

**PURCHASING  
POLICIES AND PROCEDURES  
FOR CONSTRUCTION/FACILITIES SERVICES**

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## **VENDOR QUALIFICATION / SELECTION**

*(see related Facilities policy PA 001-01)*

### **SECTION 1**

#### **1.00 QUALIFIED VENDORS**

- 1.10 All Facilities maintenance and construction related Vendors selected to perform work for the University will be required to be qualified by the Purchasing Department prior to any commencement of work. These vendors will be called Qualified Vendors.
- 1.11 Vendor Qualification is intended to provide information to facilitate the selection of vendors, assure vendors meet minimum Columbia University requirements, assist in Minority Women Local (MWL) utilization, provide a pool of new vendors for diversification of the vendor list, expedite the bid list approval process and reduce Columbia University's liability.
- 1.12 Vendor Qualification is intended to be an informative process that establishes a vendor's area of expertise, services and product line.
- 1.13 Vendor Qualification is intended to establish: the value of work a vendor is capable of performing for the University, insurability, performance with Columbia University and that the vendor agrees to the terms and conditions of Columbia University's contractual agreements and obligations.
- 1.14 Vendor Qualification will establish the vendor with CU's procurement and accounts payable systems for contracts, payment and tracking.
- 1.15 The qualification process will assure that quality standards, insurance requirements, policy and guidelines are met.
- 1.16 A qualification questionnaire must be completed and processed in advance of entering into a contract or purchase order.
- 1.17 Utilization of vendors prior to qualification will result in non-compliance with CU Purchasing Policy and each such instance will be reviewed by Purchasing and the Vendor Qualification Committee for appropriate action.
- 1.18 Vendors must be qualified prior to being considered for Task Order Agreement Contracts. Procurement of consultants for construction related services will be governed by the university's consultant policy.

## **1.20 TASK ORDER AGREEMENT VENDORS**

1.21 Task Order Agreement Vendors will be chosen from the qualified list of vendors that have performed successfully with the University on individual jobs and who can sustain a regular volume of work and maintain service, quality and cost effectiveness.

1.21.1 Task Order Vendors will be selected on a continuing competitive basis justified by comparison of their hourly rates, unit prices, multipliers, insurability, financial strength, history of work and claims, safety record, quality, specialty and any other relevant attributes specific to their professional category and doing business with the University.

1.21.2 Task Order Vendors will exist in an environment of dynamic competition. Vendors will be added and deleted from the list in an ongoing process that provides them an opportunity to work for Columbia University in a preferred but non-exclusive basis.

1.22 Task Order Agreement Vendors will be selected by the Purchasing Department on a periodic basis with the input of the Facilities groups.

1.23 Task Order Agreement Vendors will be pre-qualified and will execute contracts with Columbia University for a stated term and stated rate structure.

1.24 Approved vendors will be available to perform work for dollar values that are based on their financial qualifications.

1.25 Task Order Agreement Contract Terms and Conditions will be specifically for work under \$20,000 for individual trades and \$50,000 for general contractors on a per project basis.

Generally Task Order Agreements will have;

- Typical qualification terms of two to five years (or other duration determined by Purchasing and the Vendor Qualification Committee)
- options for renewal upon satisfactory review with competitive bidding / negotiation.
- substantial consideration given for qualitative factors during the selection of vendors.

## **1.30 QUALIFICATION PROCESS**

1.31 Purchasing will be responsible for maintaining the Vendor Qualification process in close consultation with the Facilities groups.

1.32 Facility Directors (or equivalent) will provide recommendations and feedback on the selection and retention of vendors to Purchasing at regularly scheduled

meetings. Purchasing will also introduce new vendors for qualification and Vendor Qualification Committee review.

- 1.33 Facilities Groups will provide the vendor qualification requirements related to work and professional services to be performed as well as suggest vendors for qualification.
- 1.34 Purchasing will interface with the vendors, risk management and General Council to establish and maintain the qualification requirements and to meet the ongoing needs of the Facilities groups.
- 1.35 Purchasing will present the Vendor Qualification Committee with the names of candidates for qualification for comment and review prior to vendor placement on the list for use.
- 1.36 There will be a periodic review as determined by the Vendor Qualification Committee to assess projected demand for qualified vendors defined by trade and specialty where the need for additional vendors will be reviewed.
- 1.37 The Vendor Qualification Committee will set objectives for vendor selection.
- 1.38 Vendor Qualification Committee meetings for vendor qualification will occur on a quarterly basis or as needed to meet the Facilities Groups requirements. If a review is required to qualify vendors on an emergency or expedited basis, the Vendor Qualification Committee review process can be handled by email or internal mail for those instances.

The Qualified Vendor list will provide an opportunity to work with new vendors, obtain experience with vendors for consideration as a Task Order Agreement Vendor and as a source of bidders for all other work.

#### **1.40 TERMINATION OF VENDORS**

- 1.41 Firms that act in violation of the term of their contract, Columbia University policy or guidelines and / or outside the guidelines of the Purchasing and Facility departments can be terminated or suspended from participation in any University work for a time frame to be determined by Purchasing and the Vendor Qualification Committee.
- 1.42 Termination of Task Order Agreement Vendors may occur by the suspension of work until the expiration of their contract. Termination may occur due to: failure to adhere to the Task Orders and conditions of their contract, unsatisfactory performance, repeatedly unsuccessful or un-competitive bidding, unlawful conduct, federal disbarment, the act of subjecting individuals to unsafe practices or conditions or any activity or condition deemed unacceptable by Columbia University's Purchasing or Facilities Departments.

- 1.43 The termination recommendation will be submitted to or by Purchasing and presented to the Vendor Qualification Committee for review and action by the most expeditious process appropriate.
- 1.44 The subject firm will be notified in writing by Purchasing that their contract has been terminated, and their name will be removed from the Qualified and Task Order Agreement listings and the Accounts Payable and Purchasing vendor files will also be updated as required to reflect the change in standing.
- 1.45 The status of suspended and terminated firms will be reported to the Vendor Qualification Committee.

## **1.50 DISCLOSURE**

- 1.51 All vendors are to disclose:
- if any of their partners, owners, share holders, principles or employees are related to Columbia University employees.
  - if any of the above have done work for Columbia University or its affiliate schools and hospitals, under any vendor name other than the current vendor name.
  - if the above are currently qualified to work for Columbia University under any other vendor name by a Task Order, master agreement, lease or other contractual agreement.
- 1.52 Failure to disclose this information may result in suspension or disqualification of the vendor.
- 1.53 Columbia University employees in any department requesting or managing work are to disclose any relationship to vendors as stated above. Please refer to Columbia University's Purchasing Policy Conflicts of Interest, Section 1.05.

## PREPARATION OF “LIST OF PROSPECTIVE BIDDERS”

### SECTION 2

#### 2.00 VENDOR SELECTION

- 2.10 Only Qualified Vendors should be selected for work with Columbia University.
- 2.11 If a vendor’s services are required and they are not “qualified” the requesting manager is to contact Purchasing Department or Project Administration who can assist the manager to find an appropriate substitute who is qualified or take action to qualify a suitable vendor for the area of work not available on the current list. (Note: Section 1.1 and 1.16)
- 2.12 No payments should be made to any vendor until the qualification questionnaire is completed and approved and the vendor is established in the system.
- 2.13 Firms should be evaluated based on their ability to satisfactorily perform the work as evidenced by information gathered during the pre-qualification process, “qualification profile” and matched with the appropriate type of work to be contracted.
- 2.14 The qualification profile as well as ongoing evaluations should be considered for the vendor’s suitability prior to each request for proposal being sent.
- 2.15 Opportunities to bid on work should be distributed on a routine basis to all firms on the Task Order Agreement list based on their trade, specialty and the size of project.
- 2.16 Utilization of firms should be distributed to provide opportunities for all firms to bid on and obtain work based on their competitiveness.
- 2.17 A qualified firm should be given an opportunity to participate in each bid list prepared for work within the areas of appropriate trade and specialty as determined in the qualification process.
- 2.18 Qualified vendors are to be given the opportunity to bid on Task Order Agreement work. Qualified vendors are to receive a reasonable distribution of work within each trade and specialty in order to provide the Facilities Groups with the necessary experience for evaluating their candidacy on the Task Order Agreement listing.
- 2.19 Task Order Agreement Vendor selection should be distributed among qualified Task Order Agreement firms based on the number of projects and the total dollar volume of work within the relevant trade or specialty.

- 2.20 Each Task Order Agreement Vendor will be provided ongoing opportunities to bid on work consistent with their financial limit, availability and as established by their qualification profile.
- 2.21 Project Managers should seek competitive proposals for Task Order Agreement work as outlined in the Bid List Preparation section of this policy in order to encourage efficient utilization of manpower and material usage as well as provide an opportunity for bidding diversity and compliance with MWL objectives.
- 2.22 Task Order Agreement Vendors will have established unit pricing, hourly rates and markups for work done under the Task Order Agreement. These rates will facilitate the preparation of proposals. Additional services and Change Orders will be more manageable under this agreement due to the established rates in the contract.
- 2.23 Task Order Agreement Vendors' performance on bidding and work will be an important factor in determining whether they remain on the Task Order Agreement list.
- 2.24 It is intended that the Task Order Agreement firms will obtain sufficient amounts of work so they view Columbia University as a valued partner.
- 2.25.1. Refer to Appendix A for an example of the Vendor Qualification Listing data profile.
- 2.26 Project Managers and Directors will make every effort to avoid awarding work to any vendor so that Columbia University constitute an amount of work which is larger than prudent, from the perspective of the University, in proportion to their total volume of work for a given year with all customers including Columbia University. The vendor's financial information will be established in the qualification information. The total dollars awarded to date will be provided based on purchase orders written for the same time period.
- 2.27 Project Managers and Directors are to develop the bidders list for each project based on these policy goals in a manner that is consistent with their understanding of the projects sensitivities and complexities and for which projects it would be appropriate to introduce new firms.
- 2.28 Provisions for unanticipated, emergency procurement as defined in Section 6.00 of the purchasing guidelines will be made as they occur but such emergency procedures are not intended for convenience or to circumvent the purchasing policy.
- 2.29 Some considerations for selection are:
- The vendor is currently qualified and not suspended or terminated.

- The dollar volume of work should be matched with the capability of the vendor
- Number of opportunities the vendor has had throughout the CU portfolio<sup>1</sup>
- Number of active projects the vendor currently is engaged in
- Performance on prior bidding
- Evaluations of previous performance
- Experience with projects of a similar nature<sup>2</sup>
- Financial capability
- Internal resources
- The vendor's Minority Women Local status
- Landlord stipulates the vendor in lease terms
- Governmental agency requirements

## **2.40 MWL OBJECTIVES**

- 2.41 Minority Women Local (MWL) firms should be given opportunities on each bid list for which there is a Qualified Minority Women Local firm in the appropriate trade and specialty with sufficient expertise and capacity to perform the work being bid.
- 2.42 Minority Women Local targets will be established based on the demographics of the firms and the work to be bid.
- 2.43.1 All service, general contracting and construction management firms who work for Columbia University, where the value of an award is One hundred thousand dollars (\$100,000) or greater and for which they will utilize sub contractors, will be required to uphold the University's Minority, Women and Local targets as established by the Vendor Qualification Committee to the extent possible.
- 2.43.2 All vendors will be encouraged to utilize Columbia University qualified vendors as sub-contractors for work performed for the University regardless of value and to provide opportunities to Minority Women Local firms to participate in bidding for sub-contracted work.
- 2.50 Project Managers preparing the bid list are expected to diversify the firms utilized with the assistance of purchasing activity reports by vendor provided by Purchasing.
- 2.51 Project Directors are responsible for ensuring that the bid list is consistent with the intent of the policy to encourage use of a diverse vendor base that is subject to competition from qualified new vendors.

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<sup>1</sup>: To be tracked via the award summaries provided by Vendor Qualification Committee

<sup>2</sup> To be provided by the qualification process.



## **2.60 CONTRACT REQUIREMENTS**

*Please reference Facilities Policy PA001-05, Contracts – Construction and Maintenance Related Spending.*

**BID LIST PREPARATION****SECTION 3**

3.10 For all contracts a list of prospective bidders shall be prepared in advance of a transmittal of an "Invitation to Bid," in accordance with the following schedule of minimum requirements:

SECTION	CONTRACT AMOUNT (Trade / Gen. Contract.)	MINIMUM NUMBER OF QUALIFIED BIDS	BID LIST APPROVED BY
3.11	\$0 - \$ 5,000	1 Written Work Order w/ Post Award Audit Task Order Agreement Vendors Only <b>OR:</b> Two (2) minimum written Proposals prior to award with a minimum of one Task Order Vendor. All Others must be qualified. <b>OR:</b> 3 Competitive Bids for all other vendors.	Director
3.12	\$5,001 – 20,000 Trade / 50,000 GC )	1 Written Proposal Task Order Agreement Vendors only <b>OR:</b> Unit Price Agreement Work Order w/ Post Award Audit Task Order Agreement Vendors only	Director
3.13	\$5,001 – \$20,000	<b>OR:</b> Two (2) minimum written Proposals prior to award with a minimum of one Task Order Vendor. All Others must be qualified.	
3.14	\$20,001 / 50,001 - \$100,000	3 Sealed Bids	Assistant Vice President or Designee*
3.15	\$100,001- \$1,000,000	3 Sealed Bids	Vice President, Operations or Manhattanville/Associate Vice President, Capital Project Management or Designees
3.16	> \$1,000,000	4 Sealed Bids	Vice President, Finance & Administration or Designee

- 3.11.1 Work less than or equal to \$5,000.00 can be awarded to Task Order Agreement Vendors without a written proposal or bidding. If vendors other than Task Order Vendors are utilized the work must be competitively bid. A Facilities Director must approve the vendor selection. Work awarded without a written proposal will be audited post award utilizing the Vendor's and the Facility Management Group's documentation.
- 3.11.2 A competitive Task Order Proposal may be used to provide opportunities to Qualified vendors without a sealed competitive bid process.
- 3.11.3 Competitive Task Order proposals may be used for any work performed within the Task Order limits, \$20,000 per individual trade and \$50,000 for general contractors. Competitive Task Order proposals can be solicited to one or more qualified non-Task Order Vendors providing there is at least one Task Order vendor participating in providing a proposal.
- 3.12.1 Proposals must be in writing but may be transmitted by fax or emailed in PDF format (only electronic formats that prohibit the recipient from being able to make changes are allowed).
- 3.12.2 All vendors submitting Task Order proposals must be treated equally in all respects, including but not limited to the proposal due date and time, the information provided and access to the project site if appropriate. Information from the proposals is not to be shared with competing vendors and shall remain confidential.
- Note: The intent of Competitive Task Order Proposals is to provide opportunities to Qualified and MWL vendors who are not Task Order and introduce competitiveness to the task order process.
- 3.13 Except as stated in Section 3.14 below, work greater than \$5,000 and up to \$20,000 for individual trades or \$50,000 for general contractors, requires a minimum of one written proposal from a Task Order vendor. If a Task Order vendor is not used, the work must be bid. A Facilities Director must approve the vendor selection.
- 3.14 If a Task Order vendor's contract stipulates unit pricing that is all inclusive (providing for, but not limited to labor and material within the unit cost) a Work Order may be issued to a Task Order Vendor for work greater than \$5,000 and up to \$20,000 for individual trades or general contractors, provided that any additional or miscellaneous costs not included in the unit pricing schedule, do not exceed \$5,000. A Facilities Director must approve the vendor selection. Work awarded utilizing unit pricing will indicate the scope of work. Quantities and unit pricing will be audited post award utilizing the Vendor's and the Facility Management Group's documentation which will be forwarded to Purchasing for issuance of a purchase order.

- 3.14.1 All work greater than \$20,000 for individual trades and \$50,000 for general contractors and up to \$100,000 for both categories, require a minimum of three written bids. A Facilities Director must approve the vendor selection.
- 3.20 All work awarded without a written proposal will be subject to post award audit for reasonableness by the facilities department upon receipt of an invoice.
- 3.30 The bid list will be prepared by the Project Manager and submitted to the Director for approval. The Director will be responsible for verifying that the bid list conforms to the selection criteria and approve the list.
- 3.40 The Director may approve Qualified bidders for work up to \$100,000 without the group's review but will submit the bid lists and information on the awards to the group for their information and consideration. The Director may elect to seek group approval of bid lists for work under the \$100,000 limit at his or her supervisor's discretion.
- 3.50 All bidders who are not listed as Qualified or Task Order Agreement Vendors must be reviewed and approved by the funding department AVP where applicable and the Facilities department AVP or higher regardless of the dollar value and group review requirements.
- 3.60 The bid lists shall be summarized in a form specified by Purchasing and Vendor Qualification Committee and reviewed on a regularly scheduled basis by the Facility group or the department AVP or equivalent senior officer. The bid lists will be evaluated, modified and approved. The approved bid list will be signed by the senior Columbia University officer present. The names of the review group or AVP in attendance will be listed on the form. Copies of the list will be returned to the Project Manager and Purchasing.
- 3.70 In emergency or expedited situations, prudent management judgment shall prevail. Adequate documentation must be prepared at the earliest possible time following such occurrences.
- 3.80 That documentation will include:
- Explanation of the emergency and the reasons it could not be bid.
  - Reason for the vendor selection.
  - Cost analysis and evaluation.
  - Approval to proceed with vendor and work signed by Facilities AVP level officer or the equivalent.
- 3.81 Expedited and emergency projects will require the Director and AVP review and signed approval of the bid list or directed source as indicated above.

- 3.90 A summary report of bidding and work that deviates from the policy will be generated by Purchasing and made to the Vendor Qualification Committee for their review and consideration.

## **BID PROCESS**

### **SECTION 4**

- 4.10.1 The bid forms shall be used to describe the project and request for bids. Plans, specifications and other pertinent information shall be sent to all vendors on the bid list, at the same time.
- 4.10.2 Rebids should follow the same procedures as the original bid. The bidding policy requirements shall apply to all rebids. The term bidder shall apply to vendors in both bid and rebid requests. The determination to rebid may include a subset of the original bid list but should include a minimum of 3 vendors. Exclusion of bidders on the rebid list should be reviewed with Purchasing or Project Administration. All decisions should be documented within the project file.

- 4.20 Bid Packages should contain the following information

- Invitation to Bid Letter / Fax Cover
- Instructions to Bidders
- Bid Proposal Form
- Scope of Work
- General Conditions
- Terms and Conditions
- Technical Specifications / Special Conditions (if appropriate)
- Drawings (if appropriate)
- Insurance Requirements (If different from Task Order Agreement)
- Contract (If different from Task Order Agreement)
- Contract Agreement Form (If different from Task Order Agreement)
- Contract Acknowledgement Form

Rebids are not required to re-issue information that has not changed but should state that original information is valid where appropriate.

- 4.30 Instructions to Bidders should:

- a) be released to bidders at the same time
- b) have procedures for substitutions clearly stated
- c) be specific in defining Bid period (interval).
- d) clearly specify the procedure for returning bids.
- e) be in writing.

- 4.31 The bid interval is to be strictly enforced.
- 4.32 Any additional information, clarifications, and addendums transmitted to one bidder were equally transmitted to all bidders.
- 4.40 Bid Interval
- 4.41 A reasonable amount of time shall be afforded to the prospective bidders. Allowance shall be made for the time interval to transmit document, estimate, complexity of job, multiple trade, apparatus/equipment specified and return of bid.

In no case shall the Bid Interval be extended in a manner that would:

- provide a competitive advantage to one or more of the prospective bidder over the other
  - allow for late bids
  - allow for resubmitted bids
- 4.50 In some cases when none of the bids have been opened, it may be necessary to extend the bid period to:
- (a) allow for addendum
  - (b) treat special conditions
  - (c) change project scope
  - (d) allow for additional bidders

To avoid the appearance of impropriety, an extension of the bid period should be communicated to all bidders and the bid opening rescheduled. If a bid is extended, a Vice President level officer or designee must provide a written approval of any additions to the bid list.

- 4.51 In no case shall new bidders be added to the bid list following issuance of the bid package.
- 4.60 Transmittal of Supplemental Information
- 4.61 In some situations it may be necessary to provide additional information to all prospective bidders during the bid interval prior to the opening of bids. This might become necessary as a result of:
- (a) change in project scope
  - (b) change in material selection
  - (c) clarifying specifications and other provisions

Any information, clarification and addendums transmitted to one bidder should be concurrently transmitted to all bidders.

- 4.62 In no case shall one or more bidders be provided with information that will give them a competitive advantage over the other bidders. All bidders are to receive equal information and treatment. All information and correspondence should be documented in writing and maintained in the contract file.
- 4.70 **Bids**
- 4.71 All competitively bid work requires sealed bids. Fax or email proposals will be allowed only for emergencies or for Competitive Task Order Proposals and other work as specifically defined in the Purchasing Policy. Bids submitted to Facilities are to be sent to a designated individual, Bid Coordinator, within the facilities organization who keeps them in a secure location until the bid deadline / opening. Competitive Task Order Proposals must be sent to the Bid Coordinator who will log them in prior to distribution to the appropriate Facilities manager after the due date and time.
- 4.72 Late Bids must be time stamped, noted as late and filed in the project folder. Late bids, which are received after the deadline, may be accepted in extenuating circumstances. Acceptance requires the Facilities Organization's Associate Vice President's approval, providing none of the bids were opened prior to the receipt of the late bid.
- 4.73 Bidding instructions should request that bidders respond by mail or fax if they are not going to participate prior to the bid due date. Failure to comply may result in removal from the pre-qualified list.
- 4.74 Disclosure of bid information during the bidding process (original bid, rebid or leveling) will be reason for dismissal of any Columbia University employee, consultant or contractor.

## **BID SUMMARY**

### **SECTION 5**

- 5.10 A Bid Summary Form shall be used, after opening the bids, to list the vendors, their bids and any alternates. It will also show the total base bid and appropriate alternatives. The Senior Columbia University Officer present at the bid opening will sign/approve this document.

- 5.11 Competitive Task Order Proposals will be recorded as competitive on the requisition summary if at least two (2) vendors respond for amounts under \$5,000, and two (2) vendors respond for amounts between \$5,000 and \$20,000 / \$50,000, otherwise they will be classified as Task Order on the requisition summary.
- 5.20 At the Bid Opening (*also reference PA001-02 Facilities Policy*):
- (a) Bids estimated to result in awards under \$50,000 require a minimum of two (2) Columbia University Officers must be present with at least one being Director level.
  - (b) Bids estimated to result in awards between \$50,000 (Trades) / \$100,000 (General Contractors) and one million (\$1,000,000) require at least three (3) Columbia University Officers present with at least one being an AVP level or designee.
  - (c) Bids estimated to result in awards over \$1 Million, require that four (4) Columbia University Officers must be present with at least one being AVP or designee.
  - (d) For all bids estimated to result in projects \$100,000 or greater, the Facilities Departments will notify Purchasing so that a Purchasing representative can be present at the bid opening.
  - (e) Competitive Task Order Proposals require only the Bid Coordinator (or designee) to sign, date and distribute the proposals.
- 5.30 In situations where an architectural, engineering or other consultant firm was engaged to administer the bid process, sections 5.10 and 5.20 a-c still apply, and in addition, the bid summary must be co-signed by a senior member of the consulting firm.
- 5.40 At the time of bid opening, the initial preparation of the bid summary shall be considered preliminary, until the bids can be verified or “leveled”. Once the bids are leveled and bids are substantially equivalent, a final bid summary will be proposed. The final bid summary will contain an audit trail illustrating how any dollar amounts were interpreted and leveled. Bids that are not responsive may be disqualified.



## RECOMMENDATION TO AWARD

### SECTION 6.00

- 6.10 The Recommendation to Award work or a contract should be made by the responsible Project Manager and include a copy of the Bid Summary, and any supporting documents that might be required.

The original bid amount, any rebids and leveling notes of each vendor must be clearly listed in sequence of their submission on the bid summary. It should clearly define the steps of the process leading to the final bid calculation amounts and the recommendation. Documentation of each submission / calculation (original bid, rebids and leveling) is to be filed and submitted with the request for approval. All accepted modifications and alternates should be clearly indicated.

- 6.20 A Recommendation of Award being prepared for the lowest qualified and responsive bidders should be signed/approved by an officer at the same management level as required by the bid list, based on the total anticipated dollar value of the award.
- 6.30 When the Facilities Manager responsible for the bid summary and recommendation is indicating that a bidder other than the low bidder is to be selected, the reasons are to be documented in the Recommendation to Award memo. The Recommendation to Award is to have a written approval by the facilities group AVP, or designee, indicating approval of the analysis and decision. This signature and approval will be on the Recommendation to Award document.
- 6.40 Sub-contracts Competitively Bid under Construction Manager supervision (See Section 7 of the Facilities Policy PA001-02)
- 6.50 Approvals Required for Awarding Competitively Bid Work (See Section 8 of the Facilities Policy PA001-02)

## LETTER TO UNSUCCESSFUL BIDDERS

### SECTION 7

- 7.10 A letter or email shall be sent to all unsuccessful bidders by the Project Manager informing them of the bid outcome. Notification should be sent within one week of the award decision and approval of the requisition for a Purchase Order.

## **AWARDING WORK PROCEDURES**

### **SECTION 8**

8.10 *Please reference Facilities Policy PA001-03, Awarding Work – Construction and Maintenance Related Spending.*

## **REQUISITION FOR PURCHASE ORDER**

### **SECTION 9**

9.10 The Project Manager will input the information into the appropriate University system (i.e. Skire), and prepare a requisition as is required. All necessary supporting documentation for the requisition will be sent to Purchasing after obtaining required workflow approval(s). Purchasing will review the requisition submission for complete and proper documentation and if the submission is complete Purchasing will approve the requisition for issuance of a PO. If additional information is required, Purchasing will inform the Project Manager or Project Administration of the required documentation. Purchasing will, upon receipt of the requested information, provide approval of the requisition and subsequently issue the purchase order and notify the Project Manager so the award letter can be issued.

## **CONTRACT AWARD LETTER**

### **SECTION 10**

10.10 A standard form letter shall be used for the award of all contracts. Notification should be sent within one week of the award decision and receipt of the purchase order. A copy will be sent to Purchasing.

## **VENDOR EVALUATION**

### **SECTION 11**

11.10 Facilities Project Managers responsible for work will complete a Vendor Report card on a quarterly basis for all vendors utilized and submit it to Purchasing. Purchasing will report to the Vendor Qualification Committee on firm performance on a quarterly basis as indicated in Report cards received.

11.20 Facilities Directors will participate in a meeting convened by Purchasing at least twice a year to review vendor performance issues. This feedback will be utilized in the Qualification and Task Order Agreement selection process.

- 11.30 Purchasing will compile the bid results provided by Facilities Groups and provide activity reports to the Vendor Qualification Committee on a quarterly basis for the review of vendor utilization.
- 11.40 The Vendor Qualification Committee will establish vendor utilization targets for new vendor utilization and MWL. Purchasing will prepare activity reports on an annual basis for comparison with stated objectives.

## FEDERAL REQUIREMENTS

### SECTION 12

- 12.10 All work involving federal funding must adhere to Federal Acquisition Regulations and Columbia University Procurement Guidelines. (See Section 7.06 of the Purchasing Policy)

#### 12.11 **Procurements Using Federal Funds**

A University buyer making a purchase under a Federal government contract (as opposed to a grant or cooperative agreement) must comply with the Federal Acquisition Regulation (“FAR”). Numerous FAR contract clauses and FAR certifications may be required for such a purchase. For this reason, the applicable FAR provisions are referenced on Columbia’s Purchase Order forms and in its standard contracts. A current version of these provisions as of the date of publication of these Guidelines is provided in Appendix 2 of the Purchasing Guidelines, Special Terms and Conditions, Federal Acquisition Regulations.

A University buyer making a purchase with funds from a Federal grant or cooperative agreement must comply with the sponsoring agency’s regulations that implement OMB Circular A-110. (Individual Federal sponsoring agencies are required to incorporate the provisions of OMB Circular A-110 into their own agency regulations.) OMB Circular A-110 contains the uniform administrative requirements for institutions of higher education, hospitals, and other non-profit organizations with Federally-funded grants or cooperative agreements. OMB Circular A-110, at §§ \_\_.40-\_\_.48, sets forth the specific procurement standards the University must follow when purchasing supplies and other expendable property, equipment, real property, and services with Federal funds. Appendix A to OMB Circular A-110 contains mandatory procurement provisions—also known as flow down clauses—for contracts, including small purchases that do not meet the simplified acquisition threshold, awarded by recipients of Federal grants and cooperative agreements. A current version of this document as of the date of publication of these guidelines is provided in Appendix 1. Moreover, OMB Circular A-110 § \_\_.48 requires the University to include additional provisions in contracts when certain

circumstances are met. These provisions, which also must be applied to subcontracts, are listed below.

- Contracts in excess of the simplified acquisition threshold—which is currently \$100,000 under 41 U.S.C. § 403 (11)—shall contain contractual provisions or conditions that allow for administrative, contractual, or legal remedies in instances in which a contractor violates or breaches the contract terms, and provide for such remedial actions as may be appropriate.
- All contracts in excess of the simplified acquisition threshold, which is currently \$100,000 under 41 U.S.C. § 403 (11) shall contain suitable provisions for termination by the recipient, including the manner by which termination shall be effected and the basis for settlement. In addition, such contracts shall describe conditions under which the contract may be terminated for default as well as conditions where the contract may be terminated because of circumstances beyond the control of the contractor.
- Except as otherwise required by statute, an award that requires the contracting (or subcontracting) for construction or facility improvements shall provide for the recipient to follow its own requirements relating to bid guarantees, performance bonds, and payment bonds unless the construction contract or subcontract exceeds \$100,000. For those contracts or subcontracts exceeding \$100,000, the Federal awarding agency may accept the bonding policy and requirements of the recipient, provided the Federal awarding agency has made a determination that the Federal Government's interest is adequately protected. If such a determination has not been made, the minimum requirements shall be as follows.
  - (1) A bid guarantee from each bidder equivalent to five percent of the bid price. The "bid guarantee" shall consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder shall, upon acceptance of his bid, execute such contractual documents as may be required within the time specified.
  - (2) A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's obligations under such contract.
  - (3) A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by statute of all persons supplying labor and material in the execution of the work provided for in the contract.

- (4) Where bonds are required in the situations described herein, the bonds shall be obtained from companies holding certificates of authority as acceptable sureties pursuant to 31 CFR part 223, "Surety Companies Doing Business with the United States."

The above bulleted section applies solely when a direct expenditure of Federal funds is involved.

- All negotiated contracts—except those for less than the simplified acquisition threshold, which is currently \$100,000 under 41 U.S.C. § 403 (11)—awarded by recipients shall include a provision to the effect that the recipient, the Federal awarding agency, the Comptroller General of the United States, or any of their duly authorized representatives, shall have access to any books, documents, papers and records of the contractor which are directly pertinent to a specific program for the purpose of making audits, examinations, excerpts and transcriptions.

**APPENDIX A**



<u>Vendor</u>	<u>Union</u>	<u>MWL</u>	<u>Main Category</u>	<u>Qual</u>	<u>TO</u>	<u>UWPA</u>	<u>Serv</u>
1100 ARCHITECT, P.C.	Non-Union	M	<u>Consultant</u>	✓			
A&F COMMERCIAL BUILDERS LLC	Both	MWL	<u>General Contractor</u>		✓		
A&L CESSPOOL SERVICE CORP.	Non-Union	Non-MWL	<u>Plumbing</u>	✓			
A&S REFRIGERATION & STOVE REPAIRS	Non-Union	L	<u>Mechanical</u>	✓			
A. RIDER STORE FRONT CO., INC	Non-Union	Non-MWL	<u>Specialties</u>	✓			
A.L. EASTMOND & SONS, INC.	Both	ML	<u>Mechanical</u>				
AAA AMERICAN FLAG DECORATING COMPAN	Non-Union	W	<u>Specialties</u>	✓			✓
ABBAY LOCKSMITHS, INC.	Non-Union	Non-MWL	<u>Doors &amp; Windows</u>				