

# PaCS ESSENTIALS

YOUR GUIDE TO SUCCESSFUL  
CONTRACTS, PROCUREMENT AND  
CONSTRUCTION CONTRACTING  
AT OSU

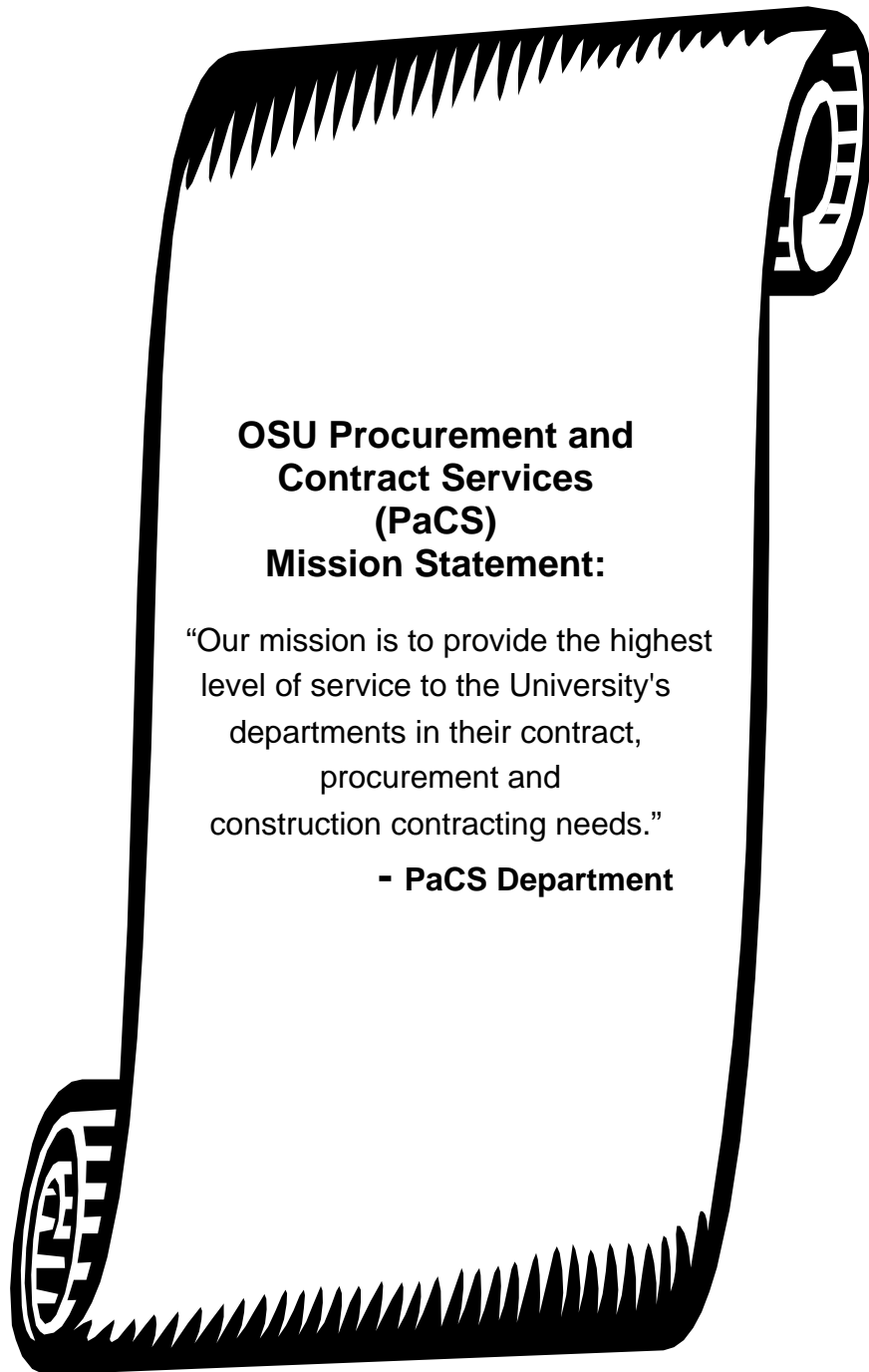


**OSU**  
Oregon State  
UNIVERSITY

Provided by:  
OSU Procurement and  
Contract Services

Revised August 29, 2007

## MISSION STATEMENT



**OSU Procurement and  
Contract Services  
(PaCS)  
Mission Statement:**

“Our mission is to provide the highest level of service to the University's departments in their contract, procurement and construction contracting needs.”

**- PaCS Department**

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## PaCS STAFF

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In addition to leading PaCS, Kelly oversees many special projects. Kelly is authorized to sign agreements on behalf of OSU and currently administers the pouring rights agreement, janitorial services contract and athletic competition agreements.

### PROCUREMENT

**Manuel Balesteri**, Senior Procurement Analyst  
Phone: 7-3301, email: [manuel.balesteri@oregonstate.edu](mailto:manuel.balesteri@oregonstate.edu)  
Manuel is responsible for numerous contracts for the university. Manuel primarily administrates solicitations and contracts regarding copiers, laboratory supplies and IT commodities such as computer hardware, software and maintenance.

**Shannon Fanourakis**, Senior Procurement Analyst  
Phone: 7-6995, email: [shannon.fanourakis@oregonstate.edu](mailto:shannon.fanourakis@oregonstate.edu)  
Shannon is currently involved in administering logging sales and services for the College of Forestry, office supplies, travel and moving.

**Bonnie Tufts**, Procurement Analyst  
Phone: 7-7353, email: [bonnie.tufts@oregonstate.edu](mailto:bonnie.tufts@oregonstate.edu)  
Bonnie handles numerous procurements for computers, equipment, furniture, classified advertising, audio/video and vehicles. Bonnie is very familiar with small BOLI projects and small procurement-type remodels.

**Jim Figgins**, Procurement Analyst  
Phone: 7-7349, email: [jim.figgins@oregonstate.edu](mailto:jim.figgins@oregonstate.edu)  
Jim is responsible for a majority of the purchases between \$5,000 to \$100,000. He handles a wide variety of purchases from computers to laboratory equipment.

## PaCS STAFF

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### CONTRACTS OFFICE

**Tamara Bronson**, Contracts Officer

Phone: 7-8044, email: [tamara.bronson@oregonstate.edu](mailto:tamara.bronson@oregonstate.edu)

Tamara reviews and approves a variety of contractual documents including; interagency and intergovernmental agreements, real property leases and rental agreements, Internships, memorandums of understanding and international agreements

**Debora Lauer**, Personal/Professional Services Contracts Coordinator

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Debora coordinates the review of the Personal Services Contracts and is very helpful in providing information about the rules which govern them as well as the Personal Services Invoices.

### CONSTRUCTION CONTRACTING

**Donna Thwing**, Construction Contracting Supervisor

Phone: 7-7694, email: [donna.thwing@oregonstate.edu](mailto:donna.thwing@oregonstate.edu)

Donna is responsible for solicitations and contracts regarding major construction projects. Reser Stadium expansion, Weatherford, and Kelley Engineering Building are just a few of the more recent projects that Donna has administered.

**Heather Cooney**, Senior Procurement Analyst for Construction Contracting

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Heather is responsible for solicitations and contracts for minor design and construction projects as well as solicitations for major design and construction projects. Some of the projects Heather will be administering are the Apperson Hall Renovation, Vet Med Large Animal Hospital and the Weatherford Hall Exterior Restoration.

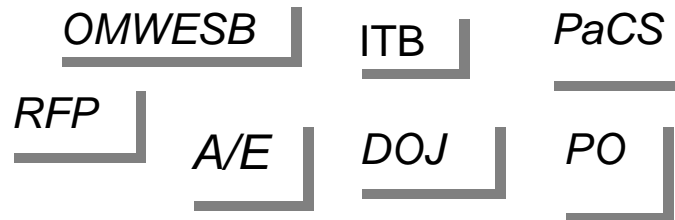
**Dave Warneking**, Procurement Analyst for Construction Contracting

Phone: 7-7342, email: [dave.warneking@oregonstate.edu](mailto:dave.warneking@oregonstate.edu)

Dave is responsible for solicitations and contracts for minor construction projects, leases, rental agreements and easements. Dave is also cross trained in the procurement area and occasionally processes procurements of goods and services.

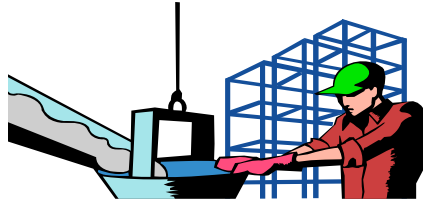
## COMMON PaCS ACRONYMS

*“What Do All These Acronyms Mean?”*



A/E.....	Architects and Engineers
BOLI .....	Bureau of Labor and Industries
CDA.....	Confidential Disclosure Agreement
DAS.....	Oregon Department of Administrative Services
DOJ .....	Department of Justice
ITB.....	Invitation to Bid
MOU.....	Memorandum of Understanding
MTA.....	Material Transfer Agreement
NDA.....	Non-Disclosure Agreement
NRA.....	Non-Resident Alien
OAR.....	Oregon Administrative Rule
ORS.....	Oregon Revised Statutes
OUS.....	Oregon University System
PA.....	Price Agreement
PaCS.....	Procurement and Contact Services
PO .....	Purchase Order (“Purchase Order” and “Order” are used interchangeably)
PSC/PPSC .....	Personal/Professional Services Contracts
PSI.....	Personal Services Invoice
RFI.....	Request for Information
RFP .....	Request for Proposal
RFQ .....	Request for Quote (or Request for Qualifications in Construction Contracting)
QRF.....	Qualified Rehabilitation Facility
OMWESB.....	Office of Minority, Women and Emerging Small Businesses

# CONSTRUCTION CONTRACTING



## TRIGGER LIST FOR PROJECTS

Any projects that include the following should be sent to Facilities Services for an initial review:

- Any design work performed by architects and engineers (A/E) or any construction or remodel
- Anything that requires a permit from the City or County
- When the estimated total of your overall project exceeds \$25,000 (even if multiple projects)
- Telecom/Wiring
- Electrical
- Design/Build
- Any project involving the following items or equipment:
  1. Heating, Ventilation & Air Conditioning (HVAC) or Air Conditioning (A/C) units
  2. Uninterruptible Power Supply
  3. Autoclave, Fume Hoods
  4. Hazardous Material
  5. Roofs or roof penetrations

## I. GENERAL GUIDELINES FOR CONSTRUCTION PROJECTS

1. Authorizations Required:
  - a. Remodel/renovation or new construction projects with total budgets of over \$500,000 require Legislative spending authorization available for distribution to the campuses by the Chancellor's office. Allocation of this approval must be made through OSU Facilities Services.
  - b. Projects do not require formal legislative authorization unless the total project budget exceeds \$1,000,000, then approval must be obtained by the President's Cabinet, Oregon University System, Oregon Board of Higher Education and the Oregon Legislature.

## CONSTRUCTION CONTRACTING

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### CONSTRUCTION PROJECTS CONTINUED....

2. Contracting Authority, OAR 580-050-0032
    - a. Projects with a direct contract cost of less than \$25,000 should be processed through OSU general procurement procedures at PaCS. If the estimated cost is close to \$25K (say \$23K or up), you have the option of going through \*Facilities\* contracting procedures at PaCS. If the bids come in over \$25K, and you have gone through normal purchasing procedures, you need to re-do the process to go through the Facilities process, so it may save some time to go through the Facilities process first.
    - b. Projects with a direct contract cost of more than \$25,000 are processed through the Facilities' Contracting process at PACS. (NOTE: Single elements [HVAC, electrical, etc.] of a project may not be "split" in order to avoid compliance with OAR 580-050-0032).
    - c. Projects with a direct construction cost of between \$25,000 and \$500,000 may be performed using the OUS Retainer Agreement process. In no case can the cost of these projects, including change orders, exceed the \$500,000 limit identified in OAR 580-050-0032.
  3. Oregon Prevailing Wage Law
    - a. Projects with a total "contracted cost" of more than \$50,000 are subject to Bureau of Labor and Industries (BOLI) Prevailing Wage Rate Law. This includes both labor and materials or equipment purchased specifically for the project.
    - b. If separate purchase orders are issued for materials and services BOLI law still applies if the combined value of all purchase orders is more than \$50,000.
    - c. **All projects that are subject to BOLI, regardless of cost, must be purchased through PaCS.**
  4. Affirmative Action
    - a. Remodel/renovation projects over \$50,000 require affirmative action goals unless the contract is going to be for a single trade (HVAC, electrical, etc.) Repair projects under \$100,000 do not require affirmative action goals.
- \* "Facilities" in this instance refers to the Facilities Office at the Chancellor's Office, not OSU Facilities Services.

## CONSTRUCTION CONTRACTING

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### CONSTRUCTION PROJECTS CONTINUED....

5. Funding
  - a. Before any project can proceed or any contract or change order can be signed on behalf of the Board of Higher Education, funding in an amount adequate to cover the cost of the contract must be in place with OSU Facilities Services.
6. Payments
  - a. All payments for design or project manager services must be processed through OSU Facilities Services.
  - b. All payments for construction services contracted through Facilities Services must be processed through Facilities Services. On-Site Project Manager will be provided a copy of the pay request (via FAX) for approval prior to processing of payment.

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### II. GENERAL GUIDELINES FOR CONSULTANTS (A/E, Planners, Soil Studies, Surveyors, Geotechnical, Appraisers, Traffic Studies, etc.)

1. **All consultant work must be procured through construction contracting procedures at PaCS even if the cost for their services is less than the \$5,000 delegated authority.**
2. Authorizations Required
  - a. The only individuals on campus (except the President) legally authorized to execute a design-related contract are those contract officers listed in the July 27, 2006 memo issued by Mark McCambridge, Vice President of Finance and Administration (OAR 580-50-0020). (see page 29)
3. Cost Limits
  - a. Projects with a total expected design cost of less than \$75,000 may be awarded to any firm deemed capable of performing the work. No formal selection process is required. The consultant need not be on the OUS Retainer Agreement list. In no case may the services performed by the selected designer for a single project exceed \$75,000.

# CONSTRUCTION CONTRACTING

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## CONSULTANTS CONTINUED....

- b. Projects with a total expected design cost of between \$75,000 and \$200,000 may either be assigned to any firm on the retainer list or proposals may be requested from any three firms, whether on the retainer list or not. Award may be made to the firm deemed most able to perform the work. In no case may the cost of the services performed by the selected designer exceed \$200,000.
  - c. Projects with a total expected design cost in excess of \$200,000 must go through the "formal" selection process, as outlined in OAR 580-050-0020.
4. Proposal Content
- a. Cost proposals from consultant firms must contain:
    - 1. A complete description of services to be performed, including a list of all deliverables.
    - 2. A maximum not-to-exceed figure for services, and a maximum not-to-exceed figure for reimbursable expenses; a listing of hourly rates (if not on the OUS Retainer list) and staff members who will be assigned to the project.



## CONTRACTS

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### PERSONAL/PROFESSIONAL SERVICES CONTRACTS (PPSC)

When do you pay with a PPSC vs. a Purchase Order? That is sometimes a question that is not easy to answer. In basic terms, a PPSC is used for non-"trade" types of services such as artists, seminar speakers, consultants, writers, etc. These are sometimes categorized as "soft skill" types of work. They are different from trade services such as plumbers, electricians, field work, etc. The distinction between the two types is sometimes not black-and-white, so if there is ever a question of which mechanism to use to contract for a service, please call PaCS and we will be happy to talk through it with you.

When the determination is made that a PPSC is the right tool, a few things to keep in mind:

- The level at which you need to show that there has been a consideration of more than one contractor is at \$5,000 (using the "Multiple Source Selection Statement"). Above \$25,000 "formal" advertisement is required or a much stronger justification for a sole source; and, at over \$75,000, these contracts go to the Department of Justice for review.
- When completing the PPSC forms (available on our website), be sure to use the form on the web site (as it is updated periodically), and to complete all of the information requested (including rate of pay, etc.) in the most complete manner to ensure proper approval and a quick turnaround.
- Be sure that the scope of work is well-defined. It is preferable to have specific deliverables defined for larger contracts to ensure that payment is tied to performance in case of issues regarding performance of duties.
- For guest speaker contracts, it is important to include in the justification for the selection of the individual their expertise (documented, for example, by a vitae).
- Use of the PPSC is subject to the employee vs. independent contractor rules as well as the "buying from yourself" rules in the PCC policy manual.

Use of the PPSC tool can sometimes be confusing but we are always happy to discuss any confusions, decision points, or other questions.

## CONTRACTS

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### PERSONAL SERVICES INVOICE (PSI)

The Personal Services Invoice (PSI) is a "streamlined" version of the PPSC but only for use in specific instances (also available on our website). The benefit of the PSI is that, when used appropriately, it does not require prior approval of the Contract Office or a Contract Office signature. However, some key limitations to keep in mind when using the PSI are:

- Intended to only be used for small projects (single payments for less than \$5,000).
- A department cannot use the PSI tool for more than 5 times with any individual in a given calendar year (also cannot exceed \$5,000 in cumulative contracts).
- The use of the PSI is only for separate individual, single-payment projects (not multiple payments for a particular project).
- The PSI tool is also only appropriate for very low-risk, non-complex, contracts (generally for visiting speakers, etc.).
- Whenever there is a question of if a particular project should be contracted for using the PSI, please call PaCS and we will happily guide you.
- PSI's cannot be used to hire NRAs (see page 13).
- PSI's cannot be used when the contractor requires their own contract to be signed



# PURCHASING AUTHORITY

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## PURCHASING AUTHORITY GUIDELINES

It is important that OSU Deans, Directors, and Department Heads delegate the authority to purchase, and in some cases, approve, purchases of goods and services to appropriately qualified departmental staff. Just as the departmental administrators are responsible for their budgets, they are also responsible for authorizing the appropriately responsible personnel to acquire goods and services on behalf of their department.

### **Purchasing Authority:**

“Purchasing Authority” means the authority delegated to OSU staff by administrators to purchase goods and services for the department for those purchases valued under \$5000 (departmental delegated authority) and to initiate and request purchases for those goods and services totaling greater than \$5000. Remember that purchases over \$5000 must be requested on a Departmental Requisition and sent to Procurement and Contract Services (PaCS). PaCS will ensure that the purchase is in compliance with all OSU purchasing policies and state procurement law. PaCS will then generate a Banner Purchase Order and place the order with the vendor. Be advised that “Purchasing Authority” does not mean “Contract Signature Authority”. Contract Signature Authority is very limited and described in [PCC 101-03 Signature Authority](http://oregonstate.edu/dept/budgets/PCCManual/PCC101-03.htm) at <http://oregonstate.edu/dept/budgets/PCCManual/PCC101-03.htm>.

The university has developed the following guidelines for administrators to utilize when designating purchasing authority to their employees. When designating the authority to make purchases it is important to consider the designee’s position description, the tasks described therein and the level of responsibility that person holds within the department. These guidelines apply to the procurement of goods and services and do not apply to travel, construction contracting, or personal services contracts.

## PURCHASING AUTHORITY

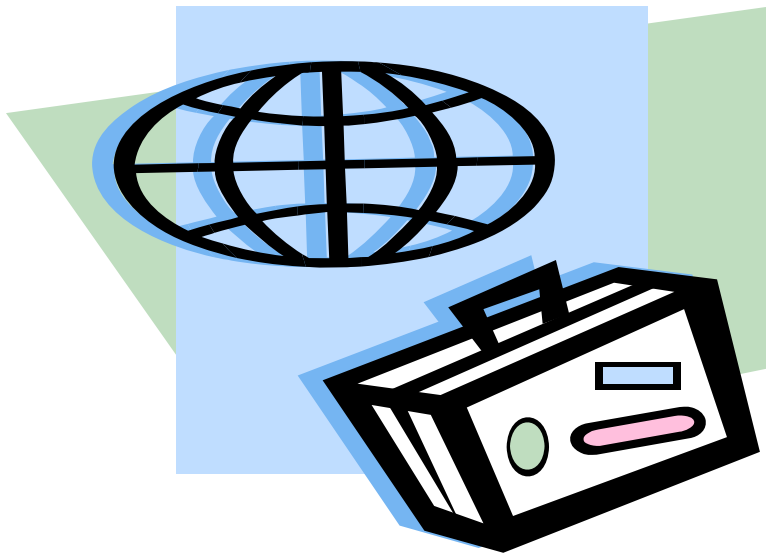
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### PURCHASING AUTHORITY GUIDELINES (continued)

#### Segregation of Duties:

Administrators should structure the entire function and cycle of procurement so that purchasing, receiving and approving purchases are adequately segregated. These duties should be divided among departmental personnel so that there is a distinct separation of those duties. Separating the functions within the cycle of procurement will provide a series of checks and balances of all facets of purchasing. It is important that Administrators are aware of the purchasing function within their department and provide oversight and review of this function, ensuring the continued separation of purchasing duties.

**Travel:** Administrators shall ensure that travel purchases are approved by persons who are of the same or higher rank than the person for whom the expense is incurred. Policies applicable to travel are located at <http://oregonstate.edu/dept/budgets/TRAManual/TRA101.htm> in the OSU Travel Policies and Procedures Manual.



## PURCHASING AUTHORITY

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### **PURCHASING AUTHORITY GUIDELINES (continued)**

#### **Purchases Between \$0-\$4,999.99:**

These purchases fall within the department's delegated authority as stated in PCC 101-01 Authority <http://oregonstate.edu/dept/budgets/PCCManual/PCC101-01.htm> and should be done in a manner consistent with PCC 301 Preferred Purchasing and Payment Methods for Small Dollar Purchases (Procurements Under \$5,000) <http://oregonstate.edu/dept/budgets/PCCManual/PCC301.htm> . Persons in charge of initiating these purchases are typically research assistants and office support staff. It is not advisable to allow undergraduate students to make any purchases on behalf of the department. Purchase and payment approval should be made by a higher level of authority such as an office manager, fiscal coordinator or higher level of accounting staff such as an Accountant I or II. While data entry of Banner invoices may be performed by students, students are not allowed to *approve* invoices in Banner.

#### **Purchases Between \$5,000-\$24,999.99:**

Purchases within \$5000 and \$24,999.99 should be initiated by appropriate designees such as research assistants, graduate assistants, and office support staff. Departmental Requisitions should indicate approval of the purchase by signature of the Department Head, Staff Chair (Extensions) or unit administrator.

#### **Purchases Between \$25,000 and \$49,999.99**

The same guidelines apply as with the purchases between \$5,000 and \$24,999.99.

#### **Purchases Between \$50,000 and \$74,999.99:**

Purchases within \$50,000 and \$74,999.99 should be initiated by appropriate designees such as research assistants, graduate assistants, and office support staff. Departmental Requisitions should indicate approval of the purchase by signature of the Dean or Director.

#### **Purchases Between \$75,000 and \$99,999.99:**

The same guidelines apply as with the purchases between \$50,000 and \$74,999.99.

## **PURCHASING WITHIN YOUR DELEGATED AUTHORITY**

### **PURCHASING AUTHORITY GUIDELINES (continued)**

#### **Purchases Between \$100,000 and \$499,999.99:**

The same guidelines apply as with the purchases between \$50,000 and \$74,999.99.

#### **Purchases Between \$500,000 and \$999,999.99**

Purchases within \$500,000 and \$999,999.99 should be initiated by appropriate designees such as research assistants, graduate assistants, and office support staff. Departmental Requisitions should indicate approval of the purchase by signature the Dean or Director. All purchases over \$500,000 also require review and written approval by the Director of Business services.

#### **Purchases Over \$1,000,000:**

Purchases over \$1,000,000 should be initiated by appropriate designees such as research assistants, graduate assistants, and office support staff. Departmental Requisitions should indicate approval of the purchase by signature of the Dean or Director. All purchases over \$1,000,000 also must be reviewed and signed by the Director of Business Services, and the Director of Business Affairs as well the Vice President for Finance and Administration or the Vice Provost of Academic Affairs.



## PURCHASING WITHIN YOUR DELEGATED AUTHORITY



The delegation of authority does not mean you do not have to compete the purchase. OSU's policy is that all procurements must be competed whenever feasible. An attempt should be made to get at least three quotes for all of your purchases. This will help realize savings on your purchases.

The \$5,000 delegation of authority is not *per item* it is *per procurement*. This means that it is not acceptable to split orders or to "time" orders to keep each order under the \$5,000 threshold. If the legitimate procurement is less than \$5,000, you can process it on your own or PaCS can assist you. Splitting orders is called "fragmenting." Fragmenting is specifically against OSU policy and you may be held personally liable for procurements processed this way.

**When purchasing within your delegated authority, there are several processes you may use:**

1. **State of Oregon, DAS Price Agreements or OSU Price Agreements -**  
Your department can issue a PO directly to a vendor who is on one of the price agreements. You must indicate the applicable Price Agreement/Contract number you are using on the PO as reference to the vendor. Information regarding DAS Price Agreements is available from the ORPIN system or from the link on the PaCS web site. For information regarding OSU Price Agreements contact PaCS or go to the PaCS web page.

## PURCHASING WITHIN YOUR DELEGATED AUTHORITY

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2. **Request for Quotes (RFQ)** - RFQs are the simplest method of competition. RFQs can be made by phone, fax, mail or email. When issuing an RFQ be sure all potential bidders are given the same requirements and specifications with which to prepare a quote. RFQs are used when purchasing a common item which can be easily identified. When issuing an RFQ, the lowest quote must receive the award unless you have specific reasons to reject it (e.g., they did not quote on the identical product you requested or they cannot meet your delivery requirements.)
3. **Direct Purchase** - A direct purchase (non-competitive) can be made when it has been determined that it is not feasible or appropriate to compete the procurement. For example, it is not practical to get competitive quotes for a box of pencils or other simple, inexpensive products. There are three methods for making direct purchases:
  - a) Procurement Card - This is the simplest, most efficient method. The order is placed by giving the vendor your Procurement Card (Departmental VISA) number. This affords the vendor immediate payment and simplifies the Accounts Payable process. There are thorough instructions regarding how to utilize your procurement card at <http://www.lucre.orst.edu/visa/visacardpur.htm> or contact Accounts Payable at 737-0650 if you have any questions about a Procurement Card.
  - b) Auto-Pay - Just order the item or service and have the vendor invoice you. Provide the vendor with the proper "Ship To" and "Bill To" addresses and give them your index code to be sure the item or service, and invoice, reaches the proper user. Auto Payments are entered into the Banner FIS system. For more information on how auto-pay works, go to: <http://www.lucre.orst.edu/aphome.htm>
  - c) Purchase Order - A Purchase Order can be entered into FIS and issued to the vendor at which point they will normally send the item or provide the service.

## PURCHASING OVER YOUR DELEGATED AUTHORITY

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**\$5,000 - \$49,999**

If you need something which costs more than your delegated authority it doesn't mean the procurement has to be a long, complex process. When your total order will be between **\$5,000 and \$49,999**, you must work with the PaCS staff to place the order. **Please note that *in general*, the higher the dollar amount, the longer the process time.**

**When purchasing items in which price is the only consideration, it is a simple process:**

PaCS will work with you to process orders when they exceed the **\$5,000** threshold of delegated authority. PaCS can place an order off DAS or OSU Price Agreement/Contract, or will work with you to write specifications, process an RFQ, and issue a Purchase Order.

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We suggest you speak to an analyst in PaCS to make them aware of your upcoming purchasing needs. When you are ready, complete a Departmental Requisition form, found on the PaCS webpage, (either hard copy or electronically) and send it to PaCS. We may call or email you to verify the details. PaCS will obtain quotes and place the order as quickly as possible.

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Keep in mind that we service the needs of all of the University's departments. Typically, we process orders received on a first-in-first-out basis, but we try to take emergencies into account. When planning for your program, we encourage you to include sufficient time to process your purchasing requirements to avoid emergency procurements.

## INVITATION TO BID

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### ISSUING AN INVITATION TO BID (ITB)

PaCS will work with you to issue an ITB for procurements that are complex or are \$50,000 or over.

An ITB is issued for procurements that are either:



1. A dollar level which the Oregon Administrative Rules (OAR) requires a formal bid (anything over \$50,000),

- OR -

2. Complex enough by nature to require significant terms and conditions or specifications which would preclude the use of a simple RFQ.

ITBs usually require more time in preparation and administration, and have mandatory advertising requirements. When evaluating responses to ITBs, the award always goes to the lowest, responsible bid. Unless a low bidder is rejected for not complying with the requirements of the ITB, award must be to the low bidder; therefore, it is important to develop comprehensive specifications and requirements before going out to bid.

Contact PaCS as early as possible as some processes are more time consuming than others. We will work closely with you to determine which process is necessary so you can set your timelines accordingly.

# REQUEST FOR PROPOSAL

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## ISSUING A REQUEST FOR PROPOSAL (RFP)

The RFP process is the most complex of the procurement processes. An RFP is issued when we want the vendors to propose a solution which we will evaluate for award, or when we have characteristics or issues other than price, which we want to consider in the decision to award.

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The time it takes to prepare and issue an RFP is substantially longer than an ITB because of the need for extra *care* and *detail* in developing the specifications, requirements, scope of work and terms of the RFP. An RFP process allows more flexibility in the evaluation of criteria for award; however, it also requires more diligence and effort to produce a document that clearly identifies your wants and needs.

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An RFP is used when we are unsure of the exact item or service we want or are wanting to do some “shopping” between brands or types. PaCS will work with you to develop an RFP which will result in obtaining a product or service which gives you the best mix of characteristics and cost as defined by your needs.



## REQUEST FOR PROPOSAL

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### An RFP Typically Has 3 Main Categories to be Evaluated

1. The first category that must be evaluated is the mandatory requirements. These can be seen as the “needs” of the University. If any proposal does not clearly meet all of the mandatory requirements, it will be immediately rejected; therefore, it is important that we work diligently up front to identify the mandatory requirements correctly.
2. Second, there are the “desirable features” or “wants” of the University. The proposer’s response to these specifications described in the RFP are evaluated and points are awarded based on how well they meet the “desirables” or “wants.”
3. The last category evaluated in an RFP process is cost. The points awarded for cost may be equal to, greater-than, or less-than the point value of all the “desirable” factors in the RFP.

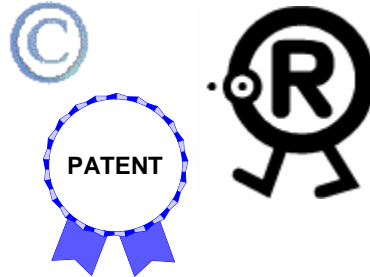
The award of an RFP takes more time than ITBs or RFQs. The extra time is to allow the proposers time to submit protests of award, and the subsequent disposition of any such protests.

Although it takes extra time and effort developing, administering and awarding an RFP, the result is a product or service that is specifically suited to the department’s need at a more competitive price.

## SOLE SOURCE PROCUREMENTS

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**There is Only One  
Company to Buy From!**



One of the biggest challenges for PaCS are Sole Source Procurements. The challenge is based on a common misunderstanding of the correct use of sole source procurements. We get many requests for sole sources. In reality, there are very few true justifications for a sole source procurement.

Sole source procurements are justified in certain cases where the vendor holds a patent, an awarded grant specifies the exact type and brand of equipment to be procured with its funds, or where there are actual and documented issues regarding compatibility. For procurements \$50,000 or higher we are required to advertise that we are placing a sole source procurement. Other vendors or contractors then have the opportunity to protest our placement of the sole source procurement contract.

A compelling sole source justification makes a clear and convincing link between the department and/or program's requirements and why the particular vendor's methods or goods are the only ones capable of meeting those requirements. Simple statements regarding "compatibility" or other ambiguous reasoning may result in increased time and effort to authorize the sole source justification. It may also result in converting the procurement to a competitive process.

**KEEP IN MIND  
SOLE SOURCE PROCUREMENTS CANNOT BE  
USED TO AVOID COMPETITION**

## SOLE SOURCE PROCUREMENTS

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### SOLE SOURCE PROCUREMENTS CONTINUED....

***In many cases a sole source request may reflect personal preference rather than a sole source.***

In these cases the Department attempts to justify the sole source by indicating requirements or specifications of the supply or service that they “liked the best” while on a shopping trip. This does not represent a valid sole source and will likely result in converting the procurement to a competitive process. To avoid this, work with PaCS **before** you go “shopping”.

Contact PaCS as soon as possible and let us assist you in preparing a sole source justification, or in processing the procurement in the most appropriate manner.

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When preparing a sole source justification there are specific types of questions you need to consider. If you are unable to answer them effectively you may not have a true sole source. A sole source justification form, which can serve as a guide through the justification process, is available. The form can be found on the PaCS webpage.



## SOLE SOURCE PROCUREMENTS

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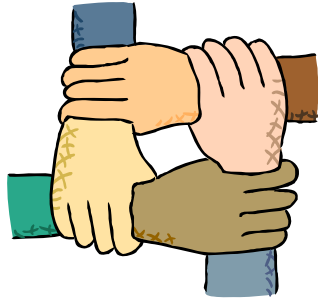
### QUICK GUIDE TO WRITING SOLE SOURCE PROCUREMENTS

1. What are the true needs of your program that you are trying to meet?
2. What makes these truly “needs” of your program rather than “wants”?
3. When was this need developed?
4. How does this product *uniquely* (the only one that can) meet the need of the program?
5. Are there Federal funds involved?
6. Is this a grant-directed purchase?
7. Is this a patented-product?
8. Is there a compatibility issue?
  - a.) What is the issue?
  - b.) What is the age of the installed product?
  - c.) What is the value of the installed product?
9. Would your program cease or fail if you could not obtain this item or service from this vendor?
10. Is the identified vendor the only provider of this item or service? (If no, could it be procured by RFP or ITB from another vendor?)
11. Are there multiple potential vendors but this particular vendor is the preferred vendor? (If so, this should be competitively bid.)

***NOTE: These are only guideline questions. Each sole source procurement is unique and additional information may be required.***

## CERTIFIED STATUS VENDORS

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### **Buying from a Minority, Women-Owned, Emerging Small Business or QRF**

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OSU supports efforts to increase procurements to certified status vendors. This can include minority-owned, women-owned, emerging small businesses, disadvantaged, and Qualified Rehabilitation Association (QRFs). In addition, many grants and contracts awarded by Federal agencies require a percentage of funds be spent with certified status vendors. It is encouraged when procuring under your delegated authority that you attempt to include certified status vendors in your competition.

The PaCS web site provides a link to the Oregon Office of Minority, Women and Emerging Small Business and to the Oregon Rehabilitation Facilities. PaCS can assist you in meeting grant and contract goals regarding certified status vendors.

When you need a subcontracting plan for a grant proposal PaCS can assist you in developing the plan. Contact us well ahead of time so we can do the necessary research.



## SIGNATURE AUTHORITY

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## WHO CAN SIGN MY CONTRACT?

Only certain people are specifically authorized by the University to sign contractual documents. Other persons who sign document(s) that bind the University may be held personally liable for the contract requirements and payments.

<b>Edward J. Ray</b> , President.....	All Contracts
<b>Sabah Randhawa</b> , Provost & Executive VP.....	All Contracts
<b>Mark McCambridge</b> , Vice President, Finance and Administration.....	All Contracts
<b>Nancy Heiligman</b> , Assoc. Vice President, Finance and Administration.....	All Contracts
<b>John M. Cassady</b> , Vice President for Research.....	All Contracts
<b>George R. Holdren</b> , Senior Associate Vice President for Research .....	All Contracts
<b>Vincent Martorello</b> , Director, Facilities Services .....	Specified Contracts
<b>Brian Wall</b> , Acting Director, Technology Transfer, Research Office .....	Specified Contracts
<b>Karyle Butcher</b> , University Librarian .....	Specified Contracts
<b>Aaron Howell</b> , Director, Business Affairs .....	Specified Contracts
<b>Brian Thorsness</b> , Director, Business Services .....	All Contracts
<b>Tamara Bronson</b> , Contracts Officer .....	Specified Contracts
<b>Kelly Kozisek</b> , Procurement and Contract Manager .....	Specified Contracts
<b>Clem La Cava</b> , Assistant Contract Officer .....	Specified Contracts
<b>Melody K. Oldfield</b> , Director, University Marketing .....	Specified Contracts
<b>Patricia Hawk</b> , Assistant Director, Sponsored Programs, Research Office .....	All Contracts

All contracts (including leases, hotel agreements, credit applications, maintenance agreements, software licenses, etc.) with entities outside of OSU should be forwarded to PaCS for approval and signature at any dollar level. If a vendor requests that you sign a document, contact one of the analysts at PaCS for assistance.

## DAS PRICE AGREEMENTS

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### State Price Agreements (DAS)



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OSU has access to all of the Price Agreements that the State of Oregon, Department of Administrative Services (DAS), State Procurement Office has issued. You must indicate the applicable Price Agreement/Contract number you are using on the PO as reference to the vendor.

To find DAS Price Agreements, check the ORPIN (Oregon Procurement Information Network) system by going to the PaCS website and clicking on the link. If you do not have access to the ORPIN system, contact PaCS and we can provide you a list of the DAS-placed Price Agreements or you can contact DAS, Procurement directly at (503) 378-4642 for assistance.

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Price Agreements placed by either DAS or PaCS allow you to purchase products without going through a competitive process. Orders over **\$5,000** are still required to be processed through PaCS but there is no requirement for a competitive bid.

## OSU PRICE AGREEMENTS

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OSU has several Price Agreements with different suppliers.

For a more extensive list or to see if what you are seeking is on OSU Price Agreement/Contract, please visit the PaCS website.

If you identify a product or service routinely needed by your department and/or campus wide contact PaCS and we will work with you to place a Price Agreement for that product or service.

### **Advertising:**

The Oregonian  
Lee Enterprises (Gazette Times)

### **Computers/Copiers:**

Software House International (SHI)  
Dell  
Gateway  
Micron Government Computer Systems (MPC)  
Computer Technology Link Corporation (CTL)  
Apple  
IKON

### **Furniture:**

Office World—Herman Miller Products  
Pacific Office Furnishings—Herman Miller Products  
MRG Oregon—Krueger International (KI)

### **Laboratory Equipment & Chemicals:**

VWR  
Fisher Scientific

### **Office Supplies:**

Office Max/Boise Cascade Office Products  
Office Depot  
COSTCO (PO Program)

### **Travel:**

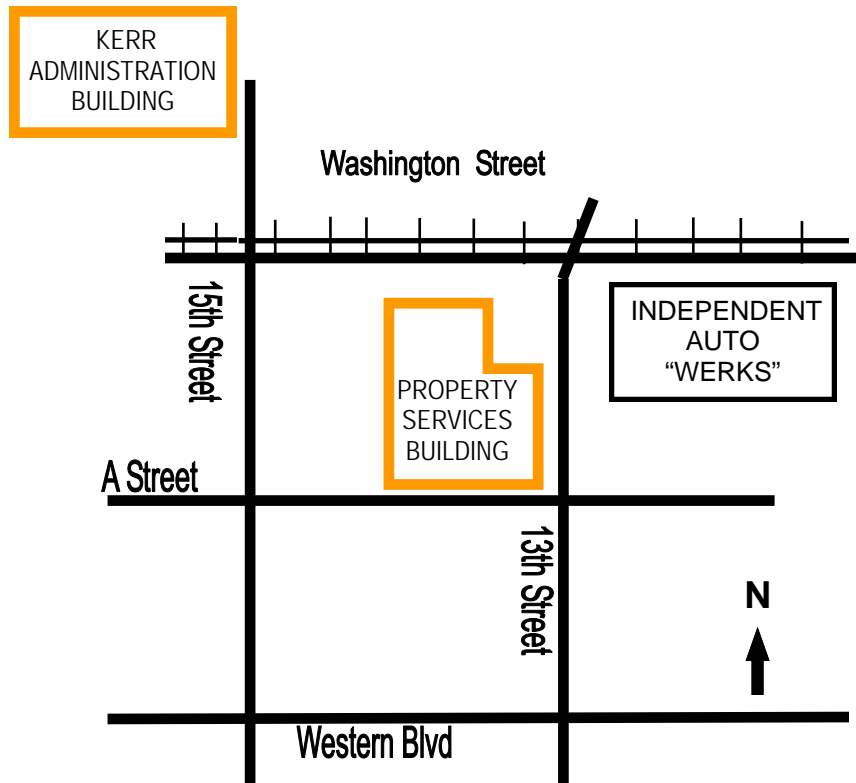
Teel's Travel  
Away Carlson Wagonlit Travel  
Enterprise Rent-A-Car - State of Oregon Contract  
Anthony Travel

### **Miscellaneous:**

Moving Discount Agreements  
Aramark Service Master—Janitorial Services  
COSTCO (PO Program)  
Thomas Gray & Associates—Radioactive Waste Disposal  
Barret Business Services—Temporary Personnel Services  
KinderCare—Childcare Services  
Interface—Flooring

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## WHERE WE'RE LOCATED



**OSU Procurement and Contract Services**  
Property Services Building  
644 SW 13th Street  
Corvallis, OR 97333  
541-737-4261  
FAX 541-737-2170