Date   | May 18, 1988 |

**1.0 PURPOSE**

It is the intent of Laramie County Community College (“LCCC”) to establish procedures and guidelines that define the processes used to promote, provide, and ensure that centralized procurement services for LCCC are consistent and compliant with the College’s policies and procedures, State of Wyoming Statutes and federal requirements such as the Uniform Commercial Code (UCC). By delegation of the Vice President of Administration and Finance, the Director of Procurement and Contracting is responsible for all procurement functions; for maintaining a uniform set of procedures and forms to implement processes regarding solicitation and acquisition of goods and services through quotes, bids, proposals and contractual agreements; and to assist and provide guidance and support to LCCC in the acquisition of goods and services in accordance with College policies and procedures. The primary responsibility of the Purchasing Office is to ensure the proper, prompt and responsive procurement of all supplies, equipment, goods, materials, and services for the College. This charge applies to all college funds; therefore all procurement activities shall be completed by either the Purchasing Office or under the direct order, guidance, or supervision of this office. To achieve this objective, the responsibilities, authorities and controls set forth in this procedure, and all related policies, procedures and manuals shall be adhered to by all college employees.

**2.0 REVISION HISTORY**

Adopted on: 5/18/88

Revised on: 4/24/97, 1/09/06, 5/31/07, 4/01/08, 12/24/10, 6/1/11

**3.0 PERSONS AFFECTED**

- A. All employees who participate in a procurement activity that involves the dispersal of LCCC funds through the applicable procurement and/or contracting process.
- B. A person, business, company, entity, representative or manufacturer who conducts a business relationships and/or transactions with the College.

**4.0 DEFINITIONS**

- A. *Agreement/Contract/MOU* – An exchange of promises or undertakings, including an offer, acceptance, and consideration, between LCCC and another person, business, company, or entity relative to the college’s procurement or disposal of goods and services that binds or purports to bind LCCC and the other party to reasonable specific terms and conditions. All such documentation is subject to prior review and approval by appropriate and designated college personnel.
- B. *Authorized Signatory* – Approval authority required to execute a financial transaction for the college in accordance with the “Signature Authority Manual” authored by the VP of Administration & Finance Services.

- C. *Procurement* – The complete action or process of inquiring, acquiring or negotiating for equipment, goods, materials, personnel, property, services, and/or supplies in conformance with applicable federal, state and local laws, regulations and rules; means contracting, leasing, purchasing, renting or otherwise acquiring equipment, goods, materials, personnel, property, services and/or supplies in conformance with applicable federal, state, and local laws, regulations and rules; the administration and management function that ensures identification, sourcing, access and management of the external sources that LCCC needs or may need to fulfill operational objectives.
- D. *Resident* – The word “resident” means: Any person who shall have been a bona fide resident of the state for one year or more immediately prior to bidding upon the contract; a partnership or association, each member of which shall have been a bona fide resident of the state for one year or more immediately prior to bidding upon the contract; a corporation which has been organized under the laws of the State of Wyoming and has been in existence therein for one year or more immediately prior to bidding upon the contract and which has its principle (principal) office and place of business within the State of Wyoming. See WYO. STAT. ANN. § 16-6-101.
- E. *Sole Source* – When a single resource or supply of goods, materials or services exists.
- F. *Solicitation* – Any request or appeal, or any endeavor to obtain, seek or plead for services, funds, property, financial assistance or other thing of value, including the promise or grant of any money or property of any kind or value. Solicitations shall be considered valid when accomplished via an appropriate written instrument.
- G. *Supplier* – An external organization or entity that manufactures, supplies, distributes, or provides materials, goods, labor, equipment or services, and shall have the same meaning as a Vendor or Contractor.
- H. *Unauthorized Purchase* – An agreement, commitment or an order for goods or services, or a change to an existing agreement, commitment or order by any person who does not have express written delegation or authorized procurement authority to bind LCCC. Unauthorized purchases are not binding on LCCC and the vendor may be advised to seek payment from the respective employee.
- I. *Vendor/Supplier/Contractor* – A person, business, company, entity, representative or manufacturer who desires to conduct business with the LCCC campus locations for the purpose exchanging, soliciting, marketing or distributing of; information, knowledge, or providing products and/or services. May also be defined a retail salesperson or entity without an established place of business.

## 5.0 PROCEDURE

### A. Purpose

To assist and support college employees and external organizations/entities involved in the steps of the procurement process, and provide understanding of the application of college policies and procedures regarding procurement and vendor relations. Procurement commitments are decisions made on behalf of LCCC and therefore should be made with the utmost consideration of what is in the best interest of LCCC. Following these procedures ensures that appropriate business processes occur when dealing with vendors, suppliers and/or contractors.

## B. Code of Ethics

All employees of LCCC that participate in the procurement process shall follow the following code of ethics based upon the Code of the National Association of Educational Buyers (NAEP) and the National Institute of Governmental Purchasing (NIGP).

- 1) Believes in the dignity and worth of services rendered by the organization and the social responsibilities assumed as a trusted public servant.
- 2) 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.
- 3) Believes that no employee shall, at any time or under any circumstances, accept directly or indirectly, gifts, gratuities, or other things of value from suppliers.
- 4) Seeks or dispenses no personal favors, and handles each administrative problem objectively and empathetically without discrimination.
- 5) Identifies and eliminates participation of any individual in operational situations where a conflict of interest may be involved.
- 6) Obtains maximum ultimate value from each dollar expended for products or services.
- 7) Grants equal consideration to all competitive bidders; each transaction is evaluated on its own merit and fair, ethical, and legal trade practices are followed.
- 8) Requires honesty from sales representatives, whether through verbal or written statement, advertisement, or product sample.
- 9) Uses only by consent, those original ideas and designs devised by one vendor for competitive purchasing purposes.
- 10) Cooperates with professional and trade organizations and governmental and private agencies engaged in furthering the promotion and development of the Purchasing profession.

## C. Responsibilities

- 1) The primary responsibility is to provide for the procurement of materials, goods, supplies, equipment and services with the objective that they will be available at the proper time, in the proper place, in quantity, quality and price consistent with the needs of the College. This balancing of several factors is critical if procurement is to be successful.
- 2) The Director of Procurement and Contracting has the responsibility for the procurement of all goods, materials, supplies, equipment and services, and to provide this service for such procurement or give functional direction to others delegated to perform such services.
- 3) Employees involved in the procurement process shall take full responsibility for understanding and complying with the College's policies and procedures regarding procurement and vendor relations, acknowledging that procurement decisions are business decisions made on behalf of LCCC and therefore should be made with the utmost consideration for what is in the best interest of the College.
- 4) Only those persons with authority delegated by LCCC President and/or the Vice President of Administration and Finance Services are authorized to make commitments on behalf of LCCC for goods, materials, supplies, equipment and services.
- 5) The Purchasing Office is responsible for initiating and maintaining effective and professional relationships with vendors, suppliers and contractors.
- 6) The Purchasing Office is to serve as the channel through which procurement services are administered in accordance with college policies and procedures.
- 7) All employees involved in procurement activities will work to maintain and enhance the LCCC image by their personal conduct and methods of doing business.


- 8) All employees engaged in procurement activities shall recognize and practice good public relations by giving all callers and visitors courteous treatment.

C. Objectives

- 1) **Ensure** uninterrupted procurement activity by obtaining and ensuring delivery of acceptable quality of goods and services.
- 2) **Develop** reliable alternative sources of supply to meet college requirements.
- 3) **Comply**, in all respects, with College policies and procedures and with all applicable laws and provisions.
- 4) **Procure** goods and services for college use at the maximum end-use and use value per dollar spent.
- 5) **Resolve** complaints on all procured goods and services.
- 6) **Provide** leadership in the standardization of goods, materials, supplies, equipment, services and procedures.
- 7) **Cooperate** with college administration and all college employees so as to meet their requirements.

D. Compliance

- 1) All administration, faculty, staff, visitors and vendors are responsible for assuring that vendor interactions with the LCCC campus community are compliant with this Procedure.
- 2) The Director of Procurement and Contracting shall thoroughly investigate any reported violations of this Procedure.
- 3) Vendors who fail to comply with the requirements of this Procedure are subject to refusal or revocation of vendor visitation privileges at the College.
- 4) Administration, faculty, staff and students failing to comply or support this Procedure shall be reported to their supervisor for appropriate disciplinary action.
- 5) All LCCC employees, vendors, suppliers and/or contractors that participate in the procurement process shall follow and adhere to the LCCC Contract and Procurement Procedure Manual, attached hereto and hereby incorporated by reference and made a condition and part of this Procedure. The manual is also available in hardcopy or electronic format, and can be found on the LCCC Purchasing Webpage, or by contacting extensions 1280 or 1153.
- 6) In accordance with Wyoming Law, procurement and contracting processes shall adhere to and follow applicable State Statutes. See Wyoming Statutes: Title 9 (*Administration of the Government*), §§ 9-2-1016 and §§ 9-2-1057 through 1033; Title 16 (*City, County, State and Local Powers*), §§ 16-6-101 through 301 and §§ 16-6-701 through 902; and Title 27 (*Labor and Employment*), §§ 27-4-401 through 413.

| REQUIRED APPROVALS                | NAME/SIGNATURE   | DATE     |
|-----------------------------------|--|----------|
| Originator(s) Name(s)             | Jerry L. Harris, Procurement and Contracting Director                                | 12/12/10 |
| Approval by President's Cabinet   |  | 5/31/11  |
| Approval by President (Signature) |  | 6/1/11   |