

Amendment to Collected Rules and Regulations
Section 80.010 Procurement
UM

The Vice President of Finance is recommending for Board approval modifications to Collected Rules and Regulations Section 80.010 Procurement. The changes listed here were developed with advice from the Office of General Counsel.

The subject CRR 80.010 was last amended April 11, 2014. The suggested modifications are intended to allow other public entities to access University contracts, to clarify advertising processes, and to extend preference to Missouri based suppliers. The detailed revisions are described as follows:

- 80.010 A.2 – Modifications to 80.10 A.2 remove reference to a hospital consortium that is no longer utilized by the University, and adds cooperative procurement language to allow access for public entities, affiliates, owned subsidiaries, and other higher education institutions to University awarded agreements.
- 80.010 F – Remove reference to advertising in two newspapers. This allows the University to prepare advertisements in a manner that will reach as many prospective bidders as possible.
- 80.010 G – Allows for procurement processes to give preference to Missouri products, materials, services and firms when of equal or better overall value. This language does not violate federal regulations and gives flexibility when determining the successful supplier.

No. 2

Recommended Action - Amendment to Collected Rules and Regulations Section 80.10 Procurement, UM

It was recommended by Vice President Rapp, endorsed by President Choi, recommended by Finance Committee, moved by Curator _____ and seconded by Curator _____, that the following action be approved:

that the Collected Rules and Regulations Section 80.010 Purchasing be modified to allow other public entities to access University contracts, to clarify advertising processes, and to extend preference to Missouri based suppliers.

Roll call vote Finance Committee: YES NO

Curator Brncic
Curator Chatman
Curator Layman
Curator Snowden
Curator Sundvold

The motion _____.

Roll call vote Full Board: YES NO

Curator Brncic
Curator Chatman
Curator Farmer
Curator Graham
Curator Layman
Curator Phillips
Curator Snowden
Curator Steelman
Curator Sundvold

The motion _____.

November 15 – 16, 2018

Collected Rules and Regulations
Business Management
Chapter 80: Purchasing

80.010 Procurement

Bd. Min. 6-29-79; 6-15-56, p. 9,439-9,441; Ex. Min. 2-18-70, p. 2,384; Bd. Min. 10-31-86; Bd. Min. 5-5-89, 5-6-93; Amended Bd. Min. 12-15-95; Bd. Min. 9-27-01; Bd. Min. 3-22-02; Bd. Min. 4-1-04, Bd. Min 6-14-13, Bd. Min. 4-10-14.

- A. The President shall have the authority to purchase supplies, equipment, and services in conformance with these Collected Rules and Regulations.
- B. The President shall also be authorized to:
1. Participate in cooperative purchasing arrangements with any public entity or group, and execute purchase contracts for the University under these arrangements, provided the procurement methods and procedures of such entity or group are consistent with University policies ~~;~~ ~~and to procure supplies and equipment for use at the University of Missouri Columbia Hospital and Clinics at contract prices arrived at through bids or negotiations by the University Hospital Consortium of Atlanta, GA, when in the best interests of the University.~~ Expand University's Cooperative Purchasing program allowing other public entities, affiliates, owned subsidiaries, and higher education institutions to access University awarded agreements.
 2. Reject bids, reissue bids, or to purchase items or services, on the open market if they can be purchased at a better price than bid.
 3. Contract with other schools and colleges and with outside agencies for educational and training programs and for the use of facilities and instructors for regular University or extension courses.
 4. Contract with authors relating to publications of books by the University Press.
 5. Contract for the conduct of intercollegiate athletic programs.
 6. Execute agreements for all intercollegiate athletic contracts for the scheduling of athletic contests, for broadcasting and telecasting athletic contests and for programs and concessions covering athletic contests.
 7. Contract for purchase of items for resale in the normal operations of the University's bookstores or other auxiliary services, and waive bidding requirements when it is in the best interests of the University.
- C. Board of Curators approval shall be obtained for purchases for unique items or services which do not lend themselves to competitive bidding when the cost is more than \$500,000, except for proprietary licenses or maintenance agreements

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necessary for operation of University computing equipment or turbine and generator Original Equipment Manufacturers (OEM) for parts and labor, in which case the President shall be authorized to enter into these contracts.

- D. Competitive bids are not required for items and services valued at \$10,000 or less, if there are no savings or advantages if bid.
- E. Competitive bids shall be obtained when the estimated value exceeds \$10,000. However, purchases for unique items and services which do not lend themselves to competitive bidding may be purchased on a negotiated basis without bidding.
- F. Purchases estimated to cost \$25,000 or more shall be advertised ~~in two newspapers~~ in such places as are most likely to reach prospective bidders, ~~or advertised in an electronic medium if this method is more advantageous in soliciting competitive bids.~~
- G. In competitive bidding and in instances in which competitive bids are not required, preference shall be given to Missouri products, materials, services and firms when the goods or services ~~to be provided are equally or better suited for the intended purpose and can be obtained without additional cost.~~ are of equal or better overall value. In assessing overall value, consideration will be given to the extent to which proximity or Missouri preference of the supplier provides potential advantages or reduction of risks. Firms are considered "Missouri firms" if they maintain a regular place of business in the State of Missouri.
- H. An annual report shall be provided to the Board for purchases and competitively bid services contracts when the cost is more than \$1,000,000; equipment leases when the total cost is more than \$1,000,000 or when the lease term is more than five years.

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 - 2. Reject bids, reissue bids, or to purchase items or services, on the open market if they can be purchased at a better price than bid.
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- C. Board of Curators approval shall be obtained for purchases for unique items or services which do not lend themselves to competitive bidding when the cost is more than \$500,000, except for proprietary licenses or maintenance agreements necessary for operation of University computing equipment or turbine and generator Original Equipment Manufacturers (OEM) for parts and labor, in which case the President shall be authorized to enter into these contracts.
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November 15 – 16, 2018

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