

Procurement Policy and Procedures of The City University of New York

I. Purpose and Application

- A. This Policy sets forth guidelines applicable to the procurement of commodities and services by The City University of New York.

State and fees; and funds held by the State Treasury in income fund reimbursable accounts, such as technology fees. This Policy does not apply to procurements by The Research Foundation of the City University of New York, The City University Construction Fund, college associations, auxiliary enterprise corporations, college foundations, or other separately incorporated affiliated entities except as described in any policies, guidelines, or procedures issued by the University, including any Office of University Controller Financial Management Guidelines; however, this Policy does apply to contracts funded by any of these organizations but entered into by the University.

- C. The University's constituent colleges, including the Central Office.

II. Policy Statement

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(ii) compliance with all provisions of law governing procurements by the University; (iii) the acquisition of quality commodities and services at reasonable prices in a timely and efficient manner; (iv) the maximum feasible participation of New York State-certified minority- and women-owned business enterprises *M/WBE* and service-disabled veteran-owned business enterprises *SDVOB* in University procurements, as required by law and University policy; and (v) the prevention of favoritism, extravagance, fraud, and corruption, or the appearance thereof.

- B. In furtherance of the above policy, the University shall conduct procurements in accordance with the procedures and other requirements set forth below.

V. Order of Purchasing Priority and Procurement Methods

- A. The University shall conduct all procurements of commodities and services, including University-wide procurements, using the methods and procedures described in this Section V. However, in selecting a procurement method, the University shall adhere to the order or priority assigned to these methods in Section V(B) (such methods and priorities are defined in the Purchasing Hierarchy). Sections V(C) through V(G) provide a description of, and procedures for using, each procurement method in the Purchasing Hierarchy. Sections V(E)(3) and V(H) provide a description of exceptions to the Purchasing Hierarchy.

services from Preferred Sources are given the highest priority and are exempt from competitive bidding requirements. The University shall make purchases from Preferred Sources in the following manner, and in accordance with any guidelines issued by OGS relating to Preferred Sources (except to the extent such guidelines in their application to CUNY would conflict with applicable law):

1. When making any purchase the University must first consider using Preferred Sources generally. When purchasing commodities, the University must consider Preferred Sources in the following priority order: (1) Corcraft; (2) NYSPSP; (3) NYSID, or as otherwise required by the State. When purchasing services the University may afford each available Preferred Source equal priority, and if more than one Preferred Source can provide the required services, then price shall be the determining factor.
2. When a commodity or service is available from a Preferred Source in the form, function, and utility required by the University, and at prices that are approved by OGS or DOCS as contemplated in

OGS Commodities Contract vendor is unable or unwilling to match the lower price, the University must document this in the procurement record and may proceed with the open market purchase.

- E. University-Wide Contracts. The Office of Budget and Finance has established a number of University-wide Contracts, some on an exclusive basis, with vendors for University-Wide Contracts. The University shall make purchases from University-Wide Contracts in the following manner:
1. If no applicable Preferred Source or OGS Commodities Contract can meet the University's form, function, and utility requirements, or where justified by price, the applicable Purchasing Department must determine whether the required commodity or service can be obtained through an existing University-Wide Contract.
 2. If the University's requirements can be met through an existing University-Wide Contract, then the University must purchase such commodities or services through the available University-Wide Contract, unless the applicable Purchasing Department makes the determination that it can obtain lower pricing from an alternate source. Any questions relating to University-Wide Contracts must be directed to the Office of Budget and Finance.
 3. In some instances the Office of Budget and Finance has established University-Wide Contracts with vendors on an exclusive basis. These exclusive University-Wide Contracts are an exception to the Purchasing Hierarchy and must be used in all instances on a first-priority basis by the University unless an exception is granted by the Office of Budget and Finance.
- F. Other Centralized Contracts. If no Preferred Source, OGS Commodities Contract, or University-Wide Contract can meet the University's form, function, and utility requirements, or where justified by price, the University may make purchases of commodities and services through centralized contracts let by certain agencies and entities of the State, the City, and the Federal government. Specifically, the University may make purchases through (1) services contracts let by OGS and (2) contracts identified by the Office of Budget and Finance as having been procured by the following agencies and made available to the University: Department of Citywide Administrative Services; the Department of Information Technology & Telecommunications; the Board of Education of the City of New York; the U.S. General Services Administration; and such other governmental agencies and entities as may be identified by the Office of the General Counsel and the Office of Budget and Finance. Other Centralized Contracts. The University shall make purchases from Other Centralized Contracts in the following manner:
1. Where no Preferred Source, OGS Commodities Contract, or University-Wide Contract can meet the University's form, function, and utility requirements for a

purchase, the applicable Purchasing Department must determine whether the required purchase can be made through any Other Centralized Contract.

2. The University must use any available Other Centralized Contracts that have been identified in writing by the Office of Budget and Finance and that can meet the requirements.
3. When considering Other Centralized Contracts the University shall afford each available contract equal priority, and shall award to the vendor that can meet the requirements at the lowest price.
4. In addition, the University may make purchases using a Campus Procurement, Piggyback,

certain food products that are grown, produced or harvested in New York State, Purchasing Departments may use Informal Purchasing Methods for purchases up to \$200,000, as

appropriate, for payment.

