

CPTC Procedure: Purchasing

Introduction

Coastal Pines Technical College (CPTC) is a unit of the Technical College System of Georgia. CPTC follows the procedural guidance established by the Technical College System of Georgia. The College shall comply with all federal and state laws, as well as regulations and procedures established by the Georgia Department of Administrative Services State Purchasing Division (DOAS SPD), and the Georgia Technology Authority (GTA) with respect to purchasing.

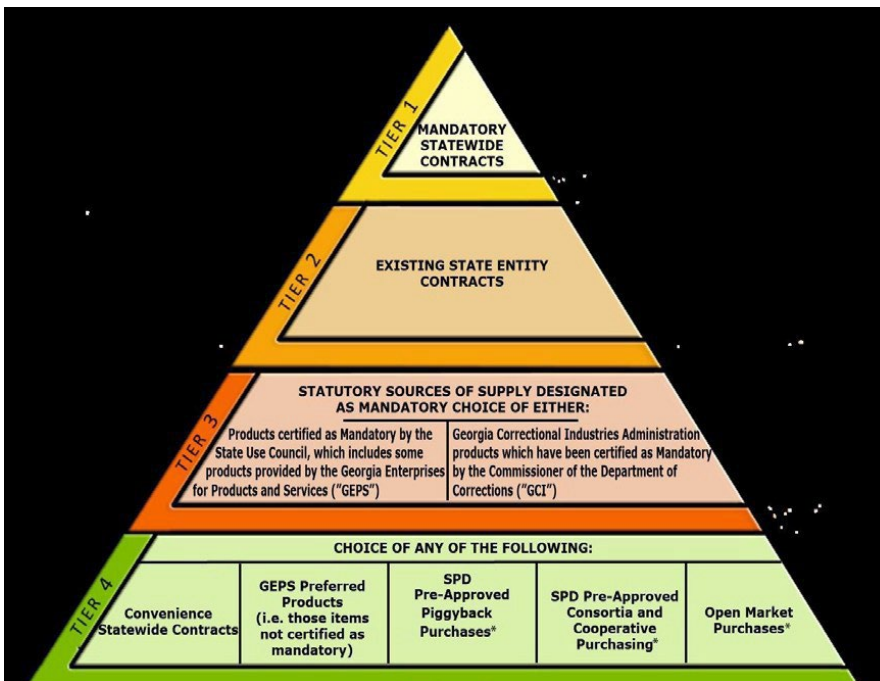
Adherence to these purchasing policies will ensure efficient and economical use of budgeted funds. The State of Georgia's purchasing policies and procedures can be found under the Official Code of Georgia, Annotated O.C.G.A 50-5-1 through 50-5-81. An interpretation of such codes can be found in the Georgia Procurement Manual (GPM).

Team Georgia Marketplace

CPTC implemented Team Georgia Marketplace™ (TGM) in July 2014. TGM is a self-service web- based shopping system which streamlines the procurement process and lowers procurement costs by reducing transaction overhead. Other benefits of utilizing TGM include online access to catalogs of products and services that are available on statewide contracts, providing a simplified signature routing process, reducing paper requisitions, and the availability of open item and history reports.

Order of Precedence

The order of precedence must always be considered and followed in purchasing, regardless of the value of the purchase.



Tier 1 - Mandatory Statewide Contracts

Statewide contracts are established by SPD for use by all state entities as appropriate. By aggregating common purchasing needs of state entities, SPD can establish the most

competitive levels of pricing and services for the state as a whole. There are two types of statewide contracts:

- Mandatory statewide contracts
- Convenience statewide contracts

Only *mandatory statewide contracts* are included in Tier 1 of the Order of Precedence. In the event a statewide contract has been designated by SPD as mandatory, all state entities must use the mandatory statewide contract unless SPD grants a written waiver.

In the event there is more than one mandatory statewide contract meeting the state entity's need, the state entity may freely choose amongst the mandatory statewide contracts unless SPD specifically instructs otherwise. Purchases from mandatory statewide contracts are not limited by dollar amount or the state entity's delegated purchasing authority. Procurement professionals may view a list of current statewide contracts by accessing SPD's website. The current statewide contracts may also be viewed in SciQuest.

Waivers

The College must use mandatory statewide contracts unless SPD grants a written waiver. SPD's approval of any requests for waivers will be limited to purchases with a specified time frame and/or dollar value. Justifiable reasons include, but are not limited to:

- The state entity's ability to pay Cost
- Delivery time
- Compatibility with existing state entity situations.

Requests for waivers must be prepared online at the [doas.ga.gov](https://service.doas.ga.gov/app/answers/detailopa/a_id/1074) web page or by following this link https://service.doas.ga.gov/app/answers/detailopa/a_id/1074

The form must be completed and submitted by the Agency Procurement Officer (APO). The submitter will receive a summary of the request and a reference number. Upon receipt of all required information to the Statewide Contract Management Team, the request will be processed for a determination within five (5) business days. In the event SPD grants the waiver, the waiver must be maintained as part of the state entity's procurement file. Waivers to mandatory statewide contracts do not relieve the state entities of any bidding requirements. The waiver process is not applicable to convenience statewide contracts.

Development

SPD is authorized to establish centralized contracts such as statewide contracts that use standard specifications or performance requirements in order to decrease the overall cost of commodities and/or services to the state. APO/CUPOs are encouraged to submit their specific requests for statewide contracts to SPD on a regular and continuing basis to ensure that their most urgent needs are reflected in the current work schedules and are invited to contact SPD to discuss their consolidating and contracting ideas. SPD may form a group of individuals with technical skills or subject matter expertise with respect to the specific commodity or service area to assist in the development process of new statewide contracts.

Tier 2 – Existing State Entity Contracts

Existing contracts held by the state entity represent the Tier 2 of the Order of Precedence. The College must purchase goods/services that are available on existing contracts for that particular state entity and any deviations from such contracts must be documented and approved by the APO/CUPO. Ordinarily, a state entity would not possess a contract for the same good or service

that is covered by a mandatory statewide contract. However, some state entity contracts may exist at the time SPD awards a new mandatory statewide contract. In this scenario, the state entity may continue to use the existing state entity contract; however, the state entity should also promptly notify SPD of the existing state entity contract and work with SPD to transition to the new mandatory statewide contract as appropriate and expeditiously as possible. The APO/CUPO must notify the identified SPD staff member that is listed as the main contact for the specific mandatory statewide contract as listed on the list of statewide contracts. As another example in which the state entity may have a state entity contract at the same time a mandatory statewide contract is in effect, the state entity may have developed a new contract as a result of SPD's grant of authority in response to the state entity's written waiver request. The establishment of new state entity contracts is subject to the competitive bidding requirements of the State Purchasing Act and the limits of the state entity's delegated purchasing authority.

Tier 3 - Statutory Sources Designated as Mandatory

Certain products and services which have been certified as mandatory in accordance with the following subsections represent Tier 3 of the Order of Precedence. Specifically, state entities are required by statute to purchase certain products and services from Georgia Correctional Industries Administration (GCI) and Georgia Enterprises for Products and Services (GEPS) where the products/services being purchased have been certified in writing as further described in the GPM. In the event both GCI and GEPS offer certified products/services capable of meeting the state entity's needs, the state entity has its choice of either source.

Georgia Correctional Industries Administration

In accordance with (O.C.G.A.) Section 50-5-73, the Commissioner of the Department of Corrections may certify certain products or services provided by GCI as "available and of competitive quality and price". GCI and the Commissioner of Corrections are required to report the certification criteria to SPD, including but not limited to cost, delivery schedules, and availability within fifteen days of notice of certification. Any subsequent changes to certified products or services must be reported to SPD within fifteen days of any such change. Only goods and services identified to SPD that are certified in accordance with this section are considered to be in Tier 3 of the Order of Precedence. A list of certified products/services may be viewed by accessing the GCI Certified Products and Services List. These purchases are not subject to dollar limits or the state entity's delegated purchasing authority. Although only goods and services certified in accordance with this section are considered to be in Tier 3 of the Order of Precedence, state entities are authorized to contract with GCI for needed goods and services pursuant to an intergovernmental agreement described in the GPM.

Georgia Enterprises for Products and Services

The State Use Law set forth at (O.C.G.A.) 50-5-135 et seq. is intended to create opportunities for disabled persons employed by community-based rehabilitation programs and training centers that are certified by the State Use Council. In order to effectuate the purposes of the State Use Law, SPD and the State Use Council have agreed that, unless specifically identified as a "*preferred source*" by SPD and the State Use Council, the goods and services identified on the State Use Procurement List are mandatory sources and that state entities are required to purchase such items at the prices stated pursuant to (O.C.G.A.) Section 50-5-136(b) (2). Only goods and services identified as mandatory are considered to be in Tier 3 of the Order of Precedence. A copy of the current State Use Procurement List showing both mandatory and preferred sources provided by GEPS, which may be amended from time to time, can be found on SPD's website.

Tier 4 - Convenience Statewide Contracts, Preferred Products, Piggyback Purchases, Consortia or Cooperative Purchasing and Open Market Purchases

If the APO/CUPO cannot satisfy the purchasing need using Tier 1, Tier 2 or Tier 3, then the

APO/CUPO may pursue any one of several options available in Tier 4 of the Order of Precedence. The options available in Tier 4 include using a convenience statewide contract, purchasing a preferred product, making an SPD-approved piggyback purchase, contracting with a consortia approved or cooperative approved supplier after satisfying the public notice requirements of Conducting Sole-Source Purchases, or making an open market purchase.

Convenience Statewide Contracts

Any statewide contract that has not been designated by SPD as a mandatory statewide contract (as further described in Tier 1 of the Order of Precedence) is a convenience statewide contract. State entities may, but are not required to, use a convenience statewide contract. However, SPD strongly encourages the use of convenience statewide contracts as they offer several benefits to the APO/CUPO in terms of saving time and ensuring compliance with procurement rules. For example, pricing and contract terms have already been finalized so the APO/CUPO is not required to spend time establishing these terms. Use of statewide contracts (both mandatory and convenience) is not limited by dollar amounts or the state entity's delegated purchasing authority. As a result, by using a convenience statewide contract, the APO/CUPO is not required to monitor spend to ensure compliance with the competitive bidding threshold as further described in Open Market Purchases or the state entity's delegated purchasing authority. Convenience statewide contracts may be viewed online.

Preferred Products

SPD and the State Use Council have agreed that certain products available through Georgia Enterprises for Products and Services are available to state entities on an optional basis. These products have been designated as "*preferred sources*" at the prices stated in the State Use Procurement List. A copy of the current State Use Procurement List showing both mandatory and preferred sources, which may be amended from time to time, can be found on SPD's website. Purchases of preferred products are not limited by dollar amounts or the state entity's delegated purchasing authority.

Piggyback Purchases

Piggyback purchasing allows the issuing state entity and the awarded supplier to agree to open up the contract for the use of other state entities. However, the supplier must offer other state entities the same prices, terms and conditions as that of the issuing state entity. Further, a state entity will be allowed to use another state entity's contract only with the prior written approval of the State Purchasing Division Deputy Commissioner, which may be requested by utilizing the DOAS on-line Piggyback Request. In reviewing the request for approval of a piggyback purchase, the State Purchasing Division Deputy Commissioner will give consideration to the amount of the piggyback purchase request relative to the expected purchases on the existing state entity contract. All state entities that are given permission by the State Purchasing Division Deputy Commissioner to use another state entity's contract must submit a monthly report listing other state entity contracts that are being used along with a list of purchase orders and/or P-card transactions and dollar amounts that have been issued against the other state entity contract.

Consortia or Cooperative Purchasing

In accordance with (O.C.G.A.) Section 50-5-51, DOAS has both the authority and duty to canvass all sources of supply to establish contracts for needed goods and services as well as enter into or authorize agreements with private non-profit organizations or other states and their political subdivisions. Pursuant to this authority, DOAS may enter into and/or authorize state entities to enter into contracts with sources of supply established pursuant to competitive bidding conducted by other governmental entities or cooperative purchasing groups. However, prior to designating a supplier approved by a consortia or purchasing cooperative as an authorized source of supply,

the state entity must publicly advertise its intent to contract with the consortia approved/cooperative approved supplier in accordance with Conducting Sole-Source Purchases.

Open Market Purchases

In Tier 4 of the Order of Precedence, the APO/CUPO may elect to go to the open market to identify a source of supply for the needed good or service. If the APO/CUPO determines an open market purchase is the appropriate purchasing method under Tier 4 of the Order of Precedence, the APO/CUPO must purchase the item through the use of competitive bidding procedures as further described in Chapters 2 through 7 of the GPM unless the needed good/service can be purchased for less than \$25,000 in which case the good/service may be purchased without competitive bidding pursuant to OCGA 50-5-69*. Although competition is not required for purchases under \$25,000, SPD recommends the comparison of products and prices from at least three suppliers, including any applicable convenience statewide contracts, prior to ordering. Otherwise, all purchases made by a state entity should be based on competitive bidding whenever possible. The state entity may not split reasonably foreseeable or related purchases into two or more transactions for the purpose of circumventing the requirement that any purchase of \$25,000 or more be based on competitive bidding.

*Purchases made without competitive sealed bidding, even if allowable under the Purchasing Act, are not eligible for the conflict of interest safe harbors provided in OCGA 45-10-20 et seq. when transacting business with a business in which a state employee or state official has a "substantial interest". A state entity can only purchase from a business in which a public official has a substantial interest by seeking competitive sealed bids as set forth in OCGA 45-10-20 et seq. or by purchasing from statewide contracts which have been established by competitive sealed bidding.

Emergency Purchases

In accordance with O.C.G.A. Section 50-5-71, SPD has granted the authority to state entities to purchase urgently needed items arising from unforeseen causes, including, but not limited to, extreme weather conditions or official declared emergencies. *Emergency purchases* are an exception to the Order of Precedence. An emergency procurement is handled outside of the normal competitive process because of the urgency of the circumstances, such as the immediate welfare of the general public. Therefore, SPD approval is not required in advance of the emergency purchase. Poor planning or the pending expiration of funds does not constitute a valid justification for an emergency purchase. It is always good business practice and considered to be in the best interest of the state of Georgia to make any procurement as competitive as time permits. The state entity is authorized to handle the emergency purchase whether or not the dollar amount of the emergency purchase falls within the state entity's delegated purchasing authority. In the event of an emergency purchase, the APO/CUPO must attach a completed SPD_NI004 Emergency Justification Form to the header of the PO.

Utilizing a Purchase Order or P-Card for Emergency Purchases

Use of a *Purchase Order (PO)* or the state of Georgia's official purchasing card (P-Card) is discussed further in the GPM, Chapter 8. The APO/CUPO may use either a PO or the P-Card to make the emergency purchase. If a *Purchase Order (PO)* is used to make the emergency purchase, the PO should be issued with the phrase "Emergency Purchase" included. With respect to using the PCard, Statewide Purchasing Card Policy allows emergency purchases to be paid utilizing the P-Card provided the state entity complies with specific requirements regarding after-the-fact requests for approval and documentation of such transactions. The Statewide Purchasing Card Policy allows exceptions to normal policies regarding individual transaction amounts and/or monthly cycle limits and to allow for the purchase of necessary items which are

normally prohibited (employee meals, for example) as needed to quickly and responsibly meet the needs of the public in an emergency situation.

Program Administrators and/or Coordinators are permitted to make the necessary changes to cardholders' accounts to facilitate these purchases in accordance with policy. Following the emergency, upon return to normal business operations, adherence to standard policy must resume and Program Administrators and/or Coordinators are responsible for returning affected cardholders' accounts to their original status as they existed prior to the emergency. Access the Statewide Purchasing Card Policy for guidance regarding required procedures and documentation to support emergency purchases. Guidance is also provided in the CPTC Purchasing Card Procedure Manual.

Sole Source and Sole Brand Purchases

In situations where a product or service can be obtained from only one provider, documentation must be provided using the Sole Source form. Justification and documentation must also include a letter from the Original Equipment Manufacturer (OEM) justifying the OEM as a Sole Source. All Sole Source purchases \$25,000.00 and over must be published on the Georgia Procurement Registry. The total posting period for a sole-source notice is determined by the estimated contract value. If the estimated contract value is \$25,000 - \$249,999.99, the notice is to be posted for a minimum of five (5) business days. If the estimated contract value is \$250,000 or greater, the notice is to be posted for a minimum of fifteen (15) calendar days as mandated by Georgia law.

A sole-brand solicitation is a competitive solicitation which includes specifications restricting offered goods to a specific manufacturer or owner's brand. Before making a determination that only one specific brand of goods will meet the state entity's critical business requirements, research must be conducted by the procurement professional to determine if other brands exist which can also satisfy procurement requirements in a timely manner. Sound procurement practice requires that a sole-brand solicitation be used only when it is the last justifiable option, and not as an attempt to contract for a favored brand of goods. An example of the appropriate use of the sole-brand justification may include certain situations where a specific piece of equipment is needed to match existing equipment or is a replacement. If the desired good is only available from one source, then the sole-brand solicitation is not applicable, and the procurement professional must review Section 2.3.2. - Sole Source Purchases.

A valid sole-brand justification allows the procurement professional to process a competitive solicitation with the insertion of "No Substitute" after the good is specified by brand name, model number, or some other designation identifying a specific good of a manufacturer.

To conduct a sole-brand solicitation, the procurement professional must first complete form SPD-PS019 Sole-Brand Justification Form. The procurement professional should access SPD-PS019a Sole-Brand Instructions for additional information regarding the completion of the form. The completed form must be publicly posted as an attachment with the solicitation. A sole-brand solicitation is a competitive solicitation, and the procurement professional must comply with all other requirements regarding posting and processing a competitive solicitation.

Additional Requirement for Purchases \$125,000 or More Regardless of Purchase Type

All purchases \$125,000 or more must be approved by the State Board of the Technical College System of Georgia. This requirement includes all purchases \$125,000 or more made through a Statewide or Agency contract, mandatory sources, as well as open market purchases that require bids. This approval must be obtained before any other processing of the order takes

place. Faculty and staff of CPTC must allow additional time to obtain this approval and should contact the Procurement Office for additional details.

If a proposed purchase exceeds \$100,000 and is for non-exempt goods and services related to technology, as that term is defined at O.C.G.A. § 50-25-1 then such purchases shall be approved by the Agency CIO who will notify the Georgia Technology Authority if required.

Technology (Hardware and Software) Purchases

CPTC has established an internal procedure concerning the purchase of computer hardware and software. All computer hardware (i.e., printers, desktops, laptops, projectors, scanners, desktop copiers) and most software purchases have been pre-approved by IT and are included in the "CPTC Pre-Approved Technology Quotes" located on the IT page of the CPTC Intranet. Please use corresponding quote numbers and vendor information in the SciQuest system for purchasing and include a .pdf print of the quote. If a needed IT hardware/software item is not covered under the "CPTC Pre-Approved Technology Quotes" document, the information should be entered into the CPTC Work Order system to request a quote from/approval by Information Technology (IT) staff. After the quote from the vendor has been obtained and approval is received, then the work order is closed by the IT staff. The faculty and staff should attach the quote as a pdf file to the shopper's cart in SciQuest. The cart will not be processed if this documentation is not included.

Internal Purchase Requisition Process

Faculty and staff utilize SciQuest and enter internal requisitions as carts. Carts have a minimum purchase amount of \$25.00 regardless of the type of purchase. Carts are then reviewed and approved/disapproved by their immediate supervisors. The Cabinet-level supervisor of each division must also approve/disapprove carts submitted by faculty/staff within their division. After a cart has received all of the proper approvals and is also reviewed by the CPTC Procurement Office, then the cart is processed in Team Georgia Marketplace *eprocurement* by the CPTC Accounting Department, Procurement Office, and the Vice President for Administrative Services (VPA). The Accounting Department and the VPA ensure that requisitions have the correct accounting/budget codes. The Procurement Office ensures that all procurement regulations have been followed prior to creating the purchase orders.

Only upon issuance of the purchase order is an employee of CPTC authorized to purchase goods or services from vendors. CPTC becomes legally and financially responsible at the time the purchase order is issued.

Regardless of the type or amount of purchases, all requisitions must be processed in SciQuest. All requisitions that can be processed by the CPTC Procurement Office are to be submitted 15 working days prior to the date the purchase order is needed. Additional time is required for those requests that must be forwarded to TCSG or State Purchasing for additional processing or approval.

The Vice President for Administrative Services approves all requisitions in TGM. The Procurement Office verifies vendor information in PeopleSoft and ensures that all procurement rules and regulations have been followed prior to generating purchase orders for requisitions that have been processed in TGM. Once these steps have been completed the Procurement Office will email a copy of the purchase order to the shopper/cart originator or designated purchasing contact for each division/department as follows:

- TGM Punch-Out suppliers and/or Online Catalog orders
 - Upon completion of the purchase order, the Procurement Office will submit the orders electronically to the vendor in the TGM system. The shopper will be notified by email that their order has been sent to the supplier. When

ordering items from statewide contracts that are chosen from a punch-out supplier or those items that are selected using the online catalogs in SciQuest, no supplier contact information is required from the shopper.

- Non-Catalog orders
 - A valid email address for placing orders is requested on all carts entered as non-catalog. When an email address is provided, the Procurement Office will email and place the order to the supplier. The shopper/cart originator will be copied on the email when the order is placed. If an email address is not provided, it will be the responsibility of the shopper/cart originator to contact the vendor and ensure the order is placed.

The Procurement Office will also email a copy of the purchase order to the Administrative Services/College Stores staff in charge of receiving so they can identify orders as the orders are received. Once the requestor receives an order and verifies that it is complete, then he/she signs the purchase order as being received. A supplier cannot be paid until the order is verified as received by the appropriate personnel and shown as received in PeopleSoft. If the purchase order is for goods or services that are not tangible items, such as registrations, advertising, or service work, then the receiving copy of the purchase order is e-mailed to Accounts Payable and the requestor is required to sign the receiving copy of the purchase order. An email verifying the order is received is acceptable if signing the receiving report is not practical.

The Procurement Office will print a copy of the purchase order and e-mail to Accounts Payable. Accounts Payable maintains complete voucher packets for each check issued to a vendor for each purchase order. The voucher packets include the check, accounting copy of the purchase order, the signed receiving copy of the purchase order, packing slips, the invoice which has been stamped paid.

CPTC faculty and staff should contact the Procurement Office concerning questions about copies of the purchase orders.

Reserving a Purchase Order Number

The reservation of a purchase order number is an option available to CPTC faculty and staff, but should be used only on rare occasions. This should never be used because of a failure to plan for future needs or events. This option can be used for unforeseen emergencies, such as the breakdown of critical equipment.

Requests for a reserved PO number may be e-mailed to the Procurement Office with as much information as possible including vendor name, item needed, and an estimated price if possible. A response will be e-mailed as soon as approval by the VPA has been granted for a reserved PO number. All requests for reserved PO numbers must be followed by submission of shopping carts in SciQuest which references the PO numbers that were assigned.

Reserving a PO number serves two primary purposes:

- It protects the employee from any possible disciplinary action by showing that proper authorization was obtained prior to making a purchase.
- The vendor has a PO number which can be referenced on their invoice.

This helps the Accounts Payable process to flow smoothly and ensures vendors of timely payment. It should be understood that when using this option, there will be no signed Purchase Order to give the vendor at the time the order is placed. This process is contingent upon the

vendor's willingness to accept a verbal PO number. Most vendors are agreeable to this.

Federal Funding Procurement Standards

Effective July 1, 2018, the College will follow the procurement guidelines for federal funding under the Education Department General Administrative Regulations (EDGAR) – Section 2 C.F.R. Part 200. The guidelines define what methods of procurement must be followed for federal funds.

Responsibility

The Vice President for Administrative Services has the overall responsibility of ensuring this procedure is implemented.

Adopted: February 27, 2014

Revised: November 14, 2023