

3354:1-20-06.1 Procurement procedure.

(A) Scope

- (1) Every procurement shall be made in accordance with this procedure.
- (2) Only the Treasurer or the Treasurer's designee may sign or otherwise enter into a procurement agreement.

(B) Board Approvals

- (1) Annually, the Board approves the long range financial plan for the College. As part of that plan, the Board approves the annual budget consisting of operating expenditures, special fund expenditures, capital expenditures, transfers, restricted funds expenditures, and auxiliary funds expenditures.
- (2) All contracts for works of improvement of \$200,000 or more require Board approval.
- (3) Any contract to any vendor that spans one or more fiscal years for goods, services or works of improvement in an amount of \$200,000 or more requires Board approval.
- (4) All revenue contracts, with the exception of contracted training agreements, of \$200,000 or more require Board approval.
- (5) All contracts for the sale or acquisition of real estate require Board approval.

(C) Exceptions

Month-to-month purchases of utilities used in the College's regular course of business operations do not require approval by the Board of Trustees.

(D) Diversity and Inclusion

The College will strive to create relationships with diverse businesses that strengthen the communities in which it operates and will develop mutually beneficial relationships with diverse and local suppliers. Departments will be encouraged to identify and include diverse suppliers and service providers in the procurement process.

(E) Competition and Efficiency

The College is committed to providing economic opportunities for the Cuyahoga County community to do business with the College in a fair and open process. The College is also committed to providing value to taxpayers through efficient operations. As such:

- (1) Goods, services and works of improvements costing less than \$10,000 may be procured outright or through a Request for Proposal, Request for Quotation or bid process.
 - (2) Goods, services and works of improvement costing \$10,000 or more but less than \$100,000 may be procured with two (2) written quotes or through a Request for Proposal, Request for Quotation or bid process.
 - (3) Goods, services and works of improvement costing \$100,000 or more must be procured through a Request for Proposal or bid process and will be advertised through at least one local newspaper or posted on the College's website. Contracts for printing shall be let in accordance with Ohio Revised Code Section 3345.10.
 - (4) Works of improvement costing \$200,000 or more shall be sought through public sealed bids and shall follow statutory requirements.
 - (5) Revenue agreements, with the exception of contracted training agreements, lease agreements, and university partnership agreements, in an amount less than \$100,000 may be procured outright. Revenue agreements, with the exception of contracted training agreements, lease agreements, and university partnership agreements, in an amount of \$100,000 or more must be procured through a Request for Proposal.
 - (6) The College may take full advantage of contracts let in a competitive and open bidding process by the State of Ohio, the Federal Government, and/or a recognized local, regional, or national group purchasing organization/consortia. In these cases, the requirement for the College to conduct its own Request for Proposal process or Request for Quotation process is not required.
- (F) Waiver of Request for Proposal, Request for Quotation, or Bid Process

The Treasurer or the Treasurer's designee may waive Request for Proposal, Request for Quotation, or bid processes under the following circumstances:

- (1) **Emergency:** The goods or services are needed to correct or prevent an emergency health, environmental or safety hazard; for special time sensitive events; or for emergency repair or replacement of existing equipment essential for daily operations. Prior to making a procurement on an emergency basis, the procurement must be approved by the President, or the Executive Vice President/Treasurer; and such individual must also seek prior confirmation from the Board Chair (or Vice Chair), who may consult with one or more Board Members. After making a procurement on an emergency basis in an amount of \$200,000 or more, the Executive Vice President/Treasurer shall seek ratification from the Board at the next regular meeting.

- (2) Sole Source: There is only one provider of the goods or services sought by the College; or the requested goods or services are unique in design, performance, or use specifications.

(G) Treasurer's Designees for Procurements on Behalf of the College

Subject to the aforementioned procurement procedures, the Treasurer hereby designates the individuals holding the following positions to sign or otherwise enter into the following types of procurement agreements:

- 1) The Executive Director of Supplier Managed Services may procure goods and services on behalf of the College that are less than \$200,000.
- 2) The Vice President of Integrated Communications may procure time-sensitive media purchases that are less than \$200,000.
- 3) The General Counsel, in consultation with the College as appropriate, may procure professional legal services on behalf of the College within the approved budget for the Office of Legal Services and as authorized by the Ohio Attorney General.
- 4) Plant Operation Managers and Plant Supervisors may use procurement cards in an emergency situation to purchase goods or services costing less than \$10,000. Written restrictions, guidelines, and exceptions that are established for the use of procurement cards are to be enforced by the Executive Director of Supplier Managed Services or the Accounts Payable Manager.

In no other circumstances are College employees authorized to sign or otherwise enter into procurement agreements on behalf of the College. Employees who make commitments outside the authority granted in this procedure, do so at the risk of disciplinary action including termination.

(H) Definitions

- (1) "Goods" are items such as materials, supplies, printing, operating repairs and durable goods (such as furniture, furnishings and moveable equipment).
- (2) "Services" are items such as insurance policies, professional and consulting services, maintenance agreements, and leases of durable goods/equipment and leases of facilities, but do not include legal services.
- (3) "Works of improvement" are improvements to real property, including without limitation construction, reconstruction, enlargement, alteration, modification and repair of a building or other real property.

Effective date: October 4, 2021

Prior Effective date: January 1, 2017; July 20, 2016

Procedure amplifies: 3354:1-20-06