

Purchasing and Contracts Comprehensive Buyer Guide

Table of Contents

| | |
|---|-----------|
| 1.2 General Information..... | 3 |
| 1.3 Who Needs to Know this Procedure | 3 |
| 1.4 Why Use a Pace Preferred Vendor?..... | 3 |
| 1.5 Requesting the use of New Vendors..... | 3 |
| 1.6 NYS of Collaborative Contracts..... | 4 |
| 1.7 Sole Source | 5 |
| 1.8 Commitment to Supplier Diversity | 5 |
| 1.9 Conflict of Interest..... | 6 |
| 1.10 Gift and Gratuities..... | 6 |
| 2.0 Quote Purchasing Process | 7 |
| 2.1 Quote Policy Overview | 7 |
| 2.2 Roles and Responsibilities | 8 |
| 2.3 Promotional Items Policy..... | 10 |
| 3.0 Request for Proposal Procedure | 11 |
| 3.1 Policy Statement..... | 11 |
| 3.2 Roles and Responsibilities | 11 |
| 3.3 RFP Development Phase..... | 11 |
| 3.4 RFP Solicitation Phase..... | 11 |
| 3.5 RFP Evaluation Phase | 12 |
| 3.6 RFP Award Phase..... | 12 |

| | |
|---|-----------|
| 4.0 Construction Services Procedures & Process Overview .. | 12 |
| 4.1 Change Orders | 13 |
| 4.2 Records | 13 |
| 4.3 Exceptions | 13 |
| 4.4 Types of Construction Contracts | 14 |
| 4.5 Contract Overview | 14 |
| 5.0 Green Purchasing Policies | 15 |
| 5.1 Policy Statement..... | 15 |
| 5.2 Product Origin and Transport | 15 |
| 5.3 Product Materials and Manufacturing..... | 15 |
| 5.4 Hazardous Material | 15 |
| 5.5 Energy Consumption | 15 |
| 5.6 Packaging | 15 |
| 5.7 Product End-of-Life..... | 15 |
| 5.8 Supporting Documentation | 16 |
| 6.0 Revision History | 16 |
| RFP Process Flow Chart | 17 |

1.1 Policy Overview

1.2 General Information

This procedure is issued to establish a Comprehensive Buyers Guide for all procurement activities throughout Pace University. Jaggaer is the University's current Buying Program.

1.3 Who Needs to Know This Procedure

All Staff, Faculty, Business Managers, specifically employees who are department representatives involved in procuring goods and/or services or staffed in the Purchasing and Contracts Department (PCD).

1.4 Why Use a Pace Preferred Vendor?

Departments/Schools are strongly encouraged to utilize Pace Preferred Vendors. Preferred Vendors are showcased on the Home page of eProcurement Marketplace. The benefits are:

- **Departments are not required to solicit other bids/quotes when choosing to utilize a Preferred Vendor because this activity has already been performed by PCD.**
- Ease of ordering from Preferred Vendors with catalogs enabled in the eProcurement Marketplace.
- Preferred Vendors deliver the best overall value to the University based on price, delivery capabilities, quality, past performance, training, financial stability, etc.
- Using a Preferred Vendor consolidates your orders, which increases usage and drives up volume, this creates the incentive for vendors to offer the best possible price to the University.
- Everyone benefits from the volume pricing which is represented in the vendor's catalog at the time you place your order. All savings are realized by the ordering Departments or Schools. If pricing is ever improved, everyone benefits.

PCD can be contacted to provide guidance when searching vendors for specific goods or services. Approved vendors exist in the University's database, and financial system vendor table. Vendors wishing to conduct business with Pace University are encouraged to contact the Purchasing Office directly.

1.5 Requesting the Use of New Vendors

When a University preferred vendor cannot provide the goods or services that Faculty and Staff desire, the use of a new vendor may be approved by the Purchasing Department. To request the use of a new vendor, the requesting department must add a supplier by "inviting" the vendor or individual through E-Procurement to "register" themselves into Pace's Total Supplier Manager Portal. • Vendor Invite Training Video can be found at: <http://appsrv.pace.edu/f&a/flashdemo/tsm/invite.htm>

Your invited vendor or individual will receive an email from Pace University inviting them to "Register Now" in our portal. This method of registering the new vendor is for both Domestic and/or Foreign Vendors/Individuals. During registration process, the vendor or individual will answer required business questions, enter their industry code, add contact information, and upload their tax document directly to their profile. The tax form type will change depending on a US or Non-US Based Entity, or Foreign Individual. Vendor approval is predicated on the information provided passing three governmental reviews with the IRS TIN Match, Sam.gov for Federal Debt and OFAC sanctions.

When vendors register themselves in our Vendor Portal, they become responsible for keeping their profile updated. If their address were to change, they log into the portal using the ID & PW created during their registration, update their address and add a new W-9 showing the current address. No need to send notices to Pace, no need for Pace to update their profile.

If a Vendor sends you a notification that their "name" has changed or they have been "acquired" by another company, you will still need to "invite" them to register as a new vendor in our Vendor Portal under their new name. A/P requires that the payment records of the two companies remain separate, as reorganized companies will generally have a different Tax ID #. Purchasing will need to be notified of the vendor name change so the old company can be deactivated in E- Procurement and Banner.

As noted below in 1.8, Pace is committed to supporting Diversity Suppliers. Within our Vendor Portal, the vendor can identify if they meet the conditions of a Diversity Supplier and upload their Certificate. This confirms their certification with a recognized organization, their State or the State of New York. To find a Diversity Supplier you would go to the Suppliers Management Home link under "Suppliers" in E-Procurement to search the Supplier Diversity Dashboard for Diversity Suppliers.

For those suppliers that may come on Pace property to perform a service or deliver goods requiring a Certificate of Insurance (COI) naming Pace University as additionally insured, they will be able to upload their COI during their registration process. The system will send notifications when the COI expires. Automating the renewal of COI's within our Vendor Portal.

Vendor questions on registration can be directed to our Supplier Portal Mailbox: pacesuppliermgt@pace.edu.

1.6 NYS or Collaborative Contracts

The Quote and Proposal Purchasing Procedure is not required when selecting existing NYS or collaborative contracts available to Pace University. **It is, however, necessary to reference the NYS or collaborative contract number on any requisition.**

Pace has memberships with a number of Purchasing Cooperatives providing goods and services to members at the best possible value, significantly reducing the cost of acquisition and supply. Educational & Institutional Cooperative Service, Inc. (E&I) is a not-for-profit buying cooperative that leverages the purchasing power of more than 1,800 member institutions, and U.S. Communities is a cooperative that leverages their purchasing power of over 90,000 public agencies to provide the best overall government pricing. The Cooperative lowers the cost of purchasing by:

- Lowering the upfront purchase price through aggregated purchasing power.
- Optimizing the procurement process by creating contracts that comply with applicable procurement standards.
- Reducing the total cost of acquisition by leveraging the knowledge and expertise of members and supplier partners to establish best practices.

The contract number for your vendor associated with the Cooperative MUST be noted on your Requisition, along with a reference to the Cooperative name (i.e. U.S. Communities, E&I).

Use the link below to look up your vendor in the New York State Contract Database:

[NEW YORK STATE CONTRACT SYSTEM](#)

1.7 Sole Source

Sole source procurements are those where no other supplier is available to provide the same or similar goods or services required. Single source procurement occurs when there are other suppliers of the same or similar goods or services but the nature of the application dictates the selection of a particular source, regardless of price.

A vendor may be proposed as a sole/single source if:

- Original manufacturer or provider; no other local distributors exist.
- Only local distributor for the original manufacturer or provider.
- Parts or equipment not interchangeable with similar parts of another manufacturer.
- Only known item or service matching the requested needs or performing the intended task
- Sole provider of a licensed or patented good or service.
- Sole provider of items compatible with existing equipment, inventory, systems, programs or service.
- Sole provider of goods or services established as standard (Please provide evidence of such a standard)
- Sole provider of factory-authorized warranty service
- Used item representing good value and advantage
- Time is of the essence and only one known source can meet the needs within the required timeframe.
- Alternate supplier for a similar product cannot be identified.

If the needs of the department/school meets one of the above criteria please complete a Sole Source Order form located in the Showcase Services/Links on the eProcurement Marketplace.

1.8 Commitment to Supplier Diversity

Pace University is committed to fostering a proactive and comprehensive supplier diversity program. The University recognizes supplier diversity as an important component of its overall diversity effort. In support of these efforts, the PCD encourages continuous relationships with minority suppliers. A Minority Business Enterprise (MBE) is a business that is at least 51 percent owned, operated, and controlled by one or more minorities or publicly owned with minority having at least 51 percent in stock.

Use of SUPPLIER DIVERSITY PROGRAM

Individual eProcurement Marketplace users shall be encouraged to consider this commitment with all purchases under the required Request for Proposal (RFP) process. The Purchasing and Contracts Department will identify opportunities for supplier diversity during the RFP process **and will include at least one MWBE vendor when appropriate vendors can be identified.**

What types of businesses are considered in the SUPPLIER DIVERSITY PROGRAM?

- **Small Business Enterprise (SBE)** – For profit organization, operates in the US, independently owned by a US Citizen, non-dominant in its field and meets the size standards within the United States Small Business Association (US SBA).
- **Women Business Enterprise (WBE)** – Business that is at least 51% owned, operated, and controlled by a woman or women regardless of race/ethnicity. Women must be US Citizens. Additional designations may be applied as defined in the US SBA.
- **Historically Underutilized Business (HUB)** – A business whose principal office is located

and operated within “Historically Underutilized Business Zone”, (**HUBZone**) as designated and certified by the Federal Government. The business must also be owned, operated, and controlled by person(s) who are US Citizens and have at least 35 percent of its employee base residing within the HUBZone.

- **Additional programs** such as Minority Owned, Native American or Alaska Native Owned, Asian Owned, Black or African American Owned, Hispanic/Latino Owned, Native Hawaiian or other Pacific Islander Owned, Veteran Owned, Gay Lesbian Bi-Sexual Transgender Owned, People with Disabilities Owned, 8(a) Business Development Program, socially and economically disadvantaged businesses may be considered part of our supplier diversity program. Additional information can be found at the United States Department of Commerce Minority Business Development Agency.

Feel free to use the New York State M/WBE Directory located below.

[NEW YORK STATE CONTRACT SYSTEM](#)

If you have any questions please contact the Purchasing Department at Purchasing@pace.edu

1.9 Conflict of Interest

Employees of Pace University have an obligation to avoid activities or situations that may result in a conflict of interest or the appearance of a conflict of interest. Employees must not use their University positions to influence outside organizations or individuals for the direct financial, personal, or professional benefit of themselves, members of their families, or others with whom there is a personal relationship.

Employees should not accept employment outside the University if it interferes with satisfactory job performance in a University position, or if there is a conflict of interest or the appearance of a conflict of interest as a result of the outside employment.

The potential for conflict of interest exists across a wide range of activities in all areas of the University. Circumstances surrounding actions and decisions may be complex, and judgments on whether a conflict exists may be difficult to make.

All employees have an affirmative obligation to examine carefully any situation where there is potential for conflict of interest or the appearance of conflict of interest. Failure to do so may result in disciplinary action. Employees, who are concerned that a conflict may exist, or who are uncertain as to the effect or appearance of their activities, should always consult with their supervisor or Human Resources prior to engaging in the activity.

1.10 Gift and Gratuities

Employees are prohibited from soliciting or accepting gifts from a vendor or contractor. Gifts valued in excess of \$25 or of an undetermined value should be returned immediately. Gifts of promotional items without significant value that are routinely distributed by vendors to clients are acceptable. Ordinary business courtesies, such as payment for a modest lunch or dinner, are also acceptable. Gratuities or gifts of money, whatever the amount, cannot be accepted at any time, and should be returned immediately.

GIFTS AND GRATUITIES POLICY FOR OFFICERS AND DEANS

University employees are prohibited from soliciting or accepting cash gifts or gratuities of any amount from any person or entity doing (or proposing to do) business with the University. Furthermore, unless specifically excepted by this policy, University employees are also prohibited from accepting non-cash gifts of any type, including materials, services, travel, and attendance at a charitable or similar event as a guest and entertainment at no cost or at unreasonably discounted prices from persons or entities doing (or proposing to do) business with the University. Excepted from this prohibition are usual and customary:

All unpermitted gifts must be immediately declined, returned or discarded. Employees must report to their supervisors and the Vice President for Human Resources at the end of each month regarding all gifts received during the month (including those permitted by this policy). Notice of this Gifts and Gratuities Policy will be given to all University vendors and prospective vendors (Form to be developed). Any proposed exceptions from this policy must be approved in advance, with respect to the President, by the Chairman of the Board of Trustees, with respect to other University Officers, by the President, with respect to Deans, by the Provost and the President, with respect to Department Chairs and faculty, by the School's Dean and the Provost, and with respect to other employees, by the Dean or Vice President who is in charge of the employee's administrative unit. If you have any question concerning this policy, consult with the University Counsel.

2.0 Quote Purchasing Process

2.1 Quote Policy Overview

Departments/Schools requesting goods or services where price is the main or only factor in selecting a successful vendor shall use the quote purchasing process. Requesting departments must follow the procedure that corresponds with the total value of the procurement.

All orders for goods or services require a Pace Purchase Order through the eProcurement Marketplace. Your Purchase Order is then distributed to your vendor prior to the good or service being delivered, received and/or invoiced. Pace Terms and Conditions regarding the purchase, accompany the Purchase Order when distributed to your vendor.

Goods and/or services valued between \$0 and \$5,000 require one (1) formal quote attached to your Requisition. (Exception for Facilities Operations only: \$0 to \$7,500 one (1) quote required). Goods and/or services valued between \$5,001 and \$15,000 require two (2) formal quotes attached to your requisition. Goods and/or services valued between \$15,001 and \$50,000 require three (3) formal quotes attached to your requisition.

Goods and services valued over \$50,001 require the department/school to follow the Request for Proposal (RFP) process for the procurement. (PCD will work with the requester to prepare the RFP, issue the RFP, tabulate the results, and determine the best value supplier in consultation with the requesting department).

Pace has the option, when attracting senior leaders, to conduct their searches internally (i.e., through personal networks, board, and staff) or to engage the professional assistance of a search firm, with the goal of seeking the best resources during a senior management search.

When engaging a search firm, it may be determined that an RFP process is not advantageous based on the required specialized expertise and specific field knowledge required. Search firms can vary greatly in size, complexity of services offered and financial structure. In these instances, the Purchasing and Contracts department will assist University departments in making this

determination. Additionally, the Procurement and Contracts Office maintains a list of firms Pace has engaged with successfully in the past.

Effective July 1, 2018: updated Federal regulations regarding Grants, Uniform Guidance, purchasing requirements have changed. Goods and/or services valued between \$0 and \$5,000 no quote required. Goods and/or services valued between \$5,001 and \$50,000 require two (2) formal quotes attached to your requisition. Goods and/or services valued between \$50,001 and \$100,000 require three (3) formal quotes attached to your requisition. Goods and services valued over \$100,001 require the department/school to follow the Request for Proposal (RFP) process for the procurement. A Sole Source purchase must meet the criteria noted in the table below.

If the complexity, scope, or risk to the institution for the good or service to be provided is evident for any product value, a formal request for proposal (RFP) may be the best approach. Contact PCD at purchasing@pace.edu or rfx@pace.edu to request a consultation on your need.

If your Requisition is not in compliance with the Quote Purchasing Policy, PCD may require written justification from the Dean, Director, or VP explaining why the policy was not followed. The Requisition may require the approval of the VP and Controller, Finance and Administration and/or the CFO.

2.2 Roles and Responsibilities

Department Representative: Responsible for initiating any procurement request, responding to a PCD Request to Department for feedback, and assisting with the RFP process for procurements over \$50,001.

Purchasing and Contracts (“PCD”): Responsible for facilitating written quotes from vendors and assisting the department to determine the best value supplier for procurements, and coordinating the RFP process with the requesting department for procurements over \$50,001.

Please PRINT and POST this table. Use this Table to guide you when making a purchase for a good or service:

| <u>General Products and Services</u> | | |
|---|--|---------------------------|
| Service or Product Value | Defined Process | |
| \$0 to \$5,000 | One quote required* | |
| \$5,001 to \$15,000 | Two quotes required | |
| \$15,001 to \$50,000 | Three quotes required | |
| >\$50,001 | Requires RFP Process | |
| <u>*Exception for Construction/Facilities Operations</u> | | |
| \$0 to \$7,500 | One quote required | Gen'l Products & Services |
| <u>Construction/Capital Project Guidelines</u> | | |
| Service or Product Value | Defined Process | |
| \$0 to \$50,000 | One quote required | |
| \$50,001 to \$100,000 | Three quotes required | |
| >\$100,001** | Requires RFP Process | |
| <u>Information Technology Services Guidelines</u> | | |
| Service or Product Value | Defined Process | |
| \$0 to \$50,000 | One quote required | |
| \$50,001 to \$100,000 | Three quotes required | |
| >\$100,001 | Requires RFP Process | |
| <u>Grant – Federal Regulations and Uniform Guidance***</u> | | |
| \$0 to \$5,000 | No quote required | |
| \$5,001 to \$50,000 | Two quotes required | |
| \$50,001 to 100,000 | Three quotes required | |
| >\$100,001 | Requires RFP Process | |
| Sole Source | Criteria: Unique, Public Emergency, Authorized by Agency (or PTE), No competition. | |

**Construction contracts meet RFP requirements when the goods and services value exceeds \$100K. Please see the Construction Services Procedure for additional details.

*** Effective July 1, 2018, updated Federal regulations regarding Grants, Uniform Guidance, require the above conditions for quoting purchases. All quotes will need to be provided in writing and are required to be attached to the requisition prior to approval.

2.3 Promotional Item Policy

In an effort to control costs on promotional give aways the number of approved promotional vendors have been reduced. Consolidation of the vendor list will result in more competitive pricing. Effective January 1, 2021 - ALL Promotional Item orders, regardless of cost, must be competitively bid based on the conditions below.

\$0-\$15,000 two quotes required; \$15,001-\$50,000 three quotes required; > \$50,001 Requires RFP process. The competitive quotes must be attached to your requisition. The following Vendors are the Pace approved promotional suppliers:

| Vendor | Contact | Phone # | Email address |
|--|------------------|-----------------------|--|
| Stay Visible LLC (request quote online-E-procurement home page) | Theresa Gonzalez | 203-746-2111 | theresa@stayvisible.com |
| ISI Integrated Supply Inc. | Joe Carrara | 866-564-6563 X 1 | joe@logojoe.com |
| Club Colors Buyers, LLC | Giancarlo Amador | 847-641-5013 | gamador@clubcolors.com |
| 4IMPRINT Inc | Callie Radl | 877-446-7746 X8626 | cradl@4imprint.com |
| Crestline Specialties, Inc. | Daniel Poulin | 207-755-2774 | dpoulin@crestline.com |
| CustomInk LLC | Alyssa Mize | 775-461-2808 | alyssa.mize@customink.com |

University Relations is the steward of the Pace University brand and is responsible for conveying a consistent and coherent image of the University and its values. Learn more about Pace University's Brand Standards here <http://www.pace.edu/brandassets>. Product restrictions: University marks are prohibited for use on tobacco products, alcoholic beverages, sexually explicit graphics or descriptions unless authorized by Marketing Department.

Footnote: Additional vendor registrations for promotional items will not be approved. If you have a candidate for the approved vendor listing for promotional items, they would need to be cleared by Purchasing and invited to register by Purchasing. Justification for not following policy above will be required by an AVP or Dean.

3.0 Request for Proposal Procedure

3.1 Policy Statement

The Request for Proposal (RFP) is a method of soliciting information and pricing from a supplier. The RFP procedure is generally used when the user does not have exact specifications or procedures finalized for a product or service. An RFP is issued so that suppliers (proposers) can offer suggested processes or services, or alternate goods/service proposals to be considered by the University. **The PCD is the only department authorized to issue a Request for Proposal on behalf of the University.**

A Request for Information (RFI) is a formal sourcing method used to gather information from potential suppliers of a good or service. It is typically used as part of the planning phase and will be followed by an RFP. **The PCD is the only department authorized to issue a Request for Information on behalf of the University.**

(See RFP Process flow chart at end of Policy Manual)

3.2 Roles and Responsibilities

Department Representative: Responsible for initiating a request for proposal for procurement of goods and services over \$50,001, and for Construction/Capital and Information Technology Services procurements over \$100,001. Representative is responsible for providing applicable bid documents and working with PCD during the proposal process.

Purchasing and Contracts ("PCD"): In collaboration with the requesting department representative, PCD reviews and releases the RFP documentation, solicits vendors, responds to vendor inquiries, provides addendums to the original RFP (if required), coordinates pre-proposal conferences and/or on-site visits (when applicable), retains copies of correspondence and responses, conducts price negotiations, performs RFP response analysis and educates Pace University staff on RFP procedures.

3.3 RFP Development Phase

Once the Originating Unit identifies a project need where the value is projected within the RFP thresholds, bid documents are prepared as per the RFP Template which additionally includes, but are not limited to, specifications, scope of work, special conditions, evaluation criteria and pricing schedule. **An RFP Checklist is available to assist you when developing these documents.** The Originating Unit will provide PCD with a list of suggested suppliers. PCD will review the RFP documents, may recommend additional vendors and review to ensure NYS M/WBE participation to meet Pace's Supplier Diversity Program requirements.

3.4 RFP Solicitation Phase

Upon finalizing RFP documentation, PCD will issue the RFP via email. Email is the most common means of transmission. PCD is the only department authorized to issue an RFP on behalf of the University.

During the bidding process, questions are to be submitted to, and replied to using an addendum format, solely by PCD. Questions will only be accepted during the allotted time for questions, which is clearly indicated on the RFP Schedule included in RFP documents. Questions will

not be accepted once this time has expired. Together with PCD, the Originating Unit will prepare a consolidated response that will be distributed, by PCD, to all suppliers as an Addendum to the RFP.

3.5 RFP Evaluation Phase

Once the bid period has closed, no further responses will be accepted. Upon receipt of the supplier’s responses, PCD will perform their evaluation and review of the submissions for completion and compliance. The Originating Unit will receive a copy of the evaluation and will remain as part of the decision making process.

Minimum Required Respondents

To ensure the best vendors will be used to meet project objectives and to better protect Pace University’s interests, a minimum of three respondents are required for any RFP amount exceeding \$50,001. **If less than the minimum number of respondents responds to the proposal, the Purchasing Director (in collaboration with the requesting department) will determine whether the RFP should be reissued.**

Late Proposals

It is the vendor’s responsibility to ensure that their proposals are received in the Purchasing and Contracts office no later than the appointed time and date as specified on the request for proposal. Late proposals will not be considered and will not be opened.

Once completed, the proposals will be sent to the Originating Unit for their independent review. PCD and the Originating Unit will determine if presentations are needed from any of the suppliers. PCD may also request Best and Final Offers when necessary.

3.6 RFP Award Phase

PCD and the Originating Unit will collaborate to complete the final review and determine the winning supplier. An RFX Closing/Summary Form will be completed by PCD and made part of the project file. PCD will also distribute a Notice of Award, to negotiate for a contract with Pace, to the selected supplier and thank you letters to the remaining vendors.

At this time, the Originating Unit will proceed with preparing the Contract and Requisition.

4.0 Construction Service Procedures and Process Overview

Departments requesting the purchase of construction services shall follow the procedure set forth based on the approximate value of the project, and the creation of a Master Service Agreement (MSA) or a Contract with the vendor. The purpose of the MSA/Contract is to establish the general terms and conditions applicable to the services provided by a contractor, architect, engineer, environmental consultant, or other such business entity, and Pace University. The term of the MSA should not exceed three years.

| <u>Construction/Capital Project Guidelines</u> | |
|---|------------------------|
| Service or Product Value | Defined Process |
| \$0 to \$50,000 | One quote required |
| \$50,001 to \$100,000 | Three quotes required |
| >\$100,001 | Requires RFP Process |

Based on the Guidelines Table, for goods or services valued between \$0 - \$100,000:

- 2.1.1 Facilities and Capital Projects is responsible for soliciting vendors and reviewing received quotes, based on their scope of work, and awarding the business.
- 2.1.2 Facilities and Capital Projects will be responsible for creating the MSA/Contract in the Pace Contract Management System.
- 2.1.3 Facilities and Capital Projects, or an authorized budget manager, creates a requisition in eProcurement, attaching quote(s) and referencing the contract ID#.
- 2.1.4 PCD then reviews the documentation for compliance to the MSA/Contract.
 - 2.1.4.1 If compliant, PCD issues a purchase order.
 - 2.1.4.2 If not compliant, PCD returns and/or holds the requisition and comments back to Facilities and Capital Projects explaining why the request is non-compliant.

For project acquisitions over \$100,001, departments shall follow the Request for Proposal (RFP) process (Section 3).

4.1 Change Orders

If a change in specifications and/or additional work is needed to complete the construction project, Facilities and Capital Projects will request a change in proposal from the vendor. Once approved, Facilities and Capital Projects will complete a Change Order request through eProcurement on their original Purchase Order with a copy of the Change Order attached. PCD will review, and if compliant with the MSA/Contract, will approve. PCD will work with Facilities and Capital Projects and the requesting department to update all appropriate Pace documents.

4.2 Records

All official records for construction projects (i.e., contracts, quote files) will be filed and stored by Facilities and Capital Projects.

4.3 Exceptions

Exceptions to the Process: Requests for exceptions to the outlined process must be submitted in writing to the Purchasing Director. The request should include the extreme business terms and relevant risk mitigation details. At the discretion of the Director, the request may be escalated to the VP and Controller, Finance and Administration and/or Executive VP for Facilities and Capital Projects.

Normal and Routine Work less than \$10,000, relating to work which Facilities and Capital Projects normally undertake throughout the University, unless that work involves a scope which could be reasonably construed as dangerous, such as removing structural building elements, removing asbestos, or work involving hazardous chemicals, etc.

1. For work that is normal or routine where the value of the work is \$10,000 or less, a Purchase Order can be issued to the vendor/contractor without having to provide them with a Vendor Services Agreement.
2. Normal and routine work would include such straightforward tasks as providing painting services of limited scope, installing an electrical outlet, constructing a minor wall partition or installing a door, minor maintenance repairs, incidental moving services, and the like.

3. The current qualifications found in the Terms and Conditions of the Purchase Order would be followed to protect the University.
4. The vendor/contractor must provide a current Certificate of Insurance (COI) naming Pace University as additionally insured prior to start of work. The COI must be attached to the Requisition/Purchase Order.

4.4 Types of Construction Contracts

General Contractor

A general contractor is a group or individual that contracts with another organization or individual (the owner) for the construction, renovation, or demolition of a building, road, or other structure. A general contractor is defined as such if it is the signatory as the builder of the prime construction contract for the project.

Construction Manager

Construction managers plan, direct, and coordinate a wide variety of construction projects. Construction managers may oversee an entire project or just part of one. They schedule and coordinate all design and construction processes, including the bidding, hiring, and oversight of specialty trade contractors, but they usually do not do any actual construction of the structure.

Professional (Architect/Engineer)

The architect or engineer acts as the project coordinator, designs the work, prepares the specifications, produces construction drawings, administers the contract, tenders the works, and manages the work from inception to completion. There are direct contractual links between Pace University and the contractor. Any subcontractor will have a direct contractual relationship with the main contractor or construction manager.

Professional (Environmental Consultant)

The environmental consultant is responsible for ensuring that asbestos-containing materials are abated in accordance with all applicable federal, state, and local regulations. Contractors are then responsible for performing abatement work in accordance with the conditions of their contract and all applicable federal, state, and local requirements. They perform project monitoring, third party air testing, and final inspection. Contractors are also onsite when work is being performed. There are direct contractual links between Pace University and the contractor. Any subcontractor will have a direct contractual relationship with the main contractor.

4.5 Contract Overview

Suggested contract types:

1. General Contractor – Small Project → Use Service Agreement
2. General Contractor – Large Project → Use Standard Form of Agreement
3. Construction Manager Contract → Use Construction Manager Agreement
4. Architect, Engineer, Environmental Consultant – Small Project → Use Consulting Agreement
5. Architect, Engineer – Large Project → Use Architect/Engineer Owner Agreement
6. Environmental Consultant – Small Project → Use Asbestos Management Contract

Please contact the Contracts Administrator if you have any questions regarding the type of contract or agreement you should use at contracts@pace.edu.

5.0 Green Purchasing Policy

5.1 Policy Statement

In support of Pace University's commitment to sustainability, this Green Purchasing Policy facilitates decision-making at all levels of purchasing. All departments are expected to support the policy and implement the guidelines to the fullest extent possible.

Green purchasing integrates environmentally and socially responsible considerations into all purchasing decisions for materials, products, and services. Also known as "environmentally preferable purchasing," green purchasing includes the acquisition of products containing the highest recycled content possible, bio-based products, energy and water efficient products, toxic-free products. Green purchasing also includes buying products and services that are made and sold in socially acceptable fashions.

5.2 Product Origin and Transport

In making purchasing decisions, it is essential to consider the origin and transportation of products. Generally, the closer a product's site of origin, the fewer fossil fuels are required in its transport. Product origin includes both the company manufacturing the product as well as the geographic location of the original product.

5.3 Product Materials and Manufacturing

Products, material selection and consistency are critical. A manufacturing process of products should result in the most minimal environmental and health impacts as possible, and produced in ways that are socially responsible.

5.4 Hazardous Material

Hazardous material has both a negative environmental and human health consequences. In all purchasing decisions, buyers should consider less hazardous, sustainable options. Many products are specifically marketed as "Hazardous".

5.5 Energy Consumption

Saving energy can significantly decrease overhead costs, while also reducing our impact on the environment (e.g., by reducing release of pollutants associated with the generation of energy or manufacturing of a product).

5.6 Packaging

The packaging of products, as well as the packaging of the shipments of products, can generate an excessive amount of waste. Consider alternate or recyclable packaging materials.

5.7 Product End-of Life

Minimizing environmental impact also involves management of the waste generated at the end of the product's life. A disposal system and technology should exist through recycling; a product that is recyclable is only green if you can recycle it. Will the product biodegrade? If yes, in what time frame?

5.8 Supporting Documentation

This Policy was drafted by the Purchasing Subcommittee of the GreenPace Sustainability Committee. **For assistance with constructing your specifications for your quote, contact PCD at purchasing@pace.edu.** For more information on Pace's green initiatives, visit <http://www.pace.edu/sustainability>.

6.0 Revision History

| Version | Date | Change | Author |
|---------|----------|--|--------|
| 1.1 | 12/2014 | Modified language, multiple edits/revisions | MFN |
| 1.2 | 09/2015 | Modified language, multiple edits/revisions | AM |
| 1.3 | 01/2016 | Modified language, multiple edits/revision | AM/MFN |
| 1.4 | 03/2016 | Modified language, included instruction on Search Firms | AM |
| 1.5 | 12/2016 | Section 1.5 Updated New Vendor Instruction | AM/MFN |
| 1.6 | 06/2017 | Modified language to update Facilities and Capital Projects new Dept name. | AM |
| 1.7 | 08/2018 | Modified thresholds under the Federal Grant Section | MFN |
| 1.8 | 01/01/19 | Modified language to include HR Conflict of Interest and Gift and Gratuities policies. | AM |
| 1.9 | 07/05/19 | Modified language in section 1.5, IRS, Sam.gov and OFAC; and 3.6 to "negotiate" for contract with Pace upon an award | MFN |
| 2.0 | 05/19/21 | Per J. Capparelli – Exception added to Quote Guidelines for Facilities Operations | MFN |
| 2.1 | 7/30/21 | Promotional Item Policy 2021 Section 2.3 addition | MFN |
| 2.2 | 5/04/22 | Promotional Item Policy 2022 Updated vendor contacts | MFN |

REQUEST FOR PROPOSAL (RFP) PROCESS – Please Note: Time allotments shown are approximate and largely depend on the complexity of the RFP & Schedules



