

Mississippi Valley State University Policies & Procedures for Services



Office of Purchasing and Procurement

Contents

Purpose.....3

General Information.....3

Standard Service Contract and Procedures.....4

Vendor Contract.....5

Vendor Contract
Extended.....6

Request for Proposal for Services 7

MVSU’S Standard Terms and Conditions Addendum.....7

IHL Board Approval.....8

Other Contracts.....8

Lease of land, office space8

Information Technology Service Contracts8

Life Cycle Analysis Form9

MS Ethic Law: Sections 24-4-3; 25-4-103 Definitions.....9

Purpose

The purpose of this document is to provide general information to all entities of the processes and procedures associated with all contracts at Mississippi Valley State University (MVSU).

General Information

MVSU is regulated by the Office of Purchasing Travel and Fleet Management, Mississippi Information Technology System and the Institutions of Higher Learning as per MS Code Section 31 Chapter 7.

A contract is an agreement between two or more parties creating obligations that are enforceable or otherwise recognizable by law. All documents to be executed on behalf of MVSU which will result in a "contract" between MVSU and a vendor, must contain terms and conditions that are consistent with all applicable state laws, MVSU policies, and Board of Trustees policies.

All contracts, agreements, memorandums, etc., or any other obligations or commitments to which MVSU will be held, shall be entered into only after a fully executed contract has been approved and signed.

All contracts must be signed by the University's President or his designee.

Purchase orders must be processed before services can be provided.

Standard Service Contract and Procedures

In an effort to reduce the amount of time to execute contracts at Mississippi Valley State University, we have developed the Standard Services Contract. The Standard Services Contract will be used for all contractual services agreements. The MVSU Standard Services Contract can be used for any dollar amount. This standard contract has been approved by the Universities Division of the State Attorney General's Office and will require utilizing the Contract Review Form for the Standard Services Contract. Although it is encouraged to obtain two (2) quotes, they are not required for services under \$25,000. If quotes are obtained, they must be on official letterhead which should include:

- Name of Company
- Address
- City, State, Zip Code
- Telephone number
- E-mail address

Quotes may be forwarded to the Purchasing Office via hand delivery, electronically, or attached to the contract. If the quotes are hand delivered they must be signed by the vendor. The vendor's signature is not required if the quotes are sent electronically. The signature is required for quotes attached to the contract. The lowest competitive quote will be awarded the contract after full execution of the contract has been met. If the vendors are new to the university, the requesting department should refer to the *Vendor Contracts* section of this document for the required guidelines and forms needed.

After the service contract has been executed and the purchase order has been issued, the area department head is responsible for making sure the services have been rendered and all terms of the contract have been fulfilled. In order for payment to the vendor to be made, the receiving report should be also signed by the department head. The department will obtain their receiving reports from the Property & Accountability Department. Signing this form verifies that all services were rendered by the vendor. The receiving report is generated by the purchasing office upon request from the Property & Accountability Department.

Vendor Contracts

When obtaining service contracts between \$25,000 and \$75,000- The following procedures should be followed in obtaining contract approval.

The requesting department should present the following forms to new vendors for completion. These forms are required from vendors for services performed at MVSU.

- [New Vendor Application](#)
- [W-9](#)
- [Federal Debarment Form](#)
- [Conflict of Interest Form](#)
- [Insurance Certification](#) (must be provided by a vendor that will perform services at MVSU. The insurance coverage should be \$1,000,000.

All completed New Vendor Applications and W-9 forms should be forwarded to the Purchasing Office for input into the Banner System. The Conflict of Interest and Federal Debarment forms will be received, reviewed, signed, and filed in the Office of Purchasing. In the event additional information is needed the Purchasing Office will contact the requesting department.

The requesting department will initiate the process for the [Contract Review Form](#) for all service contracts \$25,000 - \$75,000.

The following steps should be followed in order to obtain contract approval:

- Fill out the applicable information on the Contract Review Form
- Attach the vendor's contract or agreement (include scope of work, terms, price, etc.)
- Obtain required signatures on the Contract Review Form
 - Contract Administrator
 - Department Head
 - Area Executive Cabinet Member
 - Director of Sponsored Programs/Title III (if required)
 - Director of Information Technology (If required)
 - Director of Purchasing & Procurement
 - Vice President for Business & Finance
- Once the President's Office has received the contract and the Contract Review Form, the President's Office sends the contract to the legal office for vetting and approval. After the legal office vets and approves the contract, the attorney will review and sign the Contract Review Form.

- The University President or his designee is the last to sign the Contract Review Form, and the University President or his designee signs the contract.
- The Reviewer Administrator emails the fully executed agreement to the Contract Administrator and the Office of Business and Finance
- Once the Contract Administrator receives the fully executed contract, an online requisition should be generated. The Office of Business and Finance forwards the fully executed contract to the Purchasing Office.
- Requisition will go through queue-level approvals
- Purchase Order processed

Services over \$75,000 should follow the same procedures as listed in the *Vendor Contract* section of these policies for contract approval. All service contracts over the \$75,000 threshold are also required to follow the formal bid process: The formal bidding process includes the following procedures.

- The Area Vice President should forward all specifications for the service project which should include the scope of work, etc. to the Office of Purchasing.
- The Office of Purchasing will secure dates for the advertisement and bid opening date and advertise the specifications for the service project in the Clarion Ledger newspaper for two (2) consecutive weeks
- The Office of Purchasing will download the advertising documents into the MAGIC Portal as required by the Department of Finance and Administration (DFA).
- The Office of Purchasing will post the bid packets for the service project into the MAGIC Portal and on the Office of Purchasing website under current bids at www.mvsu.edu/purchasing.
- The Office of Purchasing will receive bid responses and open the bid responses received on the opening date that is specified in the advertisement document.
- Compile bid results and present the lowest bid to the requester/end users that are attending the bid opening.
- The Office of Purchasing will enter all documents received into the MAGIC Portal for a P1 approval
- The Office of Purchasing will notify the requester/end user of the P1 approval/rejection
- Submit award and notifications to participating bidders

Request for Proposal for Services

If a service request for a proposal (RFP) is required instead of an invitation for bid the following procedures are required: This service is not based on competitive bids, but rather what company can provide the best service for the requester's needs.

- The area Vice President should submit specifications required (Example: Banking Services will provide information on positive pay, wire transfers, ACH deposits, cost, and remote deposits) to the Office of Purchasing
- The Office of Purchasing will secure the advertising and bid opening dates and then advertise in the Clarion Ledger newspaper for two consecutive weeks
- The Office of Purchasing will download the RFP advertisement into the MAGIC Portal
- The area Vice President/Office of Purchasing will assemble an evaluation community to read and score the proposals
- The Office of Purchasing will mail the proposal packet to prospective vendors via the MAGIC Portal and the United State Postal Service (USPS)
- The Office of Purchasing will receive proposals via hand delivery, mail, or electronic via the MAGIC Portal proposals up to the bid opening day at 2:00 pm.
- The Office of Purchasing will open proposals as per the date provided on the advertisement
- The proposals will be evaluated by the evaluation committee chosen. The committee will review and score the proposals as per the score table provided in the project packets emailed or mailed out. The committee will reject all incomplete proposals
- The Office of Purchasing will meet with the evaluation committee to score the proposals
- Submit award and notifications to participating responders
- Notify requester/end user of approval/rejection
- Award Contract

MVSU'S Standard Terms and Conditions Addendum

The MVSU Standard Terms and Conditions Addendum is required as a part of the vendor's contract. However, in the event the contractor/vendor refuses or wants to modify the Addendum, the Reviewer Administrator will notify the legal office, and the legal office will negotiate with the vendor. Once the legal office and the vendor agree on terms of the Contract and the Addendum, the legal office will sign the Contract Review Form and send it to the Reviewer Administrator. Once the Reviewer Administrator signs the Contract Review Form, the edited Contract, the Addendum, and Contract Review Form are signed by the University President or his designee.

IHL Board Approval

All Service Contracts over \$250,000 require IHL Board approval. The same procedure should be followed as all other contract from the *Vendor Contract* section of these policies. These contracts should be submitted to the President's office for inclusion on the IHL Board agenda. Bidding processes should begin at least six months in advance to avoid lengthy wait time for IHL Board approvals.

Other Contracts

Bookstore, food service, or athletic concessions. IHL Board approval is required for all bookstore, food service, or athletic concession contracts that are projected to generate aggregate total revenues of more than \$250,000 or if the term of such contract exceeds four years (707.01 E). When submitting a contract requiring IHL Board approval, the requesting department should submit the proposed contract and forms to the President's Office. The Reviewer Administrator and legal will review the documents and submit them to IHL for inclusion on the IHL Board agenda. The bid processes should begin at least six months in advance to avoid lengthy wait time for IHL approvals.

Lease of land, office space. All leases of land and office space require approval from the IHL Commissioner (up to \$100,000) or the IHL Board (over \$100,000). Any department that anticipates entering into a new lease or renewing an existing lease should endeavor to complete the request at least three months in advance of the start date. The following documents should be submitted to the President's Office for approvals

Information Technology Service Contracts

All service contracts related to Information Technology must be signed by the Chief Information Officer/IT Director prior to contract approval. The approval for the service contracts signatures process requires the same process as outlined in the *Vendor Contract* section of these policies.

Contracts less than \$5,000 do not require advertising or written quotes for Information Technology services rendered. Although it is encouraged to obtain two (2) quotes, they are not required.

Contracts over \$5,000 to \$75,000 for ITS services require two competitive quotes from two different vendors. The vendors selected cannot be obtained from the Express Product List (EPL) as one of the quotes.

Services \$75,000 to \$250,000 for ITS require ITS approval: CP-1 in MAGIC. The following steps should be used for the formal bidding process:

- The Area Vice President will initiate the MITS Competitive Procurement Form
- Submit the MITS Competitive Procurement to the President's Office for the President and or his designee's signature
- The Office of Purchasing will submit the Competitive Procurement Form to ITS's workflow
- The area Vice President will communicate with ITS pertaining to the service they are requesting
- The Office of the President or the area Vice President will receive the CP1 from ITS
- Notify requester/end user of approval.

Service contracts over \$250,000 require formal bidding. MITS and IHL Board approval is required also. ITS will negotiate a contract on behalf of IHL and Legal will assist with the review.

Departments should be knowledgeable of the [information related to IT Procurement](#) and they should work closely with the Department of Information Technology for understanding and clarity.

MVSU Life Cycle Analysis Form

The MVSU Lifecycle Analysis Form should be used when submitting contracts to Purchasing unless an alternate process has been established. The Form should be completed as follows:

- Department – The department requesting the equipment and or services
- Primary Requestor – The individual at the Department with knowledge of the needs and goals of the agreement
- Phone number – The phone number of the Primary requestor
- Description of Project/Software/Equipment/Services
- Anticipated Term of the project (years)
- Total Estimated Initial Cost:
- Total Annual Cost:
- Total Annual Maintenance Cost
- Total Estimated Life Cycle cost (LCC)

Mississippi Ethic Law: Sections 25-4-3; 25-4-103 Definitions

Any director, supervisor, chief, head, agent or employee of the government or any agency thereof, or of any public entity created by or under the laws of the state of Mississippi or created by an agency or governmental entity thereof, any of which is funded by public funds or which expends, authorizes or recommends the use of public funds; or any individual who

receives a salary, per diem or expenses paid in whole or in part out of funds authorized to be expended by the government. The following examples could be violations:

- (q) "Relative" means
 - (i) The spouse of the public servant;
 - (ii) The child of the public servant;
 - (iii) The parent of the public servant;
 - (iv) The sibling of the public servant;
 - (v) The spouse of any of the relatives of the public servant

Any individual within the contracting department contracting for an outside company to perform work within that department must disclose it by completing a conflict of interest form located on the MVSU Purchasing website, and given to the purchasing department for evaluations. You may refer back to contracts for the link for the Conflict of Interest Form.

You may refer to Mississippi Ethic Law for additional information in Sections 25-4-3 and 25-4-103.