

<b>University Of Massachusetts Lowell</b>	
<b>Date: July 01, 2001</b>	<b>Section:2.2</b>
<b>Subject: Competitive Bid Procurement, Policies and Procedures</b>	

Following is the policy and the procedures that shall be followed, in those instances when competitive bids, whether they be public or otherwise, are required. A competitive procurement is one in which the specified product/service, or an equivalent, alternate type of product/service, is available from more than one source of supply.

Departments are also referred to the section that covers the specific type of purchase to be effected for dollar limits, information, and instructions for those types of procurement; e.g., *Contracting for Services, **Section 3.5**; Sole Source, Sole Acceptable Source/Brand, **Section 2.3**; Equipment and Software Maintenance, Including Software Licenses, **Section 3.16**; Rental/Lease/Lease-Purchase of Equipment, and the Rental and Lease of Space, **Section 3.15**; and Contracting for Labor and Materials (Construction/Renovations)., **Section 3.4**.*

See *Dollar Limits for Most Types of Procurements, **Section 2.4**.*

1. Departments may issue a purchase requisition up to \$5,000 without benefit of competitive bids. State, University or MHEC Contract should be utilized, if available for the desire product/service.
2. Any purchase requisition for a competitive product in excess of \$5,000, which is not covered by a State, University or MHEC Contract, shall be competitively bid.
3. Following are the procedures for processing Competitive Bid Procurements.
  - a. Requesting departments will prepare a Purchase Requisition and may furnish the names and addresses of as many suggested sources of supply as they wish, with a minimum of three; however, the final selection of prospective bidders shall be left to the discretion of the Purchasing Department.
  - b. The description of a request for materials shall contain, at a minimum, the manufacturer's name and model number of the desired product, together with a brief description of the item, and an estimated unit and total price for each line item.

Keep in mind that Purchasing must know what the item is in order to determine possible sources of supply. The more complex the product, the more detail that is required.

- c. Purchasing will check the requisition to determine that it is complete and that the object code is accurate. Purchasing may add suggested sources of supply at its discretion. Purchasing will not significantly alter a purchase request without conferring with the requesting department.
- d. Purchasing will prepare the necessary bid forms, which will duplicate the information provided by the requesting department, minus the estimated prices, and mail them to the potential bidder(s).
- e. Purchasing will maintain a list of all purchase requisitions that are out to bid on a public bid board, which may be reviewed by vendors that call on the Purchasing Department. No eligible vendor may be denied the right to bid on an **open** purchase request that is so advertised. "Open" requests are those that have not yet been opened and read by the Purchasing Department.
- f. Bids will be publicly opened and read in the Purchasing Department by 11 a.m. on the bid opening date as specified on the bid form. Anyone may attend the bid opening. It is the vendor's responsibility to insure that the bid is received in the Purchasing Department by the due date and time. **Bids that are received in Purchasing after the due date and time cannot, and will not, be considered.**
- g. Prices will be checked for mathematical accuracy, and the bid will be awarded to the lowest eligible and responsible bidder meeting specifications. If the bidder elects to add shipping charges to his/her bid, those charges must be considered when determining low bid.
- h. Once the bids have been opened, no modification or alteration may be made by anyone.
  - (1) Any bidder who wishes to alter his/her bid may request to withdraw his/her bid from consideration.
  - (2) If the departmental requester wishes to alter the bid specifications once the bids have been opened, a rebid will be necessary.
  - (3) If the departmental requester wishes to alter the bid specifications prior to the opening of the bid, the Purchasing Department must be notified immediately, and a determination

will be made by Purchasing as to whether an addendum, cancellation or a rebid, is appropriate.

- i. All bid(s) are referred to the requesting department for review and recommendation. The requesting department shall promptly review the bid(s), and compare the specifications of any lower priced alternates that might be offered to the original bid specifications. While the bidder should have included with his/her bid, descriptive literature on any alternate product that was offered, the requester may have to contact the bidder(s) of the alternate product(s) to obtain this information. The original bid(s) may not be marked (written on) in any way.
  - j. If the requester finds that the specifications of any lower priced alternate product(s) are not **essentially** equal to the product(s) specified, the requester would do a written side-by-side comparison of the specifications to justify rejecting the lower priced product(s).
  - k. The requester may recommend that the award be made to the lowest, acceptable overall bidder, or, the requester may recommend that the award be split among the respective acceptable low bidders, provided a minimum savings of \$100 per award will result.
  - l. A bid analysis sheet, listing all the respective bidders, with a side-by-side comparison of the materials and prices, shall accompany recommendations for split awards.
  - m. The requesting department will submit the written recommendation to the Purchasing Department for the review/approval and the subsequent preparation and issuance of the Purchase Order(s).
  - n. Recommendations for award must be signed by the requesting department. If the recommendation will result in an increase to the estimated dollar amount specified on the purchase requisition, or a change that would affect the funding of the procurement in any way, the recommendation must be co-signed by the individual who has signatory authority for the account charge (Account Administrator), if different from the requester.
  - o. After awarding, modifications to any Purchase Order that has been bid, regardless of dollar amount, must first be discussed with the the Purchasing Department.
4. **Bonds:** The Purchasing Department reserves the right to include in the bid specifications the requirement that the successful bidder furnish the University with a Performance Bond, if deemed appropriate.

5. See the chart, *Dollar Limits for Most Types of Procurements, Synopsis of*, Section 2.4. Note that any type of procurement that is not specifically referenced in this manual shall be governed by the dollar limits assigned to Material Purchases, as indicated in that chart.