

55.1 Purchasing

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1. Purpose. As a state entity spending public funds, it is essential that these funds be expended in a manner consistent with all federal and state laws and the New Mexico Procurement Code. The purpose of this section is to define the procedures and regulations in place at Eastern New Mexico University-Roswell (ENMU-Roswell) pursuant to this objective.

2. General information. In order to ensure compliance with all federal and state laws and the New Mexico Procurement Code (13-1-1 through 13-1-199, NMSA 1978 Comp.), the Purchasing Agent will make all purchases; of supplies, materials, equipment and contractual services for ENMU-Roswell. All funds received by ENMU-Roswell, regardless of their source, are to be expended under the regulations and procedures set forth herein.

The Purchasing Agent or designated representative has the sole authority for ordering supplies, materials, equipment and contractual services. No individual may make a purchase directly by letter, telephone, telegraph or other means. According to New Mexico State law and ENMU-Roswell regulations, purchases made without proper approval of the Purchasing Agent or designated representative may become a personal obligation of the person originating the purchase. Any item not specifically addressed by the New Mexico Procurement Code or ENMU-Roswell's P & P Manual will be subject to the New Mexico Statutes 1978, Chapter 13 Public Purchases and Property, Pamphlet 29.

Consistency with State Procurement Code – the provisions of these regulations and procedures are subject to change as per state procurement code revisions. Any revision thereof that is inconsistent with the provisions of these regulations and procedures shall control. All purchase users shall be given a copy of such revisions and notification that they are in effect.

The following is the sequence of events in the purchasing process to procure professional services, services, and construction or tangible items:

1. The department completes a purchase requisition.
2. The Purchasing Department issues a purchase order or a contract for any services or professional services over \$1,000.

3. The merchandise is received and acknowledgement of receipt (blue copy of Purchase Order Form) is forwarded to Central Receiving.
4. All invoices must be forwarded to Accounts Payable.
5. Invoices are matched with purchase order and receiving document.
6. Payment is made.

3. Allowable Expenditures. Allowable expenditures are those ordinary and necessary items required to carry out the mission of ENMU-Roswell. Included are supplies, materials, equipment and contractual services necessary for the classroom, office, or for administrative purposes. Procedures for travel are set forth in the Travel section of the P & P Manual.

4. Recruiting. Expenditures for recruiting new faculty members and administrative officers are limited to:

A. Air coach transportation for the candidate.

B. Food and lodging for the candidate.

C. Meal costs for selected ENMU-Roswell employees that the President and the Vice President for Business Affairs deems necessary to be present in connection with the particular recruiting effort.

D. Expenditures for the candidate's spouse will be accepted when his or her presence is for the benefit of ENMU-Roswell as approved by the President.

5. Meals. Expenditures for meals for the Board of Regents, invited guests, public advisory boards and other similar boards concerned with ENMU-Roswell matters are allowed when approved in advance by the President or the Vice President for Business Affairs. The costs of alcoholic beverages are not allowable expenses. Any food expenditure must have the names of those in attendance and purpose for meal on the requisition requesting reimbursement.

Hospitality expenditures are limited to an average of \$20 per person for dinners and an average of \$10 per person for lunches. Unless approved by the President or the Vice President for Business Affairs, excess charges are the personal liability of the person incurring them and may not subsequently be charged to any ENMU-Roswell account.

6. Entertainment. Expenditures for official entertainment by the President are allowable when they are in connection with his/her responsibilities to various constituent groups such as student, faculty, staff, legislators, regents, and others.

7. Others. Expenditures for activities of the President or persons designated by the President to pursue private donations or gifts for ENMU-Roswell, entertainment of legislators and other government officials as well as other activities are allowable when deemed appropriate by the President. Funding for these activities must be coordinated through the Foundation.

8. Procurement Policy. The Purchasing Department has established the following guidelines to assist in competitive pricing:

Furniture, fixtures, equipment, materials, supplies and contractual services (other than professional which are defined in a separate paragraph):

| Amount | Requirements |
|-------------------------|--|
| Under \$1000.00 | No Restrictions – At best obtainable price |
| \$1000.00 to \$5,000.00 | At best obtainable price – requires one written quote |
| \$5,000.01 to \$20,000 | Three written-Informal quotes (no IFB or RFP required) |
| Over \$20,000.00 | Formal IFB or RFP & advertised in paper |
| \$0 to \$999.99 | Procurement Card |

Purchases for the procurement card shall not exceed \$999.99. The procurement card should be used for small purchases. The procurement card may also be used for travel expense with the exception of meals.

Exceptions to the above are:

1. Items already listed on a State Purchasing Agreement (SPA) contract.
2. Items that a vendor is willing to extend pricing under a General Services Administration (GSA) contract formally on company letterhead to ENMU-Roswell.
3. Items exempt from the New Mexico State Procurement Code (New Mexico Statutes 13-1-98)

If the requisition is greater than \$5,000.00 but less than \$20,000.00, three (3) competitive quotes must be obtained and submitted with the requisition

When bids are required, the item needed must be well identified. A brand name item may be specified to indicate quality, performance, or characteristics. When a brand name is specified, there will be the provision for substitution of equivalent items (or equal). Statutes 13-1-33 through 13-1-34 and 13-1-165 through 13-1-168 define the concept equivalency.

The New Mexico State Procurement Code mandates the Procurement requirements shall not be artificially divided so as to constitute a small purchase (13-1-125E, NMSA 1978 Comp.).

4. Guidelines and procedures for the purchase, tracking, and use of information technology equipment, peripherals and hand-held devices, costing more than \$200.00, by employees of Eastern New Mexico University – Roswell.
 - A. Because of the coordination required across the campus regarding information technology, ENMU-Roswell must establish a separate procedure for the purchase of technology equipment, peripherals and hand-held devices, costing more than \$200.00, including related software and services.
 - B. Employees wishing to purchase information technology equipment, peripherals and hand-held devices (including but not limited to computers, scanners, printers, projectors, computer peripherals, IPADS or other tablets, book readers, smartphones, classroom technology), costing more than \$200, must submit a request for the item to I.T. for evaluation, cost estimation, and recommendation.
 - C. All employees in possession of laptops or transportable hand-held devices must have these items with them when they are at work. Any exception to this rule must be approved by the area Vice President and the President of ENMU-Roswell.
 - D. I.T. will be responsible for tracking campus information technology equipment, peripherals and hand-held devices and conducting a yearly inventory. The grant program director is responsible for the tracking of equipment and devices purchased for off-campus entities.

- E. I.T. will be responsible for training, technical support, maintenance, and repair of information technology, peripherals, and hand-held devices to ensure the items are used to their fullest potential.
- F. I.T. will be responsible to research and recommend University-wide technology services for use with technology equipment and hand-held devices such as "Drop Box", "Go to Meeting", etc. to ensure that ENMU-Roswell is not paying for duplication of services.
- G. I.T. shall move all computers and associated peripherals to ensure equipment functionality and connectivity in individual work stations, throughout departments and across campus. Any change in possession of hand-held devices must be approved by I.T. All moves, relocations, or change in possession shall be approved by the area administrator.
- H. Offices funded by federal or state grant monies or private agencies shall comply with ENMU-Roswell's information technology equipment, peripherals, and hand-held device policies and procedures.

The foregoing guidelines are implemented by the following:

Procedures

1. Administration. These guidelines and procedures are administered by the Information Technology department (I.T.), also known as computer services, with oversight by the Vice President for Business Affairs.
2. Definitions.
 - A. An unauthorized move, relocation, or change in possession occurs if I.T. personnel has not performed the move or approved the change in possession.
 - B. Information technology equipment or devices consists of computers (including monitors, CPU, keyboard, mouse, speakers) and other attached peripheral devices. Also included are tablets, smartphones and any other hand held device including book readers. This also includes equipment for "smart boards".
 - C. Peripherals are auxiliary devices connected to the computer (printer, scanner, external drives). A peripheral is any device connected internally, externally or with WIFI (wireless) capability to connect to a computer/server and used in the transfer of data.
 - D. Hand-held devices are devices with the capability to connect to computers/servers through the internet using wireless technology to transfer data.
3. Evaluation and Cost Estimate for New Equipment. To request new equipment or a device(s):
 - A. Obtain authorization from area administrator and the budget office.
 - B. Call I.T. Helpdesk and open a ticket. I.T. will evaluate the request which shall be based on:
 1. Campus technology standardization and compatibility of the equipment requested including software/applications ("apps") needed to achieve the stated use,
 2. Knowledge of alternative but comparable equipment based on better pricing or reliability (ability to service, warranty, etc.),
 3. Comparable equipment available in ENMU-Roswell's present inventory, and
 4. Review of existing equipment and devices in the department or in the possession of the requestor to ensure ENMU-Roswell does not spend funds on multiple devices for the same purpose.
 5. For mass purchases of these items from grant funding, the requestor shall submit approval documentation from grant source.
 6. If the evaluation supports the purchase, a cost estimate will be performed.

4. **Purchase Approval.** The requestor shall submit the evaluation, cost estimate, and recommendation from I.T., the justification for the expenditure, and the budget account information to Core Staff for approval.
5. **Purchase Process.** Upon approval, the request shall be signed by the President of ENMU-Roswell and given to the appropriate supervisor to initiate the purchase. I.T. shall complete the purchase and arrange for installation of the equipment if necessary.
6. **Receiving.** I.T. shall receive the equipment or a device in conjunction with the receiving department for recording into I.T.'s tracking system before delivery to the requestor.
7. **Tracking.** For campus information technology equipment, peripherals and hand-held devices costing between \$201 and \$1,000, I.T. will use their own tracking system. For purchases over \$1,000 the item is tagged and tracked using the Banner system as per procedures for equipment over \$1,000. Tracking of grant purchases for off-site entities will be the responsibility of the grant program director.
8. **Safekeeping.** The employee receiving a hand-held device must sign a form acknowledging that they are responsible for the safekeeping of the device and that they will return the device to I.T. when they leave the employ of ENMU-Roswell. I.T. will notify the supervisor when the employee returns the assigned device. I.T. can reassign the device to another employee.
9. **Move Requests.** All requests for movement of information technology equipment, peripherals, and hand-held devices shall be sent through I.T. This includes hand-held devices and laptop computers that are being moved from one employee to another (change in possession). Appropriate signature authorizations must be obtained in order for the request to be initiated.
10. **Unauthorized Moves.** Unauthorized moves shall result in I.T. notifying the immediate supervisor, department head/dean and/or the area Vice President. Disciplinary action will be taken on employee(s) involved in an unauthorized move.
11. **Externally-Funded (or Grant) Offices.** Offices funded by federal or state grant monies or private agencies shall comply with ENMU-Roswell's information technology equipment or device, policies and procedures.

9. Sole Source and Emergency Purchases. Sole source purchases are defined as a purchase for which there is only one known source for the required service, construction or item of tangible personal property (13-1-126 NMSA 1978 Comp., 1997 Repl.).

A sole source determination requires documentation from both the user department and the vendor. The user department must document that there are no other known products or services that will fulfill the requirements of the user. The vendor must document and verify that they own, through patents, copyrights, etc., exclusive rights and that they do not sell through any distributors.

Emergency purchases are valid only when there exists a threat to public health, welfare, safety or property requiring procurement under emergency conditions (13-1-127 NMSA 1978 Comp., 1997 Repl.) An emergency condition creates an immediate and serious need for services, construction or items of tangible personal property that cannot be met through normal procurement methods and the lack of which would seriously threaten:

1. The functioning of government.
2. The preservation or protection of property.
3. The health or safety of any person (13-1-127 NMSA 1978 Comp., 1997 Repl.).

Every effort should be made to purchase competitively if the situation allows (13-1-127 NMSA 1978 Comp., 1997 Repl.). A written determination of the basis for the emergency procurement and the selection of the particular contractor shall be included in the procurement file (13-1-128 NMSA 1978 Comp., 1997 Repl.).

The department making the purchase must submit to the Purchasing Department written documentation of these types of purchases (13-1-128 NMSA 1978 Comp., 1997 Repl.). This documentation must be maintained for a minimum of three (3) years (13-1-128 NMSA 1978 Comp., 1997 Repl.).

The Purchasing Agent or designated representative may waive the requirements for procurements below \$10,000 if it is determined to be in the best interest of ENMU-Roswell.

10. Auxiliary Enterprises. Section 13-1-98E of the New Mexico Statutes allows the Bookstore, an auxiliary enterprise, to purchase books and periodicals from the publishers or copyright holders. These items are exempt from the Procurement Code. Purchases from textbook wholesalers will be considered the same as if purchased from the publisher.

Section 13-1-125 regulates purchases with a value not exceeding \$10,000. Auxiliary purchases shall be made in accordance with this regulation. If a purchase is made with a value of a single item or type of items exceeding \$10,000, compliance with the bidding policy of the Procurement Code is required.

Campus administrative procedures authorize items purchased for personal use for resale to support a student's educational experience. The Board of Regents, a local public body, assigns the responsibility to monitor and insure compliance with these procurement procedures to auxiliary enterprises, which is a self-supporting entity of ENMU-Roswell.

11. Professional Services. Professional Services are defined as the service of archeologists, medical arts practitioners, scientists, management and systems analysts, certified public accountants, lawyers, psychologists, planners, researchers and persons or businesses providing similar services except architects, engineers, land surveyors and landscape architects.

| Amount | Requirements |
|-------------------|---|
| Under \$50,000.00 | Best obtainable price; requires one written quote |
| Over \$50,000.00 | Written advertised proposals/bids |

For state public works projects, the services of architects and engineers in excess of \$20,000 and services of land surveyors and landscape architects in excess of \$5,000 must be procured through the use of competitive sealed qualifications based proposals.

12. Length of Contracts. Contracts for professional services (i.e., auditor, lawyer, doctor) may not exceed a term of four years, including all extensions and renewals (13-1-150, NMSA 1978 Comp.).

Contracts for tangible items, construction or non-professional service in an amount under \$25,000, may be for one (1) year with up to a total of three (3) extensions; contracts for more than \$25,000.00 may be for any period not to exceed eight (8) years.

13. Signatory Authority. The Board of Regents must approve and sign all contracts for the purchase or sale of land or buildings.

All contracts for services must be signed as designated below:

| Service Contracts | Signatures Required |
|----------------------|---|
| Less than \$20,000 | Requester Account holder and/or administrator Purchasing Agent |
| \$20,000 - \$49,999 | Account holder Administrator Vice President for Business Affairs Purchasing Agent |
| \$50,000 - \$249,999 | Account Holder Administrator VP – Business Affairs President Purchasing Agent |

Contracts greater than \$250,000 shall be submitted to the Board of Regents for approval.

14. Requisitions. Completion of requisitions is the first step in the purchasing process. Requisitions may be used to issue a check (invoice required), to request a purchase order, to request a confirming purchase order and to supplement/modify an existing purchase order. Information on requisitions should include:

- Itemization of quantity
- Unit
- Description
- Trade-name
- Model number
- Part or catalog number
- Current price including shipping & handling
- Vendor
- Account number

If the requisition totals more than \$1,000.00, the requesting department must obtain and submit with the requisition one written quote; if greater than \$5,000.00, three written quotes are to be obtained. When calling a vendor for a price quotation on a product, the requisition is to include the date and name of the person contacted, the company's name, address and telephone number. If the price on the requisition comes from a General Services Administration (GSA) or New Mexico State Purchasing Department Agreement (SPA), the GSA or SPA number must be included. The requesting department should include any other pertinent information on the request such as: maintenance agreement contract request, software licensing requirement, or any information that will be necessary for the Purchasing Department to complete the transaction.

15. Requisitions to Issue Check. Requisitions to "Issue Check" are to be used when a purchase order is not required. Issue checks are used for subscriptions (one year), institutional memberships dues (one year), travel registration, non-refundable airline tickets, periodicals, payroll liabilities, car rentals, stipends, utilities, entertainment services, bands, performers, student refunds for canceled community services

classes, student financial aid refunds, and professional services. The date of the transaction generally precedes or is equal to the date services are rendered. The requisition must be signed by the requester and approved by the Department Head or Dean and Purchasing Agent or designated representative. All Issue Check requisitions must have proper documentation attached.

16. Request Purchase Orders. Purchase orders are required for the procurement of furniture and fixtures, equipment, materials, supplies, and contractual services. The requestor must sign the requisition and obtain approval by the Department Head or Vice President, and the Purchasing Agent. The requester and the administrative approval cannot be the same person. Route approved requisitions ("Issue a Purchase Order") to Purchasing for processing. Purchasing will issue a purchase order.

17. Confirming Purchase Orders. Confirming purchase orders are used in emergency situations.

18. Mini Purchase Orders. Mini Purchase Orders are used to expedite purchasing of non-recurring items/services for in-town and out-of-town purchases. A Mini Purchase Order may not exceed \$1,000.00.

In order to process a Mini Purchase Order for payment, it is necessary to include an original, itemized invoice. The Mini Purchase Order must be dated prior to or the same day as the invoice. The invoice must be attached to the Mini Purchase Order. The requester, department head, and the vendor must sign the Mini Purchase Order.

The requestor must hand carry the Mini Purchase Order and never mail or leave it with the vendor. Once the purchase is finalized, the completed Mini Purchase Order should be routed to Purchasing for processing.

Departments to whom the Mini Purchase Order is issued will be held solely responsible for its accountability. A Mini Purchase Order must be assigned to a department prior to the purchase. A Mini Purchase Order cannot be issued after a purchase is made.

19. Procedures/Rules for Procurement Card Use

Having a P-card is a privilege. The P-card is being given to you to help make purchasing small items easier for you and less expensive for ENMU-Roswell rather than going through the standard purchasing process. Before you make a purchase with your P-card you should ask yourself these questions: **1. Is this purchase necessary to accomplish my job? ; 2. Is this the best use of tax payer money? and; 3. Do I have approval from my supervisor to purchase this item?**

A. General Rules

Your procurement card should be maintained in a secure location and the card account number should be carefully guarded. The only person entitled to use the card is the person whose name appears on the face of the card. The P-card is issued to you, not your department! You may use your P-card to purchase items for another person or department if you have authority to do so.

Your supervisor/manager should always be aware of the purchases you are making before you make them. At no time should your supervisor/manager be surprised about a purchase.

All purchases are to be shipped to ENMU-Roswell or an ENMU-Roswell partner address only. A home address is never allowed.

The P-card may not be used for personal items. If you find you accidentally used your procurement card for personal items, you must submit payment to the cashier's office within 5 business days and give them the index and account number that will receive the credit. The cashier receipt must be attached to your log.

You may **not** use the P-card to pay off an outstanding balance from a vendor statement. You must submit a requisition form with appropriate documentation, invoices or missing receipt form.

B. Types of Charges Allowed/Disallowed

P-cards may be used for non-recurring purchases under \$1,000, (\$0.01 - \$999.99) only. You may **not** use the P-card for a monthly service, or any monthly recurring charge. For purchases or combined purchases over \$999.99, you must submit a purchase requisition. Do not make purchases every day to the same vendor to avoid submitting the correct paperwork. The number of days between purchases to one vendor should be no less than 5 business days.

P-cards may not be used for any technology equipment/devices (IPADS, iPhones, Kindles, laptops, printers, scanners and etc.) or related accessories costing \$999.99 or less as these are purchased through I.T. This includes both wired and wireless devices. Only I.T. personnel may purchase these items with the P-card.

P-cards may not be used for cell phone purchases. Cell phones are provided through the I.T. department with the proper approval

Recurring food purchases must have the approval, in writing, of the Vice President for Business Affairs and must be attached to the log that has those charges. Please include in the description the reason/event for which you are purchasing the food. Every effort should be made to use our contracted food provider.

Meals for meetings with people that are not ENMU-Roswell employees are allowed to be put on a P-card. The purpose of the meeting and who was in attendance must be submitted with the P-card log. If the meeting is on campus, use of our contracted food provider is encouraged. If food is for a field trip, the description must state the purpose, destination, date and time of trip in addition to the attendance sheet.

You may not use the P-card to purchase meals, snacks and etc. for ENMU-Roswell or department meetings.

You may not use the P-card to purchase cases of bottled water or water coolers.

Vehicle repair and maintenance charges must state the vehicle and license plate number.

You may not purchase clothing with the P-card.

Office supplies are to be ordered on-line through Quill or Staples whenever possible.

Travel expenses allowed on your P-card include: conference/seminar registrations, hotel, car rental, gas to refill the rental before return (you may **not** select the gas option to have the rental company fill the vehicle upon return or purchase additional add-ons), airline tickets, parking and shuttle. **You must attach your approved travel request form with any travel charge.** If you do not have an approved travel request form, you will be responsible for reimbursing ENMU-Roswell for the travel charge. You may not use the P-card for meals while traveling. You may not use the P-card for gas when a motor pool vehicle is used, as a gas card is provided upon request.

You must notify vendors we are **tax exempt** with the exception of services, labor, hotel, and construction materials. If you accidentally pay tax, please make sure to obtain a credit from the vendor or you will be liable for the tax. If you pay tax, you must submit payment to the cashier's office and give them the index and account number that will receive the credit. The cashier receipt must be attached to your log.

Any exception to any rule must be approved by your Vice-President or Area Administrator in writing and in advance of the purchase. You must attach the approval to the log with the exception.

C. Monthly Log Requirement

You are required to submit a monthly log listing your purchases with the appropriate expense index and account. You must attach the detail receipt (stating the item purchased) to the log for each purchase. If you have misplaced a receipt, you must contact the vendor for a copy. If you can't obtain a copy, you must complete and submit a missing receipt form with the log. The missing receipt form is located on the ENMU-Roswell website under Purchasing Forms. Because the P-card log is scanned into the Banner system, all receipts must be taped to a sheet of white paper. You may tape more than one receipt to one sheet of paper. All items shown on the P-card statement must appear on your log. If you notice a discrepancy, notify the purchasing department immediately.

Your log must be completely filled out. Fill out the description section as accurately as you can. If you ordered toner for a printer, do not state "supplies." If you charged airfare, conference fees, and hotel, you must specify the dates and location of the conference, and etc. This information will be checked against your travel voucher so be aware that your travel voucher may not be paid immediately if we are waiting for the P-card information. If you purchased something for another person, include the person's name in the description.

Be sure to use the correct index and account number for the purchase. If you are not charging to an index be sure to include the fund, organization, account number, and program for the charge.

Your P-card log must be approved by the individual with purchasing authority up to \$999.99 for each index you are charging. If a grant index is being charged, the grant manager (Traci Dixon) must approve the charge on your log. Approval is shown by the approving person's signature. If you do not have the appropriate signatures, the log will be returned to you to obtain the signatures. Once the proper signature(s) are obtained you can then return your P-card log to purchasing. If it is not returned by the deadline, it will be considered late.

It is solely the cardholder's responsibility to ensure their log is turned in by the deadline given at the time the bank statement is emailed to you. You will generally have 2½ business days to complete the log, obtain all needed signatures, and submit to the purchasing department.

These rules are not intended to be all-inclusive. If you have any questions whether a charge will be allowable, contact purchasing at ext. 130 or ext. 127, or contact the Controller at ext. 138

Your first violation of any procedure/rule will result in a 30 day suspension of the P-card and the second violation of any rule will result in the P-card being revoked indefinitely. The violations do not have to be for the same rule. You may also be subject to disciplinary action, up to and including termination, depending upon the severity of violation.

A purchasing representative has reviewed these rules with me and I understand that I have one calendar week (7 days) to take the web-based p-card examination before I can receive my p-card. I acknowledge and understand the above procedures/rules for using the ENMU-Roswell procurement card assigned to me.

Print Name

Signature

Date

Purchasing Representative

Signature

Date