

PROCUREMENT MANUAL

(02/2021)



MISSION:

The Procurement Department's mission is to assist all Academy departments in the procurement of materials, supplies, equipment and services at the lowest possible cost consistent with the quality and delivery required from responsible vendors while making purchases in an open minded, fair and ethical manner to best meet the needs of the Academy mindful of the responsibilities for public monies entrusted to us.

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SECTION 1 – GENERAL INFORMATION

§1-1 Purpose

Illinois Mathematics and Science Academy Procurement department presents this Procurement Manual to promote understanding of the various roles by staff, vendors, contractors and the public regarding the procurement of goods and/or services on behalf of the Academy.

Being that the majority of IMSA's operating budget is comprised of public funds, the public must have confidence that the public monies entrusted to the Academy are being spent prudently and responsibly on their behalf. Ethical lapses, conflicts of interest, fraud and abuse of funds can be destructive to the public trust and negatively affect the level of funding provided to the Academy from the State legislature.

The policies and procedures incorporated within serve the purpose of:

- Providing for a combined centralized / decentralized procurement program encompassing both State and National approved principles and practices.
- Being reviewed regularly to make modifications to procurement processes that enhance the efficiency and effectiveness of the procurement function.
- Complying with the requirements of the State of Illinois Procurement Code under the jurisdiction of the Chief Procurement Office of Higher Education.
- Promoting and encouraging efficiency and responsibility in the procurement procedures.
- Ensuring the application of consistent and reasonable business practices in public purchasing and fair treatment of all persons dealing with the Academy procurement system.
- Fostering effective broad based competition among vendors.
- Maximizing the procurement value of all funds spent at the Academy.
- Maintaining the integrity and transparency of the Procurement system.
- Fostering collaboration among all Academy departments with the Procurement department functions.

The Academy purchases a diverse range of services and commodities to meet its operational needs through a predominant decentralized procurement system. Acknowledging the importance and value of a functional procurement department the Academy is moving to a Centralized procurement system while, in some areas, still deploying the decentralizing procurement where necessary.

Centralized purchasing policies are to be followed by anyone who has the authority to act as an agent of Academy in the procurement of all goods and services regardless of the dollar value. This authority lies within the Procurement Department.

§1-2 IMSA Public Procurement

As an agency of the State of Illinois, Procurement at IMSA is heavily regulated – by the Illinois Procurement Code, Procurement Administrative Rules of the Chief Procurement Officer for Public Institutions of Higher Education, and other laws and related policies. Competitive

selection of vendors is required, at various dollar thresholds, unless there is an exception, exemption, or existing contract. All procurement related decisions, including when a competitive selection process is not required, are made by or subject to the approval of the State Purchasing Officer (SPO) or Chief Procurement Officer (CPO), who report to the Executive Ethics Commission. IMSA also has procurement requirements that coincide, but never supersede, those requirements set forth by the State. The terms '*Procurement*' and '*Purchasing*' are used interchangeably however the '*Purchasing*' function is just one of the several stages involved in the procurement cycle. The Procurement process typically consists of:

1. *Planning and Scheduling*: Those activities to meet departmental, program and budgetary objectives.
2. *Source Selection (Purchasing)*: The process through which solicitations are issued and reviewed, vendors selected and goods and services received and;
3. *Contract Administration*: Enforcement of the terms and conditions of the purchase agreement or contract and payment of invoices.

For purposes of clarification, the definitions below provide delineation on the differences between an '*Agreement*' and a '*Contract*'.

Agreement: A written document outlining some contractual relationship, an exchange of promises, a performance of some action or grants some right signed by and between one or more parties. In essence, an Agreement is less formal than a contract. There is no dollar threshold necessarily associated with an Agreement. The dollar value of an agreement may be zero dollars but rather the Agreement outlines the services or responsibilities between the parties signing an agreement. The Agreement is a binding document and can be used to hold each signing entity accountable to adhere to the outline of the Agreement.

Contract: A more rigid formal document outlining the terms of a purchase or relationship similar to the '*Agreement*' that is formed between two or more parties placing an obligation on either one of the parties to provide consideration to the other party. For the purpose of the State of Illinois, a Contract is established when a purchase for goods or services equals \$20,000 or greater. A two party signed document is required by the State and must have the vendor's signature along with the signature of IMSA's agency head representative (President) and the Agency Procurement Officer.

NOTE: One of the most important standards in the public procurement process is to remember that each procurement action results in a legal contract between the Academy and the supplier. Each procurement action is a legal action and these activities are subject to the Freedom of Information Act and governed by State laws.

§1-3 Function and Responsibilities

A. The Purchasing Department

Under the general supervision of the Executive Director of Business and Financial Operations, the role of Procurement has two functions – 1. To serve as Procurement Services Manager (Academy function) and 2. To serve as Agency Procurement Officer (State function). Some of the functions and responsibilities for these two roles are as follows:

- a. To observe and enforce the adherence to procedures outlined in the Illinois Procurement Code – Higher Education as described in the Purchasing Laws manual published by the Legislative Audit Commission.
- b. To maintain the fiscal responsibility of all purchases.
- c. Ensure integrity and fairness of purchasing process.
- d. Identify opportunities for savings and purchase efficiencies.
- e. Secure initial / additional price quotes.
- f. Manage BEP Business Enterprise Program compliance and goal attainment
- g. Protect IMSA from legal action re: procurement processes.
- h. To assist requisitioner in their efforts to source all supplies, materials and contractual services.
- i. Provide training to all users interfacing with the Purchasing department.
- j. Carry out Rules and Directives of the CPO-Higher Education office.
- k. Manage the Academy's relations with vendors.

B. The User Department

The User departments can assist the Purchasing department in complying with applicable state laws and regulations through the following:

- a. Planning their work so that 'Rush Order' and 'Emergency' purchases will be held to a minimum. Requests requiring the assistance of purchasing for procuring goods and services should be forwarded to the purchasing department far enough in advance to allow for adequate time to secure quotes.
- b. Monitor staff purchases and require strict compliance with policies (i.e. no splitting of invoices to avoid the State of Illinois purchasing limits).
- c. Preparing complete and reasonable specifications for solicitations that are written in a way to encourage maximum vendor participation.
- d. Monitor contract timelines in order to assure timely renewals (i.e. subscriptions; organizational memberships, maintenance agreements).

§1-4 Code of Ethics

The Purchasing department is in compliance and adheres to the State Officials and Employees Ethics Act as well as the Code of Ethics of the National Institute of Governmental Purchasers (NIGP). This Code of Ethics may be found at <http://www.nigp.org/home/about-nigp/code-of-ethics>

§1-5 Conflict of Interest

The Illinois Legislature requires a vendor that wishes to conduct business or be considered for business with the Illinois Mathematics and Science Academy when the annual contract amount exceeds \$50,000, to file a *Financial Disclosures and Conflicts of Interest* form. These forms, once completed by the vendor and submitted with the vendor's solicitation response, will be maintained by the Procurement Department and filed with the State of Illinois Comptroller's office.

The forms required to comply with the above State Statute are available on the Chief Procurement Officer – Higher Education website at: <http://www.procure.stateuniv.state.il.us/PublicDocs/VendorForms/FinancialDisclosuresAndConflictsOfInterest.pdf>.

The Academy shall not contract for goods or services for any department if the contract is with an employee of that department. Further, no contracts or award of business shall take place under those conditions prohibited by Code as defined in Section 4.5013 of the Illinois Administrative Code – Higher Education.

§1-6 Procurement Records and Information

All Procurement records, except for confidential and trade secret information, are presumed to be a matter of public record and shall be available to the public. Procurement records shall be subject to the record retention schedule defined by the State of Illinois and no such records shall be destroyed without notifying and securing approval from IMSA's Record Officer and the State Records Commission.

Copies of procurement information, subject to public access, are available to the public through completion of a Freedom of Information Act (FOIA) request. A FOIA request shall be sent to the attention of the IMSA FOIA Officer and shall clearly describe the information being sought. All FOIA requests shall include full contact information for the requestor, including name, organization, mailing address, fax number, and daytime telephone number.

Depending upon the volume of materials requested to be provided in hard copy, rather than electronic copy, IMSA reserves the right to collect 'per page' fees pursuant to State Statute 5 ILCS 140/6(b) whereby fees may be collected from the requesting party and shall be paid in full to the Illinois Math and Science Academy prior to the release of information requested. Fees may be waived or reduced under certain circumstances. In general, pursuant to 5 ILCS 140/6(b) of the FOIA, the waiver or fee reduction will be granted when it is determined to be in the public interest to do so.

SECTION 2 – ADMINISTRATIVE MATTERS

§2-1 Applicability

Policies and procedures set forth in this manual shall apply to all purchases entered into by the Academy. Purchases and Contracts funded, in whole or in part, with State appropriated funds shall comply with the appropriate federal and state laws, rules and regulations. Academy requirements and procedures set forth in this manual, in addition to the standard state requirements, shall apply to all employees acting as agents of the Academy, thereby the state, for the purpose of procurement of goods and/or services. Any employee who expends funds: (a) for personal use; (b) without the written or electronic approval of his/her manager; (c) without being authorized to make said purchase; or (d) without following the procedures as set forth by the Academy will be subject to disciplinary action(s), up to and including termination.

§2-2 Signatory Authorities and Approval Thresholds

As an agency of the State of Illinois, the Academy is required to follow the bidding, solicitation and proposal procedures outlined in the Illinois Procurement Code (30 ILCS 500/15)(30 ILCS 500/20) when it plans to make an expenditure of more than \$100,000. Other circumstances may arise that necessitate adherence to these procedures when the expenditure amount is less than \$100,000. Only the Agency Procurement Officer (APO) or Chief Executive Officer (President) of the Academy has the authority to contractually obligate the Academy to purchases in an amount equal to or greater than \$20,000.

Contracts/Agreements that have a value of \$20,000 or less can be executed on behalf of the Academy by the following authority:

- Chief Executive Officer(President)
- Agency Procurement Officer
- Executive Director – Business and Financial Operations

Such contracts/agreements include, but are not limited to: inter-governmental agreements, contracts for services, leases, rental agreements, service/maintenance agreements, licensing agreements, facility use agreements, consultant agreements, etc.

State of Illinois Comptroller Basic Order Agreements (BOA) and/or Contract documents for purchases valued at \$20,000 or greater may only be executed by the following authority:

- Chief Executive Officer (President)
- Agency Procurement Officer

Purchase Requisitions can be created for any dollar amount by any authorized system user and user may make recommendations of the preferred vendor subject to review and approval from, and in collaboration with, the Agency Procurement Officer. Budget managers will have the responsibility of electronically approving all purchases through Microix or the current purchasing software system before submitting purchase requests to Procurement for final approval.

Employees involved in the procurement process will be held accountable for ensuring that each purchase is made in accordance with this policy and all applicable federal and state laws, procedures, directions and responsible business practice.

§2-3 Department Representatives

Department heads of each departments utilizing purchasing shall have a minimum of one responsible and qualified employee who shall be knowledgeable of the procurement process and serve as liaison between their department and Procurement. The employee shall be responsible for working in collaboration with the Procurement department to secure quotes, review vendor performance and cooperation in attainment of BEP/SBSP/Veteran goals.

§2-4 Processes

A. Quote Process

Each department shall be directed to obtain at least one (1) quote up to \$999 of goods/services needing to be purchased. At least two (2) written quotes shall be obtained for purchase of goods/services in amounts of \$1000 - \$1999.99. At least three (3) written quotes shall be obtained for purchase of goods/services in amounts \$2,000 or greater. The Procurement department can assist in securing quotes and will not be restricted to the quotes provided by the department and maintains the right and authority to supplement the quotes from other providers, if necessary. Purchases of IMSA logo items, printing, Amazon, membership clubs (Costco/Sam's Club) and other high volume purchases shall be coordinated through the purchasing department. Quotes shall be posted, at the time purchase requisition is created, to the user's specific procurement electronic folder on the IMSA Shared Drive or attached when creating the Microix document.

Once quotes have been received, a purchase requisition must be entered into the system. Purchasing will review requisitions based on known or previous experience, pricing, records of

past purchases, vendor diversity goals, state master contracts, cooperative contracts, and vendor catalogs. Procurement Services Manager retains the right to change the vendor, if deemed to be in the best interest of the Academy.

Any department requiring assistance for any purchase, regardless of the estimated cost, is encouraged to contact the purchasing department.

Just because a vendor is designated as a Small Business (SBSP) or Diversity vendor (BEP) does not eliminate the need to secure additional quotes. Often additional SBSP and BEP vendors are available to provide quotes for the same products/services. Although a State Master Contract (SMC) may be available for a given vendor, a determination by Procurement shall be made as to whether additional price quotes shall be sought. In many instances, more advantageous pricing or expedited availability of goods can be obtained than that specified in the State Master Contract. If uncertain about the need for additional quotes contact the Procurement department for assistance.

B. Purchasing Process

Once all approvals have been obtained for the purchase requisition, a Purchase Order is created authorizing the vendor to provide the goods and/or services requested. Responsibility for processing and communicating the purchase order is the responsibility of the requesting department unless otherwise notified with the exception of Amazon and Logsdon office supply orders.

Purchase Requisitions may only be created using one specific expenditure category (i.e. 1200 – Contractual Services; 1290 – Travel; 1300- Commodities) . Purchase requisitions must have a separate line item listing any shipping charges that are not included in the unit price. Any authorization of a purchase to a vendor without a purchase order is not valid. Once the purchase order is approved, email notification of the approved PO is made to the requestor who may then forward the purchase order to the vendor.

C. Returning of Goods Process

Items needing to be returned to a vendor should be coordinated through Purchasing. Accounts Payable should also be notified to prevent payment of invoice, if necessary. Departments shall work with purchasing in contacting vendor to seek approval for return of goods. Consideration of restocking fees in relation to cost of product shall be made. If vendor approves of return, department shall provide to purchasing the original Purchase Order number, associated documentation (ie: packing slips/invoices) and the reason for returning goods

§2-5 Non Competitive Selection Process

Competitive selection of vendors is required, at various dollar thresholds, unless there is an exception, exemption, or existing contract. The State of Illinois has determined the following exceptions to the competitive selection process:

a. Small Purchases

State laws allow for individual purchases of supplies or services can be made under the small purchase limit, an amount which is set annually. However, procurements cannot be artificially divided so as to constitute a small purchase bypassing the competitive selection process

b. Emergency Purchases

An emergency is defined as a situation involving public health, public safety, or cases where immediate expenditure is necessary for repairs to State property to protect against further loss or damage, to prevent or minimize serious disruption in State services, or to insure the integrity of State records. Emergency situations may result from fires, explosions, acts of nature, adverse weather conditions, epidemic conditions, untimely breakdowns, damage or loss of equipment critical to the maintenance of health or safety standards.

An 'Urgent-Rush' purchase is often a last minute purchase need as a result of lack of planning or unforeseen circumstances and should not be confused with or defined as an Emergency purchase.

In actual emergency situations, the Illinois Procurement Code allows for bid requirements to be waived if it is critical that an emergency purchase be completed within a certain time period. When bid requirements are waived in this situation, Purchasing will collaborate with requesting departments in attempt to adhere to our normal purchasing policies with preference not to eliminate policy but rather make a diligent effort to secure quotes verbally or by email to expedite the emergency purchase need.

Purchasing is responsible for ensuring that in true emergency situations the normal pattern for reviewing and approving purchases is maintained and that the purchasing process is accelerated. All emergency purchases, regardless of value, shall be published on the Illinois Procurement Bulletin – Public Institutions of Higher Education.

The term of an Emergency purchase is limited to the time reasonably needed for a competitive procurement, not to exceed 90 days; an extension can be granted by the Chief Procurement Officer.

The Procurement department is responsible for preparing statements that must be filed with the Auditor General of the State of Illinois and the Chief Procurement Officer (CPO)-Higher Education. These statements must be filed within ten days after an emergency purchase has been made.

In the event the emergency purchase exceeds a value of \$100,000, the President may approve the emergency purchase in absence of Board of Trustee approval and shall promptly report said purchase to Board of Trustees at their next regularly scheduled meeting.

c. Sole Source Purchases

A purchase may be justified when requirements can only be met by a single supplier, or only one supplier is deemed economically feasible. A few examples of sole source purchases may include: patents, copyrights, films, manuscripts, electricity, gas, water, and other utilities.

d. *Professional and Artistic Services*

When less than \$100,000 in value Professional and Artistic Services are exempt from competitive solicitation. Anything in value greater than this amount requires formal solicitation. Professional and Artistic services means “those services provided under contract to a State agency by a person or business, acting as an independent contractor, qualified by education, experience, and technical ability.”

Professional and artistic services are primarily for intellectual or creative skills. Services that involve manual skills or labor are not considered professional and artistic services.

If contracting professional or artistic services with a business entity, the individuals whose education, experience, and technical ability provided the basis on which the business entity was selected must meet the following required qualifications:

- Qualified by education means the individual(s) must have obtained the level of education required to provide the requested services.
- Qualified by experience means the individual(s) must have the level of general experience required to provide the requested services.
- Qualified by technical ability means the individual(s) must demonstrate a high degree of skill and/or ability to provide the requested services.

The Procurement department will use the factors identified above in determining on a case by case basis whether said services qualify as Professional and Artistic. Such services typically qualified for this designation are Architects, Certified Public Accountants, Land Surveyors, Attorneys, and Physicians. Construction related professional services such as Architecture, Engineering and Land Surveying are required to be procured through competitive selection procedures if greater than or equal to \$25,000. Any services identified as such shall be purchased in accordance with defined policy and rules.

e. *Donations/Grants*

A grant, gift, or bequest can call for the procurement of a particular good or service, or the use of a particular vendor, provided that the grant, gift, or bequest provides majority funding for the contract.

Intent to award a Sole Source, and all Emergency purchases, must be published in the Illinois Public Higher Education Bulletin, and provide notice for a public hearing - a minimum of fourteen (14) days for a Sole Source procurement or extension to an Emergency purchase. Concurrently, the Procurement Policy Board has a 14-day right of review unless they waive such review period. The Board also has authority under the Procurement Code to require hearings and can void any procurement or contract. Approval of the Chief Procurement Officer and Procurement Policy Board (unless waived) must be obtained prior to the execution of the contract or the commencement of services.

Procurement has the responsibility for posting all required notices and making determinations for sole source and emergency purchases.

f. Exemptions

Competitive selection of vendors is required, at various dollar thresholds, unless there is an exception, exemption, or existing contract. The State of Illinois has determined the following exemptions to the competitive selection process:

- Intergovernmental Agreements
- Grants
- Purchase of Care
- Hiring of an individual as an employee and not as an independent contractor
- Collective bargaining agreements
- Purchase of real estate, except that notice of this type of contract with a value of more than \$25,000 must be published in the Procurement Bulletin.
- Anticipated litigation, enforcement, actions, or investigations.
- Memberships in professional, academic, research or athletic organizations on behalf of a public institution of higher education, or a student at a public institution of higher education.
- Expenditures for events or activities paid for exclusively by revenues generated by the event or activity, gifts or donations for the event or activity, private grants, or any combination thereof.
- Expenditures for events or activities for which the use of specified potential contractors is mandated or identified by the sponsor of the event or activity, provided that the sponsor is providing a majority of the funding for the event/activity.
- Expenditures necessary to provide athletic, artistic or musical services, performances, events, or productions by or for IMSA.
- Periodicals, books, subscriptions, database licenses, and other publications for use by the library or academic department, except for textbooks for student use or materials for resale or rental.
- Placement of students in externships, practicums, field experiences and for medical residencies and rotations.
- Expenses necessary to perform sponsored research and other sponsored activities under grants and contracts funded by the sponsor or by sources other than State appropriations.
- Educational activities or research with a foreign entity, provided that the foreign entity does not maintain an office in the United States or is the sole source of the service or project.

§2-6 Tax Exemption Status

The Illinois Mathematics and Science Academy is exempt from payment of taxes under the Illinois Department of Revenue, for the following Illinois state and local taxes:

- Real Property Tax
- Retailer's Occupation Tax

- Service Occupation Tax
- Use Tax and Service Use Tax

Any use of the Academy's tax exemption certificate for personal purchase is prohibited. Anyone using the Academy's tax exemption certificate for personal purchases may be subject to further disciplinary action. A copy of our Sales Tax Exemption Certificate is posted on the IMSA website under 'Business Office Forms' or may be requested from Procurement or the Business Office.

§2-7 Supplier Diversity

The Procurement department oversees the Supplier Diversity program and associated goals at the Illinois Mathematics and Science Academy.

We are committed to vendor diversification by ensuring that diverse businesses are included in the Academy's procurement process. Departments and individuals at IMSA are encouraged to proactively seek out qualified certified businesses owned by women, minorities, persons with disabilities and veterans for their contracting needs. The State of Illinois declares it public policy of the State to promote and encourage the ongoing economic development of diverse owned businesses and are provided with the opportunity to participate in the State's procurement process as both prime and subcontractors.

The Business Enterprise for Minorities, Women, and Persons with Disabilities Act (BEP Act) as defined by statute (30 ILCS575/) that "not less than 20% of the total dollar amount of State contracts, as defined by the Secretary of the Council and approved by the Council, shall be established as a goal to be awarded to businesses owned by minorities, women, and persons with disabilities."

The Veterans Business Program (VBP) as defined by statute (30 ILCS500/45-57) encourages state agencies and universities to spend not less than 3% of the total dollar amount of State contracts with VOSBs and SDVOSBs.

To be qualified as a diverse business the business must be registered and certified by the Illinois Department of Central Management Services and meet the following definition:

Diverse Business: Annual gross sales less than \$75 million, at least 51% owned and controlled/operated by a U.S. Citizen and be member of one of the following categories or ethnicities:

- African American
- Asian American
- Hispanic American
- Native American
- Women
- Person with a disability
- Service Disabled Veteran *

*Must be Illinois resident and have home office in Illinois.

§2-8 Small Businesses

The Procurement department oversees the Small Business Supplier program and associated goals at the Illinois Mathematics and Science Academy.

IMSA places great importance on and is committed to vendor diversification by ensuring that small businesses are included in the Academy's procurement process. Departments and individuals at IMSA are encouraged to proactively seek out businesses that meet the definition of a small business and are registered and classified as 'Small Business' with the Illinois Department of Central Management Services/IL Procurement Gateway for their contracting needs.

The State of Illinois continues to recognize the small business set aside program as an important driver of job creation and economic development in the State. The SBSP program shelters Illinois' small businesses from competing with large businesses for state awards and contracts.

IMSA continuously seeks out registered small businesses to partner with in its award of business as we work towards achieving the aspirational goal of 10% of our eligible purchases being awarded to small businesses as both prime and subcontractors.

To be qualified as a small business the business must be registered and approved through the Illinois Procurement Gateway and meet the following definition:

Small Business: One that is independently owned and operated, is not dominant in its field or operation, and meets the required size status and the following sales limitations:

- No WHOLESALE business can exceed \$13 million in annual sales.
- No RETAIL business can exceed \$8 million in annual sales and receipts.
- No CONSTRUCTION business can exceed \$14 million in annual sales and receipts.
- No MANUFACTURING business can employ more than 250 persons.

§2-9 Confidentiality

It shall be a breach of ethics for any employee or former employee of the Illinois Mathematics and Science Academy to knowingly use confidential information for actual or anticipated gain, or for the actual or anticipated gain of any person.

If involved in the procurement process, to protect the integrity of the process, any employee may not discuss or disclose any information gained during the procurement process. If process includes a formal solicitation such information includes, but is not limited to: draft solicitation documentation, solicitation responses received, evaluation documentation, reference checks, evaluation team correspondence, preliminary conclusions or results and negotiation information. Communication for formal solicitation shall only occur by and between the Agency Purchasing Officer(APO) and CPO staff from the State of Illinois.

SECTION 3 – PURCHASING SOURCE SELECTION

§3-1 Methods of Purchasing Source Selection

There are a variety of methods available to acquire goods and services. Some methods are statutorily governed and others are governed by IMSA policy or directive. All IMSA contracts shall be awarded by one of the following methods:

- Small Purchase
- Request For Proposal (Formal Solicitation)
- Invitation For Bid (Formal Solicitation)
- Construction Related Procurements
- Sole Source Procurements
- Emergency Procurements
- State Contract / Cooperative Procurements

Dollar Range	Procedure
\$0.00 - \$999.99	+Secure one (1) quote from vendors directly or purchase from a Cooperative or State Contract.
\$1000.00 - \$1999.99	+Secure two (2) quotes from vendors directly or purchase from a Cooperative or State Contract.
\$2000.00 - \$4,999.00	+Secure three (3) quotes from vendors directly or purchase from a Cooperative or State Contract. Preference given to BEP/Small Business vendors.
\$5000.00 - \$19,999.00	+Secure three (3) quotes from vendors directly or purchase from a Cooperative or State Contract. Must include BEP/SBSP. May include State Contracts and Cooperatives in quote process where available.
\$20,000.00 - \$99,999.00	+Secure three (3) quotes from vendors directly or purchase from a Cooperative or State Contract. Must include BEP/SBSP. May include State Contracts and Cooperatives in quote process where available. +Formal State Contract required & created by Purchasing
\$100,000.00 and up	+Purchasing must issue a formal solicitation and obtain competitive bids. +Requires advance Public Notice on IL Higher Education Procurement Bulletin by Purchasing. Minimum posting is 15 days. +Award of bid requires approval by IMSA Board of Trustees +Entire process should be estimated at 70 days. +Formal State Contract required & created by Purchasing

§3-2 Small Purchase - Purchases Less than \$100,000

(a) *Conditions for Use:* The State of Illinois currently designates a 'small purchase' as a purchase that is less than \$100,000 or less. IMSA requires a specific number of quotes required based upon the purchase dollar value as provided above. Collaboration and consultation with the procurement department is strongly encouraged for all purchases. Establishing new vendors shall be at the direction of the procurement department and will be permitted in the event an existing vendor cannot be identified to provide pricing or is not a responsible/responsive vendor.

(b) *Request for Quotes:* Quotes shall always be solicited for purchases.

- For purchases that amount to \$0.00 - \$999.99 a minimum of one (1) quote shall be sought from vendors.
- For purchases that amount to \$1000.00 - \$1,999.99 a minimum of two (2) quotes shall be sought from vendors, if available. Quotes should be posted to the department procurement case folder on the IMSA drive or attached to the Microix document.
- For purchases that amount to \$2,000.00 or greater a minimum of three (3) quotes shall be sought from vendors, if available. Quotes should be posted to the department procurement case folder on the IMSA drive or attached to the Microix document.
- Where possible, a minimum of one BEP or Small Business firm should be included in the quote process dependent upon the availability of goods or service.
- Awarded to the lowest, responsive and responsible quote. Quote submitted by a qualified bidder with the lowest or best price and whose business and financial capabilities or past performance or best price meet the standards.
- Quotes, written or email, shall have the minimum following elements:
 - Vendor Name, Address and Contact Name
 - Date of quote
 - Any special terms, discounts, conditions
 - Full description and applicable part number of item(s) being quoted

§3-3 Request For Proposal (RFP)

- (a) *Conditions for Use.* A Request for Proposal is the appropriate competitive selection process when purchasing goods or services when price is not the most important criteria to be considered for awarding a contract. The award of an RFP is to the supplier who best meets the qualifications, specifications and criteria specified in the RFP. The RFP may involve negotiating technical requirements, type of contract, terms and conditions, scheduling and price which may/may not include best and final offers. Price is not the sole determining factor as it is for an Invitation for Bid.
- (b) *Specifications of RFP.* It is the responsibility of the department to partner with purchasing, as early as possible, to compile and develop full complete specifications for the products or services being requested. Specifications must be detailed and succinct in defining the user's need. Development of specifications should be organized in a thoughtful process with any desirable requirements, technical goals and list of administrative and financial expectations so that the solicitation sets a tone of a mutually productive business relationship between IMSA and the contractor.
- (c) *Public Notice.* RFP's must be advertised for a minimum of 15 days on the State of Illinois Higher Education Procurement Bulletin to ensure compliance with the Illinois Procurement Code. Please allow additional time for clarifying information as well as preparation of the solicitation document by the Procurement department.
- (d) *Receipt of Proposals.* Proposals will always be mailed/delivered to the attention of IMSA's Agency Procurement Officer at IMSA's physical street address. All proposals shall be sealed and remain unopened until the specified time/date of solicitation opening.
- (e) *Opening of Proposals.* All RFP's shall be opened at the date and time specified in the solicitation on IMSA premises. IMSA's Agency Procurement Officer or designee shall be the only individual authorized to open sealed proposals. Proposal openings shall be witnessed and recorded by another IMSA staff member, typically another staff member

of the Business office. Only the name and location of the responding vendors will be announced at the Opening. Tabulation record may be open for public inspection after a contract has been executed.

- (f) *Evaluation Factors.* The RFP shall state the importance of factors and sub-factor along with price that will be evaluated in considering the award of a contract. An Evaluation Committee is formed by the Procurement Services Manager or designee. The Evaluation Committee is tasked with evaluating each proposal independently and rate all responses on an individual basis using a metric scoring sheet. Written comments substantiating their assigned scores are required in the event of a *protest*. The length of time for evaluation varies determined by the complexity and necessary clarifications.
- (g) *Award.* The Evaluation Committee shall make a recommendation of award to the Procurement Services Manager who reviews the recommendation and any supporting documentation and either approves or request further information from the department. The Award shall be made to the responsible offeror or whose proposal conforms to the solicitation and has been determined to be the most advantageous to IMSA taking into consideration the evaluation factors and price. A contract is executed and issued to the awarded contractor. Contracts may be entered into based upon the period of time stated in Proposal but in no case shall exceed 10 years inclusive. The award is posted on the State of Illinois Procurement Bulletin.

§3-4 Invitation for Bid (IFB)

- (a) *Conditions for Use.* An Invitation for Bid is the appropriate competitive selection process for purchasing goods or services when price is the most important criteria to be considered for awarding a contract. The award of an IFB is given to the supplier who offers the lowest responsible and responsive bid while meeting the requirements and criteria set forth in the IFB.
- (b) *Specifications of IFB.* It is the responsibility of the department to partner with purchasing, as early as possible, to compile and develop full complete specifications for the products or services being requested. Specifications must be detailed and succinct in defining the user's need. Development of specifications should be organized in a thoughtful process with any desirable requirements, technical goals and list of administrative and financial expectations so that the solicitation sets a tone of a mutually productive business relationship between IMSA and the contractor.
- (c) *Public Notice.* Any solicitation that is projected to exceed \$100,000 must be advertising on the State of Illinois Higher Education Procurement Bulletin to ensure compliance with the Illinois Procurement Code. Bulletin advertisement must remain for a minimum period of 15 days. When providing IFB specifications, please allow additional time for clarifying information as well as preparation of the solicitation document by the Procurement department.
- (d) *Receipt of Bids.* Bids will always be mailed/delivered to the attention of IMSA's Agency Procurement Officer at IMSA's physical street address. All bids shall be time and date stamped at the Business Office to validate time of receipt. Late bids will not be considered and will be returned unopened to the bidder. All accepted bids shall be sealed and remain unopened until the specified time/date of solicitation opening.
- (h) *Opening of Bids.* All IFB's shall be opened at the date and time specified in the solicitation on IMSA premises. IMSA's Agency Procurement Officer or designee shall be

the only individual authorized to open sealed proposals. Bid openings shall be witnessed and recorded by another IMSA staff member, typically another staff member of the Business office. The name, location and bid amount of the responding vendors will be announced at the Opening. Bid tabulation record may be open for public inspection after a contract has been executed.

- (i) *Evaluation Factors.* Bids shall be evaluated based on the requirements set forth in the Invitation for Bid in order to determine which represents the lowest responsive and responsible bidder. The evaluation criteria to be used in the Bid shall be set forth with sufficient clarity and exactness in the solicitation. Price is the most important criteria when bids are evaluated. Those criteria that will affect the bid price and be considered in evaluation for award, such as discounts, transportation costs and total or life cycle costs, shall be objectively measurable. If a bid is determined to be non-responsive, it shall be rejected and there is no need to continue the evaluation. Responsiveness is determined to be conforming in all material respects to the invitation for bid, including specifications and contractual terms and conditions.
- (j) *Award.* The Bid Award shall be made to the lowest responsible and responsive bidder. A contract is executed and issued to the awarded bidder. Contracts may be entered into based upon the period of time stated in Bid but in no case shall exceed 10 years inclusive. The award is posted on the State of Illinois Procurement Bulletin.
- (k) *Correction or Withdrawal of Bids.* Bidder's are typically allowed to make corrections to their bid only before the bid opening date and time. After bid opening, no changes in bid prices or other provisions of the bids prejudicial to the interest of the State or fair competition shall be permitted.

§3-5 State Master Contracts / Cooperative Contracts

For many goods and services the State of Illinois has already conducted a solicitation process and has entered into a contract with awarded vendor. In most instances, these contracts are available to IMSA for their use and does not require a solicitation process if the dollar value would indicate otherwise as the State has already conducted said process. State Master Contracts (SMC) are available as an opportunity for possible financial savings. However, if better pricing is available at the local level there is no requirement to use the SMC. In many instances, better pricing or expedited availability of goods can be secured from vendors who have not entered into State Master Contracts. The State Universities are members of the Illinois Public Higher Education Cooperative (IPHEC). Similar to the State of Illinois, IPHEC has conducted solicitations and entered into contracts with awarded vendors for a variety of goods and services. IMSA, as an institution of the State University system related to procurement, may participate in utilizing these IPHEC contracts if they are to our advantage. If an IPHEC contract is utilized, no further solicitation process is necessary as the Cooperative has already conducted the solicitation review. However, if better pricing is available at the local level there is no requirement to use the IPHEC contract.

§3-6 Finality of Determinations

The determinations made for Competitive Sealed Bidding, Competitive Sealed Proposals, Emergency Procurements, Sole Source Procurements and associated Awards by the Chief Procurement Officer, State Purchasing Officer or Agency Procurement Officer are final and conclusive unless they are clearly erroneous, arbitrary, capricious or contrary to law per 30ILCS500 §20-70.

§3-7 Bid Protests

(1) *Notice of Protest.* A vendor may wish to protest any aspect of the procurement process but must do so in writing and submit to the Protest Review Office of the Chief Procurement Officer of Higher Education. Protests must be received within 14 days of the solicitation notice posted to the Bulletin. The written protest should be concise clearly stating sufficient grounds or protest and should include, at a minimum:

- Name and address of the protesting party
- Identification of the bid being protested and contract number if contract has been awarded.
- A statement of grounds for the protest and any supporting documentation.
- Specific relief being sought.

Any confidential, proprietary or trade secret information listed in the protest must be clearly identified.

(2) *Review.* A protest must be in writing and supported by concise sufficient information in order to be considered. A decision and written resolution to the protest shall be submitted to the CPO – Higher Education by the Protest Review Officer. The CPO-Higher Education will resolve the protest by means of written determination as expeditiously as possible after receiving all relevant information. The recommendation of the CPO-Higher Education may include:

- Render a decision affirming the initial decision in whole or part
- Direction to issue a new solicitation
- Direction to award a contract consistent with statute and rule or...
- Direction of such other action as is necessary to promote compliance with statute or rule.

§3-8 Suspension and Debarment

The CPO-HE may suspend or debar any vendor from doing business with IMSA or with respect to specific types of supplies or services. Written notification is made to the vendor regarding this decision. Fraud, embezzlement, theft, collusion, conspiracy, anti-competitive activity, making false statements or representations or working with a suspended sub-contractor are just some of the reasons for a suspension.

Debarment is a permanent suspension of a vendor from doing business with the State. Debarment may only take place in those instances involving bribery or attempted bribery of a State of Illinois officer or employee.

Any suspended or debarred vendor or subcontractor, for the term of the suspension or debarment, is ineligible to participate in IMSA purchases.

§3-9 Non-Compliant Purchases

Purchases made without using an authorized purchasing method (Purchase Order, Contract/Agreement or P-Card) require justification and approval by the department

budget manager and the business office prior to the issuance of a Purchase Order or Payment. Further, purchases made and/or goods delivered or services rendered prior to approval of purchase order, unless an emergency, shall be determined as a non-compliant purchase as this is in violation of IMSA board approved policy regarding purchase commitments. Completion of IMSA internal Purchase Order Exception form should be completed prior to payment of any invoice.

Recurring non-compliant purchases may be reviewed for further disciplinary action, up to and including termination.

§3-10 Media Center / Information Technology Related Purchases

Media Center or I.T. related purchases, with a value of \$100 or greater, including but not limited to software, peripheral items, USB drive, external hard drives, phones, laptops, desktops, monitors, printers/copiers, keyboards, mouse, projectors, televisions, cameras and any technology based equipment must be approved in advance by the head of I.T. department or their designee prior to purchase. Any unauthorized purchase will be deemed against IMSA policy and further disciplinary action may be taken including the personal responsibility for the cost of item(s).

SECTION 4 – SPECIFICATIONS AND AMENDMENTS

Specifications

§4-1 Specification Preparation

The creation and submission of specifications to the Procurement Department is the primary responsibility of the requesting department. Procurement will assist the requesting department as much as possible to develop specifications that will be detailed, concise and help promote full and unrestricted competition.

Departments should provide the Procurement department at least two (2) weeks to properly prepare a solicitation. It is imperative to be mindful of Procurement's timelines in connection with department deadlines.

§4-2 Specification Amendments

If, after publication and issuance of a solicitation, changes must be made in quantity, specifications, closing date, or if corrections are needed because of defects or ambiguities, an amendment to the solicitation will be issued by way of addenda. Sole issuing authority of addenda shall be charged to the Agency Procurement Officer. If there was a mandatory pre-solicitation conference, only those vendors that were in attendance may be notified of amendments. Bidders will be required to sign the addendum and submit it with their bid attesting to the fact that the changes are reflected in their solicitation. Failure to submit a signed addendum may be grounds for rejecting the solicitation.

IMSA assumes no responsibility for the proposer's failure to obtain and/or properly submit any addendum. For all solicitations and those that included an optional pre-solicitation meeting, all addendums will only be available on the Bulletin. All addendums will be numbered consecutively beginning with the number one (1).

§4-3 Pre-Solicitation Conferences and Site Visits

- (a) *Conditions for Use.* A Pre-Solicitation conference may be held when specifications or the scope of work is considered complex and requirements need to be clarified by IMSA staff. Depending upon the complexity of the solicitation, some conferences may be deemed as mandatory. Any vendor/supplier that does not attend a mandatory meeting will not have their solicitation considered and will not be able to participate in the solicitation process.
- (b) *Process.* The Procurement Services Manager or their designee shall conduct all pre-solicitation meetings. In addition to the Procurement Services Manager or designee, there will be at least one IMSA staff member from the requesting department present at the pre-solicitation meeting. This staff member must be knowledgeable of the solicitation specifications and should be prepared to answer all questions that pertain to the specifications. Pre-solicitation conferences and applicable site visits should be an opportunity for dialogue between the Procurement department, the requesting department and the suppliers. These conferences benefit all involved to facilitate the timely exchange of information to clarify solicitation requirements and specific program needs. Through these conferences, it's possible that the need for changes in specifications or bid requirements may be identified to facilitate a more competitive environment or to better define IMSA's needs so that we can obtain the desired materials, equipment or services to meet our program needs. Any such changes will be done by way of addendum and published to the Illinois Procurement Bulletin. Suppliers attending Pre-solicitation conferences will be required to complete sign-in sheets. If mandatory conference, suppliers will be required to attend the entire conference and sign-in at start of the conference and sign-out at the conclusion of conference. Failure to remain for the entire mandatory conference will eliminate them from solicitation participation. Solicitations received from vendors not listed on the attendance sheet for mandatory pre-solicitation conferences will be rejected and returned unopened to the bidder.

SECTION 5 – LEGAL REQUIREMENTS

§5-1 Insurance

Contractors performing work on IMSA property shall provide IMSA a certificate of insurance listing Illinois Mathematics and Science Academy as additional insured. Certificates may not be modified or canceled until at least 30 days' notice has been provided to IMSA. Contractor shall maintain, at their sole cost, at all times while performing work hereunder, the following minimum coverages:

- (a) General Commercial Liability – Occurrence form in the amount of \$1,000,000 per occurrence (Combined Single Limit Bodily Injury and Property Damage) and \$2,000,000 Annual Aggregate
- (b) Auto Liability, including Hired Auto and Non-owned Auto in amount of \$1,000,000 per occurrence (Combined Single Limit Bodily Injury and Property Damage)
- (c) Worker's Compensation Insurance in amount required by law but not less than \$1,000,000.

A certificate evidencing the required insurance shall be provided to IMSA (either to requesting department who shall forward a copy to Procurement OR directly to Procurement) prior to the

commencement of work but, in the case of a written contract, no later than ten (10) days after the contract has been signed.

§5-2 Indemnification

All vendors shall indemnify and hold harmless IMSA, its Board of Trustees, the State of Illinois, its agencies, officers, employees, agents and volunteers from any and all costs, demands, expenses, losses, claims, damages, liabilities, settlements and judgments, including in-house and contracted attorney's fees and expenses, arising out of (a) any breach or violation by Vendor of any of its certifications, representations, warranties, covenants or agreements; (b) any actual or alleged death or injury to any person, damage to any property or any other damage or loss claimed to result in whole or in part from Vendor's negligent performance; or (c) any act, activity or omission of Vendor or any of its employees, representatives, subcontractors or agents. Neither party shall be liable for incidental, special, consequential or punitive damages.

§5-3 W-9 Forms

All new vendors shall be required to provide a Form W-9, Request for Taxpayer Identification Number and Certification, to the purchasing department for certification by the Illinois Office of the Comptroller. For those vendors registered as a Limited Liability Company (LLC) additional supporting documentation is required by the Comptroller's office dependent upon the classification type of LLC designated on the W-9 form. Purchasing will notify originating department of the additional supporting documentation needed for vendors certifying as an LLC.

Departments should contact purchasing before requesting a Form W-9 for a new vendor to be certified as we may already have multiple vendors established in our database that can provide the needed goods or service. The department requesting the establishment of a new vendor is responsible for securing the Form W-9 and supporting documents.

When a vendor is certified by the State Comptroller's office, purchasing will then establish the vendor in the Accounting system for the purpose of creating a PO. Notification will then be made to the requesting department that the vendor has been certified and established.

§5-4 Prompt Payment Act

Payments, including late payment charges, will be made upon receipt of the original invoice and the acceptance of the goods or services by the Illinois Mathematics and Science Academy in accordant with the State of Illinois Prompt Payment Act when applicable (30ILCS 549; 74 Ill. Adm.Code 900). This shall be the Vendor's sole remedy for late payments by IMSA. Payment terms contained on Vendor invoices shall have no force or effect.

SECTION 6 – CONTRACT ADMINISTRATION, MODIFICATION AND TERMINATION

All written contracts/agreements, whether they have been competitively bid or not, require appropriate approval. Approvals are delineated in §2-2 of this policy. Written contracts/agreements in excess of \$20,000 must utilize the State of Illinois Standard contract Terms and Conditions. The firm fixed price contract is the most preferred type of contract to use for IMSA purchases.

§6-1 Multi-Year Contracts

- (a) *Specified Period.* A contract for goods or services may be entered into for any period of time deemed to be in the best interest of the State, as determined by the Agency Procurement Officer, but cannot exceed 10 years inclusive of any proposed contract renewals. The term of the contract and conditions of renewal or extension, if any, are to be included in the original solicitation. Payment and performance obligations for succeeding fiscal periods shall be subject to the availability and appropriation of funds.
- (b) *Cancellation Due to Unavailability of Funds.* All contracts are created and entered into with language incorporated into the contract reciting that the contract is subject to termination and cancellation in any year for which the Illinois General Assembly fails to appropriate funds to IMSA to make payments under the terms of the contract.

§6-2 Contract Obligation Numbers

Purchases totaling \$20,000 or greater require the assignment of a Contract Obligation Document (COD) number. COD numbers are assigned and issued by the procurement department. Requesting departments have the responsibility to contact the procurement department for assignment of a COD number. Requesting department should be prepared to provide information related to the expected purchase dollar amount; description of goods/services and vendor name (if known at the time). Procurement will assign a 5 digit number. This number needs to be referenced on all purchase documents including the purchase requisition.

§6-3 Contract/Agreement Document Initiation

Purchases totaling \$20,000 or greater require the completion and submission of a Basic Order Agreement (BOA) to be entered into between the vendor and IMSA. In order to begin the process of an Agreement initiation, the requesting department must enter a purchase requisition for the said goods or services. Purchase requisition must directly reflect the Agreement. Procurement will be responsible for creating the BOA document utilizing the information provided on the purchase requisition. Procurement will work with the vendor to secure signatures and any additional corresponding documents required to file the BOA document. After the contract/agreement has been fully executed (all parties have agreed and signed), Purchasing will file the documents with the State of Illinois Office of Comptroller and retain electronic/paper copies in the Business Office.

No payments will be issued to the vendor until all documents have been fully executed, accepted and filed by the Office of the Comptroller, State of Illinois.

§6-4 Monitoring and Contractor Report Card

The using department is responsible for monitoring the vendor and the goods and services being provided to the Academy. It is imperative that using department heads and Directors familiarize themselves with their respective contracts in order to help ensure vendor compliance. Evaluation of the scope of work, services and the terms and conditions of the vendor contract should be completed six (6) months prior to the contract renewal period. Deficiencies should be communicated in writing to the vendor in a timely manner. Compliance with the requirements of the contract will affect the determination of renewal. Procurement will partner with you in this monitoring process.

§6-5 Renewals

The purchasing department, with cooperation and approval of the using department, shall determine whether to renew a contract that offers renewal provisions. Purchasing shall be responsible for preparing the necessary contract renewal document for approval. The price for renewals shall be at the same rate as the initial term of the contract unless a different compensation formula is stated in the original contract. Renewal term cannot exceed ten (10) years in total inclusive of the original contract term. The renewal process should be completed prior to a contract's expiration to allow for uninterrupted operations. Renewals will not be permitted until the vendor has demonstrated compliance with the assigned BEP goal (if any) or a Waiver of compliance has been granted.

§6-6 Change Orders

As defined by Statute (30 ILCS 500/1-15.12) a 'Change Order' means a change in contract term, other than as specifically provided for in the contract, which authorizes or necessitates any increase or decrease in the cost of the contract or the time for completion for procurements subject to the jurisdiction of the Chief Procurement Officer – Higher Education. Any change orders will require a contract amendment document.

§6-7 Contract Amendments

As a result of a change order, a Contract Amendment document is required to be completed and signed by both the contract holder and IMSA. The amendment document shall serve the purpose of describing the original contract provisions which may include: revising the completion time, increasing/decreasing contract total amount, revising compensation method, adding subcontractor's or revising the supplies/services to be provided. The contract amendment is prepared and executed by the purchasing department. Purchasing will send the contract amendment document to the vendor for signature. The fully executed contract amendment document will be filed with the Illinois Office of the Comptroller with a copy retained at IMSA in the original contract file.

Any increase in the contract price because of a change order amendment will require an additional purchase order and verification of fund availability.

§6-8 Contract Termination

- (a) *For Cause:* IMSA may terminate any contract or portion thereof, immediately upon notice to a vendor if we determine that the actions or inactions of the vendor, its agents, employees or subcontractors have caused, or reasonably could cause, jeopardy to

health, safety or our property. We can terminate immediately upon notice if the vendor has notified IMSA that it is unable or unwilling to perform the contract or if the vendor fails to perform requirements of the contract to our satisfaction or they lack the financial resources to perform the contract. Written notice to the vendor shall be made to attempt to cure the problem within a specified time period. If the problem is not cured by deadline, IMSA may either terminate immediately the contract without further additional written notice or enforce the terms and conditions of the contract. IMSA may seek legal remedies or damages as a result of contract termination.

- (b) *For Convenience:* With a 30 day prior written notice to the vendor, we may terminate the contract or portion thereof and without payment of any penalty or incur any further obligation to the vendor. We shall be responsible to vendor for compensation of supplies or services provided in compliance with the contract up to and including the date of termination upon submission of an invoice by the vendor.

§6-9 Maintenance Agreements

In some instances, IMSA enters into service agreements with various manufacturers and/or authorized service centers for various machines and equipment located on campus. Typically the service maintenance agreements are entered into because: equipment is proprietary to the manufacturer and can only be serviced by manufacturer certified technicians; maintenance personnel cannot repair equipment without costly extensive training; equipment has many moving parts or is such a nature that regular adjustment is of an exacting nature; equipment is old, costly to replace but in adequate shape for continued use; equipment/tools needed to perform routine maintenance on specific equipment is too costly to purchase; warranty has expired; warranty will be voided if serviced by unauthorized technicians.

Regardless of the reason, maintenance agreements shall not automatically renew and shall be sent to and reviewed by purchasing department prior to execution. Agreements shall be signed by authorized staff as outlined herein this policy manual (See §2-2 Signatory Authority). Fully executed copies shall be provided to purchasing for their retention in the department. In most instances, it is the user department's responsibility to budget funds related to agreement costs. It is also the responsibility of the using department to assure that the equipment covered under the agreement is serviced per the terms of the agreement. Any inconsistencies or failure to perform agreed upon services shall be communicated to the purchasing department.

§6-10 Lease Agreements

All lease purchases or capital leases shall be coordinated with the Executive Director – Business and Financial Services and the purchasing department. This type of purchase is unique and requires special circumstances due to our being a State of Illinois agency.

§6-11 Contract Review and Approval

Regardless of value, the President, or his/her designee, will review and approve all contracts prior to execution. Signatures on contracts shall be per §2-2 Signatory Authorities and Approval Thresholds.

Glossary of Terms

The following definitions are intended to assist you in understanding the language used throughout this manual. When using this manual, if you find a word that you may not understand or is not defined in this section, please do not hesitate to contact the Purchasing Department for clarification.

Acknowledgment: The vendor's acceptance of an order.

Agreement: A written document outlining some contractual relationship, an exchange of promises, a performance of some action or grants some right signed by and between one or more parties.

Amendment: A written modification to a contract that memorializes a specific action in the contract (ie: change in term of contract; price decrease or increase; change in names;).

Award: The presentation, after careful consideration, of a purchase agreement or contract to the selected bidder.

Board of Trustees: The appointed officials of the Illinois Mathematics and Science Academy given the authority to exercise such powers, duties, and responsibilities vested by the applicable State laws.

Change Order: A modification made to a purchase order or contract if changes in plans or specifications are necessary in order to increase or decrease the quantity of work to be performed or of materials, equipment, or supplies to be furnished.

Chief Procurement Officer: Otherwise known as 'CPO', the person appointed by the State of Illinois Executive Ethics Commission responsible for the review and approval of procurements for the State's public universities, ensuring transactions under its jurisdiction are fair, transparent, accountable, and in the best interest of the State.

Competitive Quotation: A quotation received from two or more bidders for goods and/or services.

Competitive Solicitation: The formal process wherein a vendor openly competes with other vendors for the Academy's business.

Contract: A formal document outlining established terms and conditions for the sale of goods or services for a defined time period between two parties typically requiring signatures.

Contractor: The successful vendor(s) awarded a contract by Illinois Mathematics and Science Academy. The terms contractor and vendor are used interchangeably.

Delivery Date: The date by which goods or services are needed by the department or are promised by the vendor.

Emergency: Purchases made to meet a critical, unforeseen need of the academy that involves public health, public safety or is necessary to repair State property to protect against further loss or damage, to prevent or minimize serious disruption of services, or to insure the integrity of State records. Emergency purchases are exempt from standard purchase procedures but must follow the procedure set forth in this manual.

Encumbrance: Commitments related to unperformed contracts for goods or services or purchase orders for goods not yet delivered or services not yet performed.

Exemption: Not required to abide by.

Expedite: To accelerate the purchasing process through normal procedures in order to prevent delays of materials or services but not due to a failure of planning.

Goods: A generic term that includes all types of property to be purchased by the Academy; equipment, supplies, materials, component and repair parts.

Invitation for Bid (IFB): A formal written document that requests from bidders a firm price and delivery details for specified goods or services. An invitation for bid is always required when the anticipated level of expenditure will be greater than \$100,000. It may, however, be used any time the Purchasing Manager or the Department deems it justified.

Maintenance Agreement: An agreement with equipment manufacturers or other authorized service centers for the upkeep of equipment/software that neither adds to its permanent value nor prolongs its intended life appreciably, but instead keeps it in an efficient operating condition.

Multiple Award: An award that is made to two or more bidders or offerors for similar supplies, services or construction-related services.

Net 30: Terms requiring payment in full due within 30 days of the invoice date.

Offeror: Any person who submits a proposal in response to a competitive sealed proposal process or a request for proposal.

Purchase Order: A formal written document issued to a vendor formalizing all of the terms and conditions of a proposed transaction, such as description of the requested item(s), shipping

instructions and terms of payment. A purchase order grants the vendor the authority to deliver goods or provide services and invoice at the agreed upon price for the same.

Quotation: A statement by a vendor as to the price, terms and conditions for which specific goods or services will be sold.

Request for Proposal (RFP): A formal written document that requests from potential vendors to make an offer for good or services needed by the academy. The Request for Proposal method differs from the Invitation for Bid in that the RFP proposals are evaluated based upon a designated set of criteria formulated around the features of a product or service required by the academy and communicated in the proposal. Price is not the sole factor of the award. All Request for Proposals are kept confidential during negotiations until a contract is awarded.

Requisition: The originating document for all purchasing activity. A written document that communicates a department's needs to Purchasing Department and grants authorization to enter into a purchasing relationship for the purchase of goods and/or services.

Responsible Bidder / Responsible Offeror: Person/Vendor who has the capability in all respects to perform fully the contract requirements and who has the integrity and reliability that will assure good faith performance. A responsible bidder or responsible offeror shall include a business or other entity that exists as a legal entity at the time a bid or offer is submitted for a State contract.

Responsive Bidder / Responsive Offeror: Person/Vendor who has submitted a bid or offer that conforms in all material respects to the information contained in the formal solicitation (IFB or RFP).

Scoring Tool: A document used to record the method used by the individuals on the Evaluation Committee to evaluate the responses to a solicitation to judge qualifications or show whether or how well the responses met the requirements set forth in the solicitation.

Services: The furnishing of labor, time, or effort by a contractor, not involving the delivery of a specific good other than reports or supplies that are needed for the required performance.

Sole Source: Purchases of goods or services that are available from only one supplier. There may be just one vendor because of patents or copyrights, or simply because the vendor is the only one that supplies the good or authorized to perform a service. These purchases are exempt from the standard bid and require additional document for State reporting purposes. Determination of sole source purchases shall be made by Purchasing Manager in collaboration with State Purchasing Officer.

Solicitation: The document, typically the IFB or RFP, posted to the Procurement Bulletin requesting interested parties to submit a response for evaluation by the agency.

Specifications: A description of the physical or functional characteristics, or of the nature of a supply, service or other item to be procured under a contract; the requirements to be satisfied by a product, material or process indicating, if appropriate, the procedures to determine whether the requirements are satisfied. Specifications should be descriptive.

State Master Contract: Goods or services that are available through various departments of the State of Illinois that have been publicly advertised and received qualified bids for specific items. These contracts are available to agencies for public review utilizing the Illinois Procurement Bulletin.

State Purchasing Officer: Otherwise known as the 'SPO', an individual appointed by the CPO-Higher Education to exercise procurement authority at assigned university locations.

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