

## 14.0 Procurement of Goods and Services

Introduction: Institutions of the University System of Georgia must, by order of the Board of Regents, comply with the rules and regulations of the State Purchasing Division of the Department of Administrative Services (DOAS). The complete set of DOAS rules and guidelines are available in the Georgia Procurement Manual, and may be located from the State Purchasing home page at: <http://statepurchasing.doas.georgia.gov>.

Topics in this section include:

- ☐ Overview of Procurement Methods
- ☐ Ordering Office Supplies
- ☐ Purchasing via the Purchasing Card
- ☐ Purchasing via Requisitions and Purchase Orders
- ☐ Vendor Security and Immigration Compliance (E-Verify)
- ☐ Group Meals
- ☐ Complex Purchases
  - Procurement/Management of Wireless Communications

## 14.1 Overview of Procurement

### 14.1.1 Procurement Methods

All employees are required to follow these Procurement policies and procedures. Procurement of goods and services for use by CSU Departments may be accomplished by several methods. These methods are listed in the summary list below, and discussed in detail in following sections of this section.

- Check Request
- Purchasing Card
- Purchase Requisition/Purchase Order
- Competitive Bid Process
- Complex Purchases
  - Requests for Quotations
  - Request for Proposals
  - Request for Qualified Contractors
  - Request for Information

### 14.1.2 Tax Exempt Status

Clayton State University is a tax-exempt organization. Before conducting business with any supplier or service provider, please furnish them with a copy of the **CSU Sales and Use Tax Certificate of Exemption**. This form may be obtained from the CSU web site at <http://www.clayton.edu/procurement/procurementforms>. If the vendor will not honor the **CSU Sales and Use Tax Certificate of Exemption**, then the purchase should not be made.

### 14.1.3 Regulations of Procurement

All employees are required to follow these Procurement policies and procedures. All purchases for CSU must have a business purpose listed on either the purchase requisition, the check request, or on the reconciliation of the P-card in Works.

Clayton State University utilizes the purchasing procedures as outlined by the State Purchasing Division, Department of Administrative Services, a State of Georgia agency. The State Purchasing Division may be referenced as SPD in the remainder of this document.

Qualified items carried by Georgia Correctional Industries and Georgia Enterprises are considered MANDATORY SOURCES and are required to be purchased from these vendors. Information about Georgia Correctional Industries is available at <http://www.gci-ga.com/>. Information about Georgia Enterprises is available at <http://www.georgiaenterprises.com/>.

Items on MANDATORY STATEWIDE CONTRACTS by SPD are required to be purchased from the contract vendors unless the State allows an exception to that contract. If a CSU department has a valid justification for purchasing from a non-statewide approved vendor and the product and/or service is available on a Mandatory State Contract, a waiver request must be submitted by the Procurement Officer to SPD for approval. The request for a waiver requires written justification and can take 5 to 7 business days for processing. Contact the CSU Procurement Services department for assistance in obtaining a waiver.

SPD also maintains State Convenience Contracts. State Convenience Contracts are contracts established by the SPD for use by all State entities. State entities may, but are not required to, use this type of contract. SPD strongly encourages the use of State Convenience Contracts.

CSU departments must verify whether the product and/or service needed is available on Mandatory State Contract prior to purchasing, regardless of the dollar amount. When items or services needed are on contracts authorized by the State Purchasing Office, then these contracts must be used for procurement of the product and/or service. Links to these contracts are available at <http://doas.ga.gov/StateLocal/SPD/Pages/StatewideContractIndex.aspx>.

Purchases of supplies and equipment not covered under the above categories are considered as GENERAL and are purchased as follows:

***Purchasing less than \$5,000***

Purchases of less than \$5,000 are not required to be bid. Purchases using the Purchasing Card are accomplished in this category

To have an order of less than \$5,000 processed, the order should be submitted as indicated below.

Purchases for products/services under \$2,500

- Statement of business purpose required
- May be purchased and paid with a P-card

- May be purchased and paid with a Purchase Requisition/Purchase Order
- May be paid with a Check Request

Purchases for products/services between \$2,500 and \$4,999

- Statement of business purpose required
- May be purchased and paid with a P-card
- May be purchased and paid with a Purchase Requisition/Purchase Order
- Exception: A single item purchase of \$3,000 or more that is an asset requires a purchase requisition and may not be procured via the P-card

***Purchases for products/services between \$5,000 and \$24,999***

- Statement of business purpose required
- May be purchased and paid with a Purchase Requisition/Purchase Order only
- If the item is not on Statewide Contract, then three written quotes with completed **CHECKLIST FOR VENDOR QUOTES  $\geq$  \$5,000** is required
  - If the needed product and/or service is on a State Convenience Contract, then one of the quotes must be from the vendor of the State Convenience Contract
  - The **CHECKLIST FOR VENDOR QUOTES  $\geq$  \$5,000** sample is printed immediately below. This sample has been reduced in size to fit the page. A full size checklist may be found on the CSU web at <http://www.clayton.edu/procurement/procurementforms>.

### **CHECKLIST FOR VENDOR QUOTES $\geq$ \$5,000**

<b>Vendor</b>	<b>Quantity</b>	<b>Price</b>	<b>Brand</b>	<b>Time Frame</b>	<b>Warranty</b>

**\*Purchases equal to or greater than \$5,000 but less than \$25,000 must have at least three quotes and include the Checklist**

***Purchases for products/services greater than \$24,999***

- Statement of business purpose required
- May be purchased and paid with a Purchase Requisition/Purchase Order only
- CSU Procurement Services Department will procure by placing a request for competitive bid, using details provided by the requesting department, on the Georgia Procurement Registry for the needed products and/or services
- CSU Departments expecting to procure more than \$24,999 from the same vendor for the fiscal year must follow the rules for purchases exceeding \$24,999

***Emergency Purchases***

The state considers an emergency to be life threatening or an incident that will shut down operations. Emergency Purchase Orders for more than \$100,000 must have state approval. All emergency purchases must be coordinated with the CSU Procurement Services Department.

***Computer Related Requisitions***

Generally, all computer related requisitions must have Clayton State University Office of Information and Technology Services (OITS) approval. All computers, software, and hardware peripherals must be supported by the HUB. Forward all related requests to the Director of OITS for approval prior to final submission to the Procurement Services Department.

***Media Related Requisitions***

All audio/visual requests must be approved by the Director of Media Services, prior to final submission to the Department of Procurement Services. Forward all related requests to the Director of Media Services for approval prior to final submission to the Procurement Services Department.

## **14.1.4 Deciding How to Purchase**

*The decision process involves several steps. These steps are outlined below. Utilize the first acceptable method since these are listed in order to be utilized.*

- \* Is the item or service on a Mandatory State Contract? If yes, then prepare a purchase requisition and send to CSU Procurement Services Department for processing.

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- If each item or service is \$3,000 or less, the group of items or services is less than \$5,000, the item is allowed for purchase via purchasing card, and the vendor accepts the purchasing card, then buy with the purchasing card.
  - If each item or service is less than \$2,500, the group of items or services is less than \$2,500, the item is allowed for purchase via purchasing card, and the vendor does not accept the purchasing card, then buy with a check request.
  - If the item is \$50.00 or less, and cannot be procured by the methods listed immediate above, then the item may be purchased using petty cash funds. Additional info is provided about petty cash purchases in the Cash Management section (section 8). Note that sales tax may not be paid nor reimbursed on petty cash purchases.
  - If any item or service is \$3,000 or more, and the group of items or services is less than \$5,000, and not allowed for purchase via purchasing card, then prepare a purchase requisition and send to the CSU Procurement Services Department.
  - If any single item or service, or any group of items and/or services are \$5,000 or more and less than \$25,000 (and the item is not on state contract), then obtain three written quotes, complete the checklist, provide a statement of business purpose, and prepare a purchase requisition and route to the CSU Procurement Services Department.
  - If any single item or service, or any group of items and/or services are greater than \$25,000, prepare specifications to present to procurement, provide a statement of business purpose, prepare a purchase requisition and route these documents along with bid information to the CSU Procurement Services Department. The CSU Procurement Services Department will meet with the department, will prepare bid documents, and will place the request for competitive bid on the Georgia Procurement Registry for the needed products and/or services.

## 14.2 Ordering Office Supplies

Office supplies may be obtained from the statewide contract for office supplies, if one is currently available. When a statewide contract for office supplies is not available, the Purchasing Card may also be utilized to procure Office Supplies.

The State of Georgia negotiates with office supply vendors for the best discounts available. After a selection process, a vendor is selected and awarded the State of Georgia Statewide Contract for Office Supplies. When a new contract has been approved, CSU departments should purchase from the contract using the Purchasing Card. See section 14.4 below for additional information about using the Purchasing Card.

Before purchasing from the contracted vendor, the user must register with vendor, and provide the purchasing card information. Information on accomplishing this will be provided. All users must contact Procurement Services to register.

After registering, the user may procure items online from the vendor. At check-out when the purchasing card is used, the web site will remove the sales tax and provide the state contract price. On-line ordering from the vendor provides next day delivery to the department of the items ordered. Note that the delivery is directly to the department and not to the Central Warehouse.

## **14.3 Purchasing via the Purchasing Card**

Information presented in this section is a summary of information available from CSU's Procurement website at <http://www.clayton.edu/procurement>.

### **14.3.1 Program Overview**

The purchasing card program was established by the State Purchasing Division of the Department of Administrative Services (DOAS). The Purchasing Card functions like a credit card, with the billing to the institution handled by Bank of America. Purchasing Cards are issued by the CSU Procurement Services Department.

The Clayton State University Purchasing Card Program is designed for CSU employees to transact purchases, allowing them to acquire supplies and materials more efficiently. Use of the Purchasing Card allows approval for the purchase to be made at the lowest possible level. Payment to the Vendors will be made by the Bank of America. CSU makes one payment per month to the Bank of America for all card purchases made that month.

The Purchasing Card Program does not alter State Purchasing or CSU rules and regulations. Management of expenditures and good record-keeping is required to make the acquisition process simpler and faster. The Department Budget Manager is responsible for all charges made through the use of the card by designated personnel in their department.

### **14.3.2 Policy Summary**

#### ***Issuance of cards with annual certification***



Cards may only be issued to full time or part time permanent employees of Clayton State University. An agreement and application must be completed, have approval by the employee's Supervisor, the department budget manager (if different from Supervisor), and the Purchasing Card Administrator. The agreement and application process includes a background and credit check, which must indicate satisfactory results. In addition, the new cardholder must complete instructor led P-Card training that addresses transaction limits, authorized and unauthorized purchases, reconciliation of monthly statements and procedures for reporting lost or stolen P-Cards.

All existing cardholders must take an annual on-line refresher training course and exam, with the requirement of passing with an 80% or higher score to retain the use of the P-Card. The on-line refresher training and testing is administered by the Procurement Services Department.

#### ***Card Limits***

- Purchases are limited to \$4,999.99 per single transaction, including shipping and handling charges.
- Within the single transaction, no single item may exceed \$2,999.00.
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- The maximum daily limit for a single card holder is \$5,000.00.
- Each card holder is assigned a monthly limit that may not be exceeded. The monthly limit is temporarily reduced by purchases during the month. Monthly cycle limits are restored at the beginning of each new billing cycle. See section 14.4.4.1 below for additional information about the Works Payment Manager system.
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#### ***Authorized Purchases***

Generally, most supplies, repairs & maintenance, subscriptions (job related), publications and printing, non-inventory equipment up to \$2,999.00, business cards, dues, advertising, software, university memberships, and registration fees for conferences may be charged to the Purchasing Card. Prior approvals are required for some of these items. Please see the **Agreement and Application** form at <http://www.clayton.edu/procurement/pcardforms> and the DO's and Don'ts list <http://www.clayton.edu/procurement/pcarddosanddents> for additional details.

All employees approved to carry a State of Georgia p-card are responsible and accountable to the university for all purchases made with the p-card. They must adhere to all State, Board of Regents and university policies regarding its usage. All p-card purchases are to be used for Clayton State University official business only.



Any employee who fails to use the p-card properly or abuses the use of the p-card shall be subject to cardholder penalties; up to and including being reported to the USG Office of Internal Audit for investigation and the employees may be subject to disciplinary action up to and including termination.

Violations involving employee malfeasance must be reported to Bank of America and USG Office of Internal Audit who reports to the Attorney General's Office where the decision is made concerning prosecution. The university is not authorized to negotiate a promise not to report employee malfeasance in return for the employee's resignation, restitution, etc.

DOAS Purchasing Card Policy can be found at the following link:

<http://doas.ga.gov/StateLocal/SPD/Services/Pages/SpdCards.aspx>.

BOR Purchasing Card Policy can be found at the following link:

[http://www.usg.edu/business\\_procedures\\_manual/section3/manual/C1127](http://www.usg.edu/business_procedures_manual/section3/manual/C1127).

Clayton State University Purchasing card policy can be found at the following link:

<http://www.clayton.edu/procurement/pcardpolicies>.

Information about HB 1113 can be found at the following link:

<http://www.busfin.uga.edu/hb1113faq.html>.

Legislative Law (O.C.G.A. § 50-5-83) can be found at the following link:

[http://law.justia.com/codes/georgia/2010/title-50/chapter-5/article-3/part-1/50-5-](http://law.justia.com/codes/georgia/2010/title-50/chapter-5/article-3/part-1/50-5-83/)

[83/](http://law.justia.com/codes/georgia/2010/title-50/chapter-5/article-3/part-1/50-5-83/)

Approvers are responsible for adhering to all CSU P-Card policies and procedures. They are therefore required to be aware of current laws and policies pertaining to P-Card usage. Approvers will be subject to aforementioned consequences including legal actions if violations were approved by them.

There is no gray area under HB1113, and thus, any misuse, including inadvertent use (such as mistakenly using a P-card for a personal purchase) is a violation of law and must be reported to the University System Office/Board of Regents.

### ***Unauthorized Purchases***

Personal purchases may not be made using the Purchasing Card. Additional types of prohibited purchases are listed in the **DO's and DON'T'S** Form located at <http://www.clayton.edu/procurement/pcarddosanddents>. Violation of the rules governing

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use of the Purchasing Card can be grounds for disciplinary action, including termination of the employee.

### 14.3.3 Using the Purchasing Card

Use of the Purchasing Card is subject to the following conditions:

- Cardholder must have approval of their supervisor and funds must be available before making the purchase
- Goods may be ordered by phone, over the counter, or via secure internet sites
- Shipped materials must be sent directly to the Central Warehouse Receiving Department. The deliveries to the department should have the following address format:

PCard, Cardholder Name  
Department Name  
Clayton State University, Building and Room Number  
Street Address  
City, State, Zip

The Central Warehouse Receiving Department has locations on each campus, as indicated below with physical addresses provided:

- Main Campus, 2000 Clayton State Boulevard, Morrow, GA 30260
- Fayette, 100 World Drive, Suite 100, Peachtree City, GA 30269
- Henry, 401 Tomlinson Street, McDonough, GA 30253
- Purchases are exempt from sales tax. The purchaser should make the vendor aware of the sales tax exemption status, and give the vendor a copy of the CSU **Sales and Use Tax Certificate of Exemption** form, if requested. The exemption form is available from the CSU Purchasing web site at <http://www.clayton.edu/procurement/procurementforms>.
- **Computer Related Purchases:** All computer related requisitions must have OITS approval. All computers, software, and hardware peripherals must be supported by the HUB. Forward all related requests to the Vice President of OITS for approval prior to final submission to the Procurement Services Department. The use of a purchase requisition is recommended for computer related purchases.
- **Media Related Purchases:** All audio/visual requests must be approved by the Director of Media Services, prior to final submission to the Department of Procurement Services. Forward all related requests to the Director of Media Services for approval prior to final submission to the Procurement Services

Department. The use of a purchase requisition is recommended for computer related purchases.

#### **14.3.4 Transaction Tracking, Approval Processing, and Accounting Processing**

All transactions are subject to two different tracking and approval processes. There is an electronic online system, known as “Works Payment Manager” that is used to collect and record transactions and their associated account numbers to be charged in the department. There is also a paper trail system, known as the Visa Packet, used to provide accountability for each transaction, along with reconciliation back to monthly statement totals. Each of these systems is discussed below:

##### ***The Works Payment Manager***

The Works Payment Manager System is a web-based application that provides users with daily purchasing card transaction information, enables them to “sign off” their transactions, and to allocate the transactions to the appropriate budget accounts. Daily feeds of transactions are received from the Bank of America, and become available for processing by the cardholder. The cardholder may change the budget account (within the department), add comments, and sign-off on the transaction. The user is required to print the CSU GL Memo Statement and attach the statement to the Visa Packet for submission. The CSU GL Memo Statement is a PDF report that provides details of the transaction and any comments added while reconciling the transaction. See section 14.4.4.3 below for instructions on printing the CSU GL Memo Statement.

Each cardholder has a credit limit associated with the Purchasing Card. As each transaction is processed, that credit limit is reduced by the transactions made within the current billing cycle. By the last business day of the month, the cardholder will reconcile the transactions in Works for the current billing cycle. The billing cycle runs from the 16<sup>th</sup> of the previous month to the 15<sup>th</sup> of the current month. After the card holder has reconciled and approved the transactions, the transactions then become available for the institutional level reconciliation by the P-Card Administrator. The P-Card Administrator should complete the institutional level reconciliation within 10 to 15 days after all transactions are reconciled by the cardholder in Works. Credit limits are restored at the beginning of each new billing cycle.

The reconciled and approved transactions become the basis for an electronically generated journal entry into the institution’s accounting system to charge the department for the items purchased.

##### ***Cardholder Reconciliation***

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At the end of the statement period (15<sup>th</sup> of the month), a monthly central bill of all campus purchasing card activity is sent to the Purchasing Card Administrator. Individual cardholders will receive a monthly Visa statement. Using the monthly Visa statement, the cardholders will perform the following steps:

- Compare the Visa statement with the corresponding receipts retained by the department, verify all items as being received, and print and complete the **Visa Approval Form**
- Attach the receipts to the statement and forward it to the Dean, Department Head, Director or Vice President for review, approval and signature of accountability on the manager signature line. Note that a pattern of missing receipts may result in revocation of the purchasing card
- Forward the signed original Visa statement (including approvals) with the Visa approval form, CSU GL Memo Statement, the original receipts (itemized by description and price), and any disputed items to CSU Procurement Services Department by the 5<sup>th</sup> of the month following the statement date. If a receipt is missing, complete a **Missing Receipt** form, found at <http://www.clayton.edu/procurement/pcardforms>, and attach to the Visa packet

*The CSU Procurement Services Department reviews all receipts for compliance, and expects to see a business purpose listed on the CSU GL Memo Statement for each transaction reconciled. The electronic transactions from "Works" are also reconciled to the memo statements/receipts.*

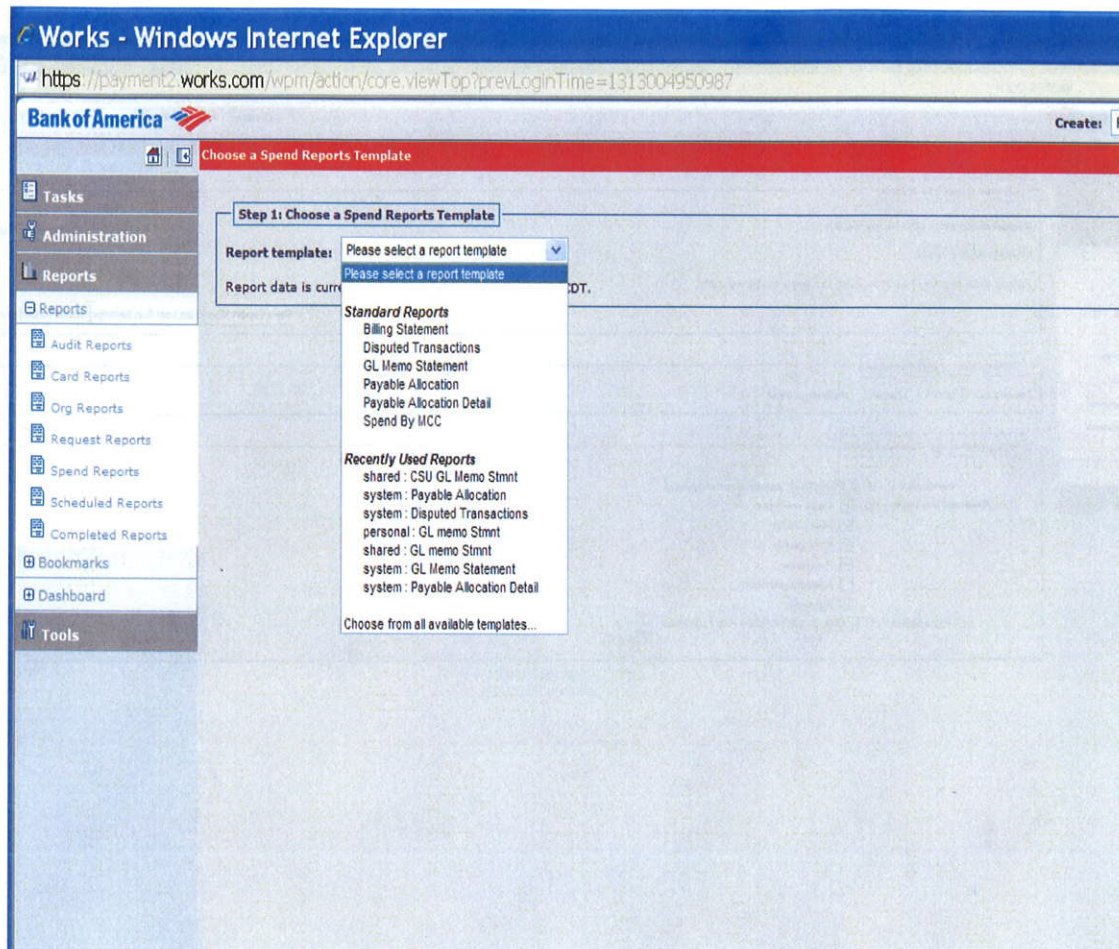
### ***Printing the CSU GL Memo Statement***

The GL Memo Statement may be printed using the Works Payment Manager System by following the instructions below:

## **HOW TO PRINT THE GL MEMO STATEMENT FROM WORKS**

### **REPORTS**

- ➔ Reports
- ➔ Spend Reports
- ➔ Report Template
  - ➔ Click on: **Choose from all available templates** (see screen below illustration on next page)



Choose: CSU GL Memo Stmt, owner: Marcia Jones, description: monthly Works report

➔ Click: Finish

\*\*If you are running the report for another cardholder, then:

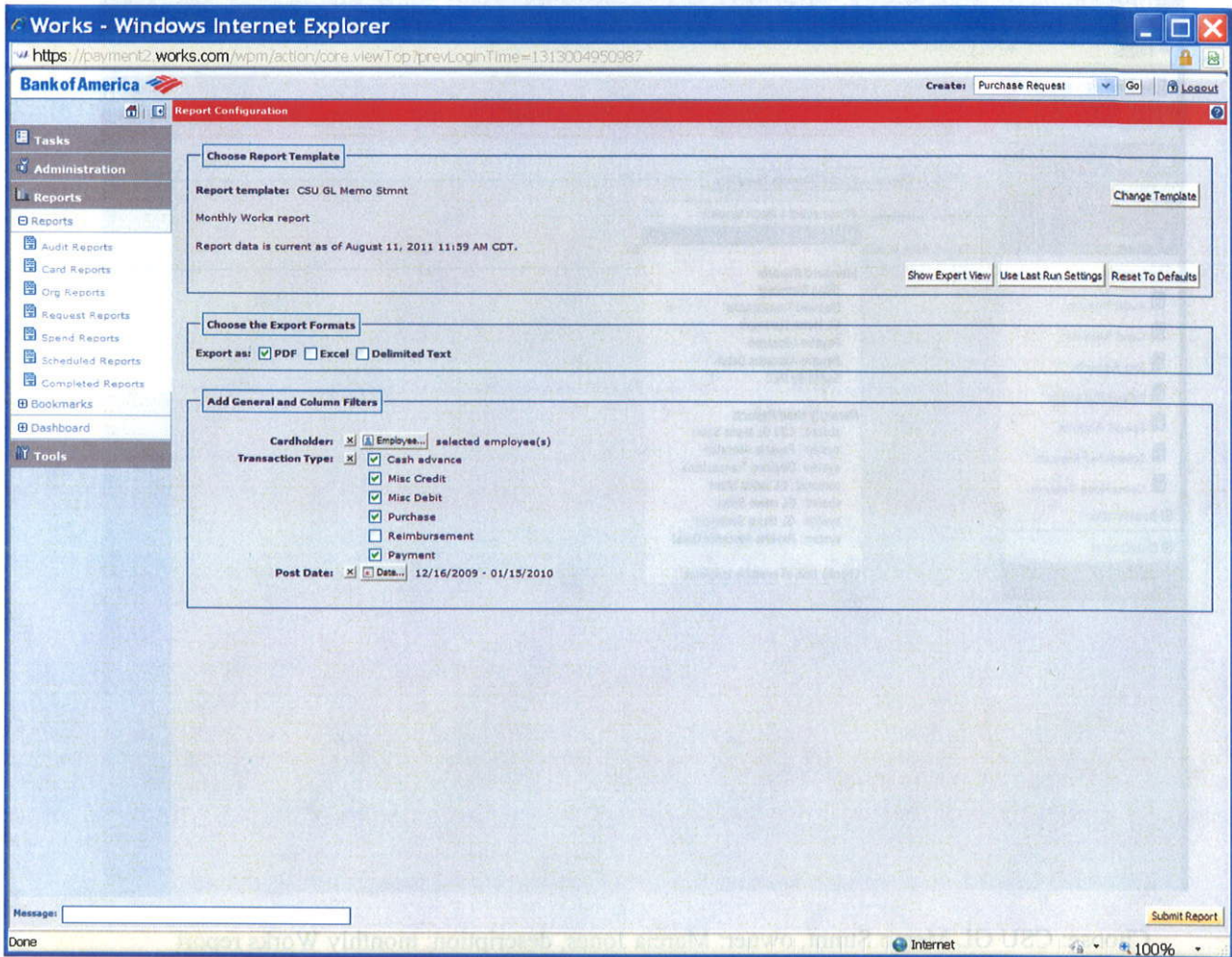
➔ Cardholder: click on employee, search/select the cardholder

➔ Post Date: make sure the right cycle dates are posted

➔ Submit Report- located in the bottom right corner

➔ The results will appear as indicated in the illustration on the next page



**REPORT QUEUED**

- ➔ Download PDF
- ➔ Open Document
- ➔ Print and attach to your VISA Packet

### 14.3.5 Exception Handling

The cardholder and the Dean, Director or Department Head is responsible for resolving disputes with the vendor over pricing, shortages, damaged merchandise, etc. Bank of America and the P-card Administrator must be notified concerning a fraudulent charge on the bank statement or an unresolved dispute with the vendor concerning a credit for items

that were found defective or faulty. The dispute must be filed no later than 60 days after the appearance of the item on the bank statement.

## **14.4 Purchasing via Requisitions and Purchase Orders**

### **14.4.1 Purchase Requisition (Purchase Request) for Normal Procurement**

A Purchase Requisition is required for the purchase of supplies, contracted services, and equipment when the purchase cannot be made within other available procedures, such as travel request, petty cash, check request, or purchasing card. A Purchase Request is made by (1) completing a **Purchase Requisition** form, including support documentation (ex. specifications, competitive pricing, and recommended vendor(s)) and (2) routing the **Purchase Requisition** form to the Procurement Services Department. The Procurement Services Department, upon approval of available funding, will issue a purchase order to the selected vendor.

Instructions for completing the **Purchase Requisition** form may be found at <http://www.clayton.edu/procurement/purchaserequisitionforminstructions>.

### **14.4.2 Purchase Requisition (Purchase Request) Instructions for Sole Source Vendor**

There are circumstances where only one provider has the unique combination of product, experience, and/or qualifications to perform the task.

In addition to the normal requisition for services that is submitted to start the procurement process, a justification must be provided for dealing directly with one vendor for the procurement. The justification must include:

**Scope of Work:** Provide the information to establish the context of the sole source (e.g., item's or service function, where and how the item or service is to be used, operational environment, previous experience or history, etc.). Use layman's terms to identify any efforts made to locate other possible sources such as review of Thomas Register, Industry Organizations, Internet searches, Consultants, RFI's, Buyers Laboratory, Advertisements in Industry Publications, contact with Buyer, etc.

**Exclusive Capability:** Describe the proposed supplier's unique capabilities and explain why this is the only source available. Provide specifics. Following are examples in which Sole Source could be acceptable:



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- Only the proposed source can furnish the services because of its previous university experience, having an alternative source duplicating these capabilities would result in excessive cost to the university. (Excessive cost must be quantified).
  - Only one supplier can satisfy the technical requirements because of unique technical competence or expertise. (Technical requirements must be valid and verifiable.)
  - The item does not satisfy the requirements for Sole Source, but the use of any other manufacturer's product would result in excessive cost to the university. (Excessive cost must be quantified).
  - Only one source possesses patents or exclusive rights to furnish the item/service. For example, the product is only available from the manufacturer, software developer, etc. Or only one supplier has the ability to furnish the item or service.
  - Other extenuating circumstances or considerations include, as applicable, adverse impacts on the university for not using the proposed source, and other considerations not previously stated.

**Proposed Source:** Provide the name, address, and telephone number of the proposed vendor (service) or manufacturer (item).

CSU Departments that need to prepare a Sole Source Justification should contact the CSU Procurement Services Department for assistance in utilizing the proper format and content for the justification. The final determination of acceptability of use of the Sole Source Justification is made by the Purchasing Officer. Such procurements must be posted on the DOAS registry if \$25,000 or more to make potential vendors aware of the need.

### 14.4.3 Purchase Requisition for Sole Brand Procurement

There are circumstances where only one brand is considered acceptable. This may be to match existing stock or clothing, because only one manufacturer provides the goods or services, or other reasons.

In addition to the normal requisition for services that is submitted to start the procurement process, a justification must be provided for procuring a Sole Brand. The justification must include:

**Proposed Source:** Provide the name and telephone number of the supplier (service) or manufacturer (item).

**Scope of Work:** Provide the information to establish the context of the sole brand (e.g., item's or service function. Information on where and how the item or service is to be used, operational environment, previous experience or history,

etc.) will also be needed. Use layman's terms to identify any efforts made to locate other possible sources such as review of Thomas Register, Industry Organizations, Internet searches, Consultants, RFI's, Buyers Laboratory, Advertisements in Industry Publications, contact with Buyer, etc.

**Sole Brand Justification:** Some requirements may need to be provided by a certain manufacturer (for example: "to match existing uniforms"). Use this block to explain why only a particular style, type or manufacturer is acceptable. A request for "Sole Brand" does not automatically eliminate bidding requirements, as the item may be available from more than one vendor.

CSU Departments that need to prepare a Sole Brand Justification should contact the CSU Procurement Services Department for assistance in utilizing the proper format and content for the justification. The final determination of acceptability of use of the Sole Brand Justification is made by the Purchasing Officer.

#### **14.4.4 Exemption from Competitive Bid Process for Professional Services**

Professionals that are listed in the Official Code of Georgia §14-7-2 can be hired non-competitively to do work in the certified field for which they are specifically licensed. If the professional is not listed in OCGA §14-7-2, then the procurement of services must be competitively bid or a justification made for the use of sole source procurement. DOAS has further specific services that are exempt from the competitive bid process also. The classification of "Consultants" has been exempted from the competitive bid process by DOAS.

#### **14.4.5 Public Works Contracts**

Public Works Contracts are subject to policies of the Board of Regents. They are generally funded through the Georgia State Finance and Investment Commission (GSFIC) or by State Appropriations for capital facility repair and rehabilitation. Contract preparation and approval for Public Works Contracts is not within the scope of this section. Public Works Contracts are managed by the Facilities Office of Planning, Design, and Construction Services.

### **14.5 Vendor Security and Immigration Compliance (E-Verify) 14.5.1**

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July 2013, the State of Georgia implemented a new requirement for the procurement of labor and services by Governmental Entities.

Clayton State University Employees wishing to enter into a “contract” for the physical performance of services that exceeds \$2,499.99 will need to verify the Contractor’s immigration status BEFORE the contract is signed and work begins.

This means before we issue certain POs, receive bids or quotes, or start contract negotiations-Procurement Services and/or Contract Administration must obtain the notarized Contract Affidavit from the contractor/vendor.

The modified contract review policy and checklist, new FAQs, updated forms and other documents are available on the CSU Contract Administration’s website.

Please click on the link for additional information and forms listed below:

<http://www.clayton.edu/contract-administration>

- E-Verify and Senate Bill 160
- Affidavits
- Affidavit Exemptions
- Attorney General’s (AG) Letter
- FAQs

## **14.6 Group Meals and Food Purchases**

### **14.6.1 Employee Group Meals at CSU**

Under certain infrequent circumstances, employees may be required to remain at the work site during mealtime. Such circumstances include emergency situations, and intra-departmental meetings or training sessions, where the meeting or training session continues during the meal and the employees are not permitted to leave the premises of the meeting site.

Under these and similar circumstances, the university may purchase meals for the affected employees. Purchase of such meals must be approved by a higher level approving authority of the university prior to the date of the event (for non-emergency situations). Such expenditures are limited to the purchase of meals only; this does not include snacks. Meal limits as outlined in travel regulations must be followed.

For meals provided during emergency situations, the approval process must be initiated as soon as possible after the emergency situation is resolved, along with adequate documentation of the emergency situation.

Note that this policy does not allow the purchase of meals for a “lunch meeting”, in which the meal and the meeting are one and the same.

The Board of Regents Policy on Group Meals requires the unit providing the group meals to meet the following standards:

- Group meals should be held only to facilitate the effective and efficient operations of the departments involved
- Group meals should only be provided in those instances where the meeting lasts for at least four (4) hours
- Group meals held at the start and/or finish of a meeting are not eligible for payment under this policy
- Purchase of group meals should be approved by the head of the organization, or his/her designee, prior to the date of the event (for non-emergency situations)
- Authorized group meal expenditures are limited to the purchase of meals only and do not include snacks
- Meal limits outlined in Board of Regents Business Procedures manual Section 4.4 (Per Diem Allowance for Meals) must be followed (but set-up and delivery costs associated with the group meal are not part of this limit)
- Group meals for a “lunch meeting” in which the meal and the meeting are one and the same, are prohibited for payment under this policy

The approval request should include:

1. The purpose of the meeting or event;
2. A formal written agenda including session times;
3. A list of attendees with their associated departments/entities; and
4. The expected cost of the meal per person.

To obtain reimbursement for the meal costs, an employee reimbursement through PeopleSoft (financial systems software) should be sent to Accounting Services requesting reimbursement. Along with the reimbursement request, all of the documents that were a part of the prior approval package must be submitted. The submitted documents must contain the signed prior approval

These meals should be charged to the 727710 account, “Other Operating Expenses – Special Group Meals.” This account will be subject to special audit scrutiny to insure that such expenditures are infrequent, rather than routine.

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Additional information about Group Meals may be found in the Board of Regents Business Procedures Manual, section 19.7 “Employee Group Meals” at [http://www.usg.edu/business\\_procedures\\_manual/section19/C1563](http://www.usg.edu/business_procedures_manual/section19/C1563).

### **14.6.2 Employee Group Meals Involving Multiple Institutions**

There are situations where groups of university system officials representing functional areas may be required to meet. These events are often sponsored by one institution of the University System, and are supported through the use of registration fees charged to participants. The policies and rules regarding these group meals involving multiple institutions are covered in Section 19.7.2 of the Board of Regents Business Procedures Manual, and can be found at: [http://www.usg.edu/business\\_procedures\\_manual/section19/C1563](http://www.usg.edu/business_procedures_manual/section19/C1563).

### **14.6.3 Purchase of Food Using Institutional Funds**

The purpose of this section is to clarify those instances when food may be purchased for funds. This policy originates in the Board of Regents Business Procedures Manual, referred to in this section as BPM. This policy addresses instances when food may be purchased or food expenses may be reimbursed that are not otherwise addressed in BPM Sections 4.0 and 19.7. Section 4 covers per diem limits on meals, and section 19.7 covers employee group meals. The BPM may be found at: [http://www.usg.edu/business\\_procedures\\_manual/](http://www.usg.edu/business_procedures_manual/).

Food includes meals, beverages, snacks, etc., but specifically excludes alcohol as an allowable food expense. The purchase of food for resale in connection with the auxiliary operations of an institution is allowable, and is not addressed in this policy.

An individual may be subject to different rules depending on the capacity in which they are participating in an event. For example, volunteers might include employees or students if the individual is operating in a capacity separate from their employee or student role. An employee or volunteer attending a student event in the capacity of a student would be considered a student. A student worker participating in an event while being paid would be considered an employee.

**Note:** Employees working additional hours in their own area, using work time to provide volunteer service, or otherwise participating in activities expected of employees, are not volunteers for the purposes of this policy.

Institutional funds include all funds to which an institution holds title, such as student fees, auxiliary revenues, state appropriated funds, etc. Purchases of food using

institutional funds should still be recorded using the proper account as designated in BPM Section 2.0 and should be made using the appropriate fund source as outlined below. This policy does not address use of affiliated organization funds to provide food to employees, students, or volunteers. Also note that this policy does not address any potential tax implications associated with the purchase and consumption of food for individuals.

The chart on the following pages outlines the funding sources that may be used when making food purchases and provides some broad examples of allowable purchases.

**Note:** This chart is intended to provide guidance on allowable food purchases. This chart should be used in conjunction with the relevant BPM sections referenced. Please note, however, that the method of payment via P-Cards is only allowable as described in BPM Section 3.3.1, item 5.

The funding source should generally be matched to the supported program and participants. For example, student activity fees might be used to purchase water for a volunteer event sponsored by a student group. In this instance, students, volunteers, and employees would presumably consume the water. However, student activity fees should not be used to purchase water for employees conducting outside activities as part of their normal job, e.g., groundskeepers. Please refer to BPM Section 2.0 for more information on the appropriate uses of various fund sources.

Activity	Allowable Participants	Potential Funding Source(s)	Notes
Sanctioned Student Events (excluding athletic events)	<ul style="list-style-type: none"> <li>• Students</li> <li>• Volunteers</li> <li>• Employees whose participation is required</li> </ul>	<ul style="list-style-type: none"> <li>• Agency Funds</li> <li>• Auxiliary Funds</li> <li>• Endowment funds where authorized by fund agreement</li> <li>• Grants or Contract Funds as authorized by fund provider</li> <li>• Student Activity Fees</li> </ul>	<ul style="list-style-type: none"> <li>• See BPM Sections 19.8.1, 19.8.2, and 19.8.3</li> <li>• Per diem limits apply</li> </ul>
Athletic Events & Recruiting	<ul style="list-style-type: none"> <li>• Students</li> <li>• Potential students &amp; parents/guardians</li> <li>• Volunteers</li> <li>• Employees whose participation is required</li> </ul>	<ul style="list-style-type: none"> <li>• Agency Funds</li> <li>• Athletic Auxiliary Funds</li> <li>• Endowment funds where authorized by fund agreement</li> <li>• Student Athletic Fees</li> </ul>	<ul style="list-style-type: none"> <li>• See BPM Sections 19.8.1, 19.8.2, and 19.8.3</li> <li>• Per diem limits apply</li> <li>• Applicable athletic conference rules shall also be</li> </ul>

			followed
Classroom Academic Programs &	<ul style="list-style-type: none"> <li>• Students whose participation is required</li> <li>• Employees whose participation is required</li> </ul>	<ul style="list-style-type: none"> <li>• Sales &amp; Service Revenue</li> <li>• State appropriated funds for use only in for credit courses</li> <li>• Tuition &amp; Fee Revenue</li> </ul>	<ul style="list-style-type: none"> <li>• See BPM Sections 19.8.1 and 19.8.2</li> </ul>
Student Recruiting Events	<ul style="list-style-type: none"> <li>• Students</li> <li>• Potential students &amp; parents/guardians</li> <li>• Volunteers</li> <li>• Employees whose participation is required</li> </ul>	<ul style="list-style-type: none"> <li>• Agency Funds</li> <li>• Auxiliary Funds</li> <li>• Student Activity Fees</li> </ul>	<ul style="list-style-type: none"> <li>• See BPM Sections 19.8.1, 19.8.2, and 19.8.3</li> <li>• Per diem limits apply</li> </ul>

(Chart is continued on the next page)



Activity	Allowable Participants	Potential Funding Source(s)	Notes
Volunteer Events	<ul style="list-style-type: none"> <li>• Students</li> <li>• Volunteers</li> <li>• Employees whose participation is required</li> </ul>	<ul style="list-style-type: none"> <li>• All funds except state appropriated funds and tuition revenue</li> <li>• Recognized "executive" program tuition revenue may be used to purchase food for volunteer events</li> </ul>	<ul style="list-style-type: none"> <li>• See BPM Sections 19.8.2 and 19.8.3</li> <li>• Per diem limits apply</li> <li>• Volunteer events with sole purpose of recognition or appreciation for past services may not be paid using any fund source except for Foundation funds</li> </ul>
Safety Products	<ul style="list-style-type: none"> <li>• Students</li> <li>• Volunteers</li> <li>• Employees at risk due to environmental or workplace conditions</li> </ul>	<ul style="list-style-type: none"> <li>• Auxiliary funds</li> <li>• Sales and service revenue</li> <li>• State appropriated funds</li> <li>• Student Activity Fees</li> <li>• Tuition &amp; Fee Revenue</li> </ul>	<ul style="list-style-type: none"> <li>• See BPM Section 19.8.3</li> <li>• Expenses should be paid using the departmental budget of the assigned employees</li> </ul>
Educational or Business Meetings	<ul style="list-style-type: none"> <li>• Students</li> <li>• Volunteers</li> <li>• Employees whose participation is required</li> </ul>	<ul style="list-style-type: none"> <li>• Auxiliary funds</li> <li>• Sales and service revenue</li> <li>• State appropriated funds</li> </ul>	<ul style="list-style-type: none"> <li>• See BPM Section 19.8.3</li> <li>• Meeting must consist of predominantly non-employees</li> <li>• Per diem limits apply</li> </ul>

Employees with responsibility for administering institutional funds and employees requesting reimbursement from institutional funds should ensure that funds are spent only for legitimate public purposes and not for the personal benefit of the employee or other individuals. The misuse of institutional funds may result in both employment termination and various civil and criminal penalties.

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**Note:** Multiple payment methods may be used to make food purchases, to include requisition requests, check requests, petty cash, and purchase orders, insofar as these payment methods are not specifically prohibited elsewhere in BOR policy or procedures. A purchasing card may only be used for BPM Section 19.8 purchases as outlined in BPM Section 3.3.1, item 5.

### ***Food for Students***

Students include individuals enrolled to take classes at an institution, including students enrolled in Continuing Education, and individuals being recruited as potential students.

Institutional funds may be used to purchase food for students at sanctioned student events. Sanctioned student events include events and travel sponsored by recognized student groups, athletic team events, and other campus events open to the general student body and designed to further the development and education of students. Additionally, food may be purchased for a class in those instances where food is an integral part of the instructional methodology. For example, food could be purchased for students in a food appreciation or cooking class offered by a Continuing Education unit. While not necessarily in a travel status, the per diem limits in BPM Section 4.4 should apply to food purchased for consumption by students participating in sanctioned student events.

Potential students and their guardians may be provided food at an event designed to encourage the student to attend the institution. Food for athletic recruits may be purchased subject to the rules and regulations of the athletic conference of which the institution is a member.

### ***Food for Employees***

Employees include temporary, part-time, and full-time staff, faculty, administrators, Resident Assistants (RAs), student assistants, and other student workers.

Employees in a travel status are subject to the employee travel regulations as contained in BPM Sections 4.0. Employees in a group meal status are subject to the guidance contained in BPM Section 19.7. However, there are instances not addressed in BPM Sections 4.0 and 19.7 when food may be purchased for employees or employees may be reimbursed for food purchased. Those instances shall be addressed using the following general categories: Safety, and Academic Programs, Student Events, and Educational or Business Meetings Involving Predominantly Non-Employees.

1. **Safety.** Water or other hydration products may be purchased insofar as these products are required by OSHA or are necessary to prevent serious harm to an employee.

2. **Academic Programs, Student Events, and Educational or Business Meetings Involving Predominantly Non-Employees.** When conducting a program, event or meeting involving predominantly non-employees (of any institution of the Board of Regents) where attendance by the employee is essential and in furtherance of an official institutional program, and the meal is an integral part of the meeting, an employee can partake in the meal and be reimbursed for his or her actual meal cost up to the per diem limits established in BPM Section 4.4. An employee may not be paid a reimbursement unless the employee actually incurs a cost.

Clarifications of specific instances of allowable reimbursement include:

1. **Athletic recruiting.** An employee may be reimbursed for food purchased at a meeting whose primary purpose is the recruitment of an individual to attend the institution. The employee's participation in this meeting should be required as part of his or her job performance, and the institution should strictly control the numbers of individuals who may receive reimbursement for food purchased at a given recruitment meeting.
2. **A prior/existing contractual or grant arrangement, which must be quid pro quo, not gratuitous.** For example, an external organization may award funds to the institution with the specific proviso that these funds may be used for employee food expenses as it relates to grant activities or meetings. In this instance, food could be purchased within the grant guidelines.

However, federal grant funds should NOT be used to purchase food for employees unless the federal grantor agency, in writing, authorizes this expenditure and certifies that this waiver is not a violation of applicable federal regulations.

Business purpose should be clearly indicated on any invoices submitted for payment. Additionally, the per diem limits of BPM Section 4.4 apply to food purchased for consumption by employees participating in a program, event, or meeting or otherwise reimbursed to the employee by the institution.

Per Diem limits apply only to food purchased with institutional funds. Food purchased by outside organizations does not fall under the scope of this policy. However, employees must comply with the provisions of Section 8.2.13 of the BOR Policy Manual as it pertains to receiving gifts.

### ***Food for Volunteers***

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Volunteers include individuals that provide benefits to the institution (serving on an advisory board, student mentors, etc.) without receiving compensation.

Institutional funds may be used to purchase food for volunteers in those instances where a quid pro quo relationship exists. For example, an academic unit might form a volunteer advisory board for the purpose of obtaining advice, support, and expertise from members of the community as it relates to an academic program. It would be allowable to provide food to those volunteers as part of the advisory board meeting. However, food purchased solely in connection with volunteer appreciation or volunteer recognition events would not be allowable under this policy. While not necessarily in a travel status, the per diem limits in BPM Section 4.4 should apply to food purchased for volunteers.

***Documentation Requirements and Enforcement of Per Diem Limits at Group Events***

Nothing in this policy shall be construed as requiring an institution to provide food to employees for events or to reimburse employees for participation in events. Institutions should establish the appropriate procedures to ensure that funds for employee food are not spent without the appropriate supervisory review and approval.

Appropriate procedures shall include adequate documentation associated with the event and/or purchase. For example, food purchased for a group event should include a flyer, email, agenda, or other documentation substantiating that the event was an official event. Food purchased at a restaurant or on a per person basis should include a list of participants.

In the event that an employee expends funds in excess of the authorized per diem contained in BPM Section 4.4, then the amount spent in excess should be reimbursed by the employee making that expenditure.

While the per diem limits also apply to group events where food is purchased on a group basis (pizza parties, etc.), institutions are not required to document the actual numbers or names of participants. However, institutions should require employees expending institutional funds for those events to certify that the appropriate per diem limits were followed.

## **14.7 Complex Purchases via Competitive Bid Process**

The University must comply with DOAS rules and guidelines. There are times when the normal procurement processes discussed previously in this section cannot provide the desired results. These types of purchases may involve obtaining quotations or proposals from vendors to deliver goods and/or services over a period of time where the university is seeking the best possible combination of price and value. These procurements are used

to establish a contract from which periodic purchases may be accomplished. These complex purchases must be coordinated between the requesting department, the Procurement Services Department, and the Department of Administrative Services, State of Georgia. The Procurement Services Department will provide guidance in developing the required forms and documentation for the process.

#### **14.7.1 Request for Quotation (RFQ)**

Typically used for purchasing standard products and services, the RFQ process considers price to obtain the best overall value for state government. DOAS provides technical guidance in defining contract specification, performance requirements, and evaluation criteria to assist state entities (the university) in effectively managing contracts after they are awarded.

#### **14.7.2 Request for Proposal (RFP)**

Typically used for purchasing complex services, the RFP process considers both quality and price to obtain the best overall value for state government. DOAS provides technical guidance in defining contract performance requirements and evaluation criteria to assist state entities (the university) in effectively managing contracts after they are awarded.

#### **14.7.3 Request for Qualified Contractors (RFQC)**

The Request for Qualified Contractors (RFQC) is a two-step method used by DOAS. The RFQC is used to prequalify suppliers who meet a minimum standard of quality, certification, tolerances, or requirements. The resulting prequalified suppliers are then asked to participate in a Request for Quotation (RFQ) or Request for Proposal (RFP). The RFQC is not used to award a contract, but is only used to prequalify the suppliers to participate in another event (RFQ or RFP). The second event (RFQ or RFP) is used to select a supplier for award.

To be able to participate in the RFQC, suppliers must be registered on Team Georgia Marketplace, maintained by DOAS. Team Georgia Marketplace is a web based system containing a database with the list of all the suppliers registered to conduct business with the state of Georgia.

#### **14.7.4 Request for Information (RFI)**

The Request for Information (RFI) is a method used by procurement to gain information for goods and/or services for a future solicitation. With an RFI, participating suppliers respond to specific questions and submit them for review. However, the response does

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not include pricing information. There is no award with an RFI. The state can use responses to an RFI to develop a Request for Proposal (RFP), Request for Quotation (RFQ), or a Request for Qualified Contractors (RFQC).

## **14.8 Procurement/Management of Wireless Communications**

### **14.8.1 Background and Policy**

Clayton State University, as a unit of the University System of Georgia, is charged with the efficient use of all of its resources. Among other requirements, the Office of Planning and Budget of the State of Georgia, via their Policy Memorandum No. 4 (Revision 8) has directed that each state agency (including University System Institutions) manage and minimize the costs of using telecommunications equipment and services. Each agency (institution) is required to develop a telecommunications policy to control and minimize telecommunications costs. The complete list of areas to be managed under the directive of OPB Memorandum No. 4 may be reviewed at <http://www.clayton.edu/procurement/wirelesscommunications>.

This section will cover wireless communications management. The management of the other areas of telecommunications are the responsibility of the Office of Information and Technology.

Wireless communications management in this section refers to the use of wireless services to make or receive wireless voice calls or data interactions on the public cellular telephone networks. For the remainder of this section, the use of devices to make these calls or interactions will be referred to as Wireless Communications Devices, and may be referenced as WCD's.

### **14.8.2 Acquisition and Use Policy**

Specific university offices will assist as resources to determine the necessity for WCD service and monitor usage.

- The cognizant Vice President, Dean, or Associate Provost shall determine if WCD service is necessary for a faculty or staff member to perform his or her duties;
- The cognizant Vice President, Dean, or Associate Provost will specify authorized and unauthorized uses of wireless or mobile devices (Use of 411, 511, 900, 976 numbers should only be used in emergency situations);

- Procurement Services will maintain the approval justification for each WCD device and service issued or approved;
- Procurement Services will maintain an inventory of WCDs in shared pools and individually-assigned, by type. The inventory of WCDs shall document:
  - Each individual device type
  - The Service Provider for such device
  - The number of the wireless device
  - The monthly service cost
  - The department number
  - The assignee (individual user or organization unit for shared/pool devices)
  - The justification for necessity
  - The authorized uses of the WCD

This inventory must be kept current and made available for inspection by authorized offices or agencies;

- The Accounting Services Department will maintain procedures for ordering and payment administration
- The Procurement Services Department must be notified of all changes to assigned WCD/cellular telephones.
- The individual to whom a WCD/cellular telephone is assigned is responsible for safeguarding the equipment and controlling its use. Employees are expected to avoid the use of the equipment under any circumstances where such use might create or appear to create a hazard.

### **14.8.3 Determining Need**

A WCD service may be acquired for an employee where communications needs cannot be met with other available alternatives such as a paging device, a radio, or standard telephone equipment, and funding is available to support the acquisition. There are specific examples of situations where employees may need a WCD. These examples are contained in the link at <http://www.clayton.edu/procurement/wirelesscommunications>. There may be other situations in which an employee may require the use of a WCD, and must be justified as indicated below:

The Vice President, Dean, or Associate Provost will determine need and whether the device should be issued full-time to an individual employee for exclusive use, or be maintained as a part of a shared pool where the device can be used by several employees on an as needed basis. The Vice President, Dean, or Associate Provost will not delegate this responsibility to other personnel. An appropriate airtime package that meets these needs should be selected from an approved contract



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#### **14.8.4 Procurement of Wireless Equipment**

The employee initiates a request for a WCD and/or service using the **New/Upgrade Cell Phone Request** form. The **New/Upgrade Cell Phone Request** form may be found at <http://www.clayton.edu/procurement/procurementforms>. The request is forwarded to the department/division head and then to the appropriate Vice President, Dean, or Associate Provost for approval. Once approved, a purchase request for WCD/cellular telephone device and/or services should be submitted to the Procurement Office. Wireless devices and services are available under statewide contracts with carriers as noted on the Georgia Technology Authority website for wireless communication contracts. The statewide contracts negotiated by Georgia Technology Authority may be viewed at <http://gta.georgia.gov/wireless-communications-devices-and-services>.

#### **14.8.5 Personal Usage of University Wireless Equipment**

University approved WCDs are PRIMARILY for official business use. While incidental personal use is reasonable in order to prevent the employee from carrying two devices, this use should not result in additional charges to the university. If a situation arises that requires extensive or extended use of the WCD for personal calls and/or data use, the staff member is to notify their Vice President, Dean, or Associate Provost and reimburse the university for those calls that create additional charges. Reimbursement to the university under such circumstances will be submitted to Procurement Services along with a copy of the phone bill indicating the additional cost due to such circumstances. Procurement Services will transmit the reimbursement to the Bursar's Office with an appropriate deposit transmittal form. A copy of this documentation should remain in the user department's files.

If an employee assigned a WCD is terminated or resigns and a determination is made that unauthorized charges have been placed on the WCD account, then the university shall bill the former employee for the amount of the unauthorized charges. The department's Telephone Services Representative should have an invoice issued to the former employee through the Accounts Receivable Department. If the former employee has not received final payroll payment from the university, the amount of the invoice may be withheld from the employee's final paycheck.

#### **14.8.6 Reserved**

#### **14.8.7 Monthly Billing/Verification for Wireless Communication Devices**

Monthly billing for each WCD is to be reviewed by the designated Procurement Services Representative of the unit to ensure that the appropriate airtime bundle (minutes per month) has been selected and that no unauthorized additional charges were incurred (i.e. calls, text messaging, downloads, etc.). If the WCD is used in an unauthorized manner, the Vice President, Dean, or Associate Provost will take appropriate disciplinary actions including revocation of the WCD and if required, collect the cost of unauthorized use from the employee. Collection of the cost of unauthorized use is covered in section 14.9.5 above.

#### **14.8.8 Termination of Wireless Communication Devices**

If a WCD service is terminated due to any reason, the Procurement Services Department must be notified promptly. The WCD should be turned in at the Procurement Services Department when it is no longer utilized.

#### **14.8.9 Annual Justification for Wireless Communication Devices**

The Vice President, Dean, or Associate Provost is required to annually review and approve the continued use of wireless or mobile devices. This approval is part of an annual inventory coordinated each year by Procurement Services. The justification for each WCD must be submitted on an **Annual Cellular Phone Continued Use Authorization** form. This form may be found at <http://www.clayton.edu/procurement/procurementforms>.

