

Fairmont State University

Purchasing Manual



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Section One -- Introduction

- 1.0 INTRODUCTION:** This manual was prepared by the Procurement Office to assist organizational units from Fairmont State University (FSU) in the proper methods of purchasing commodities and services. If by following this manual you are unable to determine the proper procedure to obtain what you need, please do not hesitate to contact the Procurement Office.
- 1.1_ Procurement Office Location:** The Procurement Office is located in Room 305 Hardway Hall. Phone 367-4711 or 367-4845.
- 1.2 Purpose:** The Procurement Office is committed to its role as a service organization as well as its dedication to the highest standard of purchasing practices. Its primary goal is to obtain goods and services of the best quality at the best price.
- 1.3 Authority:** Authority to purchase and acquire materials, supplies, equipment, services, and printing, entering into lease and lease-purchase agreement, and to dispose of surplus, obsolete and unusable materials, supplies, and equipment is granted to the Council, Commission and Governing Boards in WV Code §18B-5-4 through §18B-5-9. As required by law, the Council and Commission have promulgated a procedural rule, Series 30, Purchasing, and a legislative rule, Series 43, Purchasing Efficiencies, to manage higher education purchasing.
- 1.4 Authority to Purchase and Obligate Funds:** All of the guidelines and directives governing purchasing policy are described in detail in State law, the Higher Education Purchasing Procedures Manual, and this handbook. **The University President, the Chief Finance Officer (CFO), the Chief Procurement Officer (CPO) and delegated designees are the only individuals authorized to effect and sign purchases orders, agreements, or contracts.** Faculty and staff, unless designated by the CFO or CPO, may not obligate university funds, regardless of source.
- 1.5 Disclaimer:** The Purchasing Manual is provided for reference purposes only. It is not to be construed as a complete or final determination of any purchasing matter and may be amended or changed at any time at the discretion of the Chief Procurement Officer to ensure compliance with the laws, rules and policies of the Governing Boards and the State of West Virginia.

1.6 Public Records: All records in the Procurement Office related to purchase orders and/or contracts are considered public records. All bids, proposals, or offers submitted by vendors shall become public information and are available for inspection during normal business hours. All public information may be released with or without a Freedom of Information request. The only exemptions to disclosure of information are listed in West Virginia Code §29B-1-4. Primarily, trade secrets as submitted by a vendor are the only exemption to public disclosure by the Procurement Office.

The submission of any information to the Procurement Office by a vendor puts the risk of disclosure on the vendor. The Procurement Office will make a reasonable effort not to disclose information that is within the guidelines of §29B-1-4 and is labeled “proprietary information not for public disclosure.” The Procurement Office does not guarantee non-disclosure of any information to the public.

1.7 Ethics: Purchasing and disposal of surplus, obsolete and unusable materials, supplies and equipment in the public sector is a public trust and the highest degree of professional and ethical standards should be maintained at all times. Chapter 6B of the West Virginia Code, the West Virginia Governmental Ethics Act, is applicable to all purchasing, receiving, inventory management, and surplus property activities performed under the jurisdiction of the Council, the Commission, and the Governing Boards.

Any person who is not authorized to approve a purchase or contract, or who does so in a manner that is in violation of state law, or the rules, policies and procedures of the Council and Commission and the Governing Board having jurisdiction, may be held personally liable for the cost of such purchase or contract as provided in state law. Purchases or contracts violating state law and/or the rules, policies and procedures of the Council and Commission and the Governing Board having jurisdiction shall be void and of no effect.

Except as may be authorized by the provisions Chapter 6B of the West Virginia Code: (1) neither the Chief Procurement Officer nor any employee of the institution’s Purchasing Office shall be financially interested, or have any beneficial personal interest, directly or indirectly, in the purchase of any commodities or printing, nor in any firm,

partnership, corporation or association furnishing them; and (2) neither the Chief Procurement Officer nor any employee of the institution's Purchasing Office shall accept or receive directly or indirectly from any person, firm or corporation, known by the Chief Procurement Officer or employee, to be interested in any bid, contract or purchase order, by rebate, gift or otherwise, any money or other thing of value whatsoever, or any promise, obligation or contract for future award or compensation. The provisions of West Virginia Code §5A-3-28, 29, 30, 31 shall apply.

Except as may be authorized by the provisions Chapter 6B of the West Virginia Code: (1) neither the Council, the Commission, the Governing Board, nor any employee of the Council, the Commission or the Governing Board, shall be financially interested, or have any beneficial personal interest, directly or indirectly, in the purchase of any equipment, materials, supplies, services, or printing, nor in any firm, partnership, corporation or association furnishing them; and (2) neither the Council, the Commission, the Governing Board or any employee of said Council, Commission or Board shall accept or receive directly or indirectly, from any person, firm or corporation, known by the Council, the Commission or the Governing Board or such employee to be interested in any bid, contract or purchase, by rebate, gift or otherwise, any money or other thing of value whatsoever or any promise, obligation or contract for future reward or compensation.

Any vendor violating the West Virginia Code or the rules, policies and procedures of the Council and Commission or the Governing Board having jurisdiction may be suspended from the right to bid on or submit a proposal for institutional purchases for a period of up to one year.

- 1.8 Vendor Registration:** The West Virginia Code requires that all vendors be registered with the West Virginia Department of Administration, Purchasing Division, prior to receiving a purchase order for competitive products and/or services exceeding \$25,000. An annual vendor registration fee, payable to the State of West Virginia, is required from vendors receiving a purchase order for competitive products and/or services exceeding \$25,000 per order. Those exempt from paying the fee are vendors supplying sole source (non-competitive) products/services, or vendors receiving a purchase order in the aggregate amount of \$25,000 or less per order.

1.9 Vendor Preference: West Virginia vendors may claim an in-state resident vendor preference in accordance with §5A-3-37 of the West Virginia Code on purchases of materials, supplies, equipment, and printing that are competitively bid; however, this resident vendor preference is not applicable to construction, or for services. Except where provisions of §5A-3-37 may apply, the reciprocal preference provided for in §5A-3-37a of the West Virginia Code shall apply to the purchase of commodities (materials, supplies, equipment, construction, and services) and printing where appropriate. Claims for the resident vendor preference must be made in writing by the vendor and must be submitted with the vendor's bid.

1.10 Awards: After competitive bids are received and properly evaluated, award shall be made to the lowest responsible bidder meeting specifications. A responsible bidder is one who has a reputation for good performance, business, financial capabilities, and is able to furnish the required needs of the organization as requested. No personal preference shall be shown to any bidder, and "gold-plating" will not be permitted. "Gold-plating" is the adding of additional features or functions by a bidder to a specified requirement for which no original request was made, and then expecting an award (at more dollars) claiming the product or service is better than the lowest responsible bidder who meets the specified requirement.

If after a proper evaluation, an award is made to other than the lowest bidder; a thorough justification must be written and retained for public record and inspection. The reasons given must be technically correct and not based on subjective or prejudicial reasons. The justification must be signed by the evaluators and retained as part of the bid file.

1.11 Preparation of Purchasing Documents: All forms submitted to the Procurement Office must be typed (or neatly hand-written).

Section Two – Procurement Planning and Specifications

- 2.0 PROCUREMENT PLANNING:** Effective purchase of needed commodities and services begins with proper planning. The first step is to determine what is needed, how many, and where it is to be delivered.

This requires an awareness of the purchasing objective: *Providing for suitable products and services of the proper quality and in the proper quantity at the time and place necessary, and all at the lowest possible cost.*

2.1 Purchase and Delivery Lead Time

- 2.1.1 Administrative Lead Time:** Administrative lead time allows for the initiation of the requirement of the user to the issuance of an award. For formal procurements where written bids are required and approved by the Attorney General's Office, the average time required to prepare, advertise, evaluate, and make an award is 45 to 60 days. Depending upon other requirements, including pre-bid conferences or pre-qualification of bidders, the time may be longer.

For purchases made by organizational units through delegated authority (PCard), the lead time could be one day, depending upon the dollar value and the responsiveness of vendors offering the desired product or service.

- 2.1.2 Order or Ship Time:** Order or ship time is the time after award that is required by suppliers to fill an order and delivery by designated means (truck, rail or air) to the delivery point. These times vary widely by industry. Consideration must be given to market conditions which will affect delivery. A range of 30 to 90 days should be estimated in determining this time frame. Custom-made and complex items of equipment normally take longer to obtain.

- 2.2 Selection of the Purchasing Method:** PCards shall be used to the maximum extent possible. All other purchases will be start as a Requisition and submitted to the Procurement Office for a Purchase Order. All requisitions received by Procurement are processed similarly.

When received, each is reviewed for accuracy and completeness. Erroneous or incomplete requisitions may be return to the requestor for correction. The remainder is approved for purchase. Normally, this complete process requires not more than 3 to 5 days without bids.

2.3 Preparation of the Requisition: Requisitions must convey to the reader, in a clear, concise, and logical sequence, the information necessary to answer the basic questions of who, what, why, where, when and how.

2.4 Selection of Vendors: In order to achieve the goal of competitive bidding, a minimum of three bids is required, when possible. Care must be taken to solicit vendors capable of providing the necessary products or services.

There are many ways to locate vendors selling a particular product or service. One method is using reference sources, such as the web searches, telephone book's yellow pages and other business listings. Another method is using supplier's catalogs, which not only offer local distributors but provides descriptive information on their products and current technology of the market. A third method is to meet with business representatives. They are a valuable source of information and should be contacted when developing purchase requirements. Vendor visits should be arranged in a manner which will assure a mutually beneficial exchange of information. Such assistance must be considered a normal sales effort and does not entitle a vendor to any preference in a competitive program. Also, please feel free to contact the Procurement Office to seek additional suggested vendors.

2.5 Specifications: The purpose of a specification is to serve as the basis for obtaining the commodities (products) and services suitable for the needs of the University in a cost-effective manner.

Determining the exact requirements (specifications) for products and services to perform a given function is one of the most important tasks in the procurement process. A specification must describe the type of product or service, the quality level, special requirements in design, performance, delivery, and usage. Specifications must not be restrictive and "lock-in/lock-out" a specific product, thus, limiting competition, or be so vague as to allow a vendor to provide a lower quality product or service.

A good specification is the following:

- ◆ Clearly understandable to both the buyer and seller
- ◆ Complete
- ◆ Concise
- ◆ Identifiable wherever possible with some brand or specification already on the market
- ◆ Verifiable
- ◆ Reasonable
- ◆ Legible

2.6 Types of Specifications: There are at least three types of specifications used separately and/or in combination to communicate requirements for goods and services to the vendor.

2.6.1 A Brand Name or Equivalent Specification is based on one or more of a manufacturer's commodity or product description(s), model number(s) and quality level(s). The manufacturer's commodity or product number(s) must be easily identified and available in a current publication that is available to most vendors. Commodity or product description must be sufficiently detailed and specify only the required features needed for the application.

2.6.2 A Performance Specification is based on the specific performance needs of the purchaser. A performance specification is less structured as to how the product is made, and more structured as to how well it performs. Life cycle cost for operating and maintaining the product should be an element of the specification.

2.6.3 A Design Specification concentrates on the dimensional, physical and function requirements of the item being purchased. The design specification is used when the commodity has to be specially made to meet the purchaser's unique needs.

Combinations of the above may be used to communicate a clear specification to vendors. A performance specification may refer to a nationally accepted testing procedure for a commodity; a design specification may indicate the physical size and dimension of the commodity; and a brand name or equivalent specification may be used to indicate a desired quality level.

2.7 Assistance in Preparing Specifications: For assistance in preparing specifications, please contact the Procurement Office.

2.8 Format of a Specification: A specification should be presented in a specific manner each time a purchase requisition is written. This format is as follows:

- ◆ **Item number**
- ◆ **Quantity** – The total quantity requisitioned and the unit of measure, such as cases, each, pounds, etc.
- ◆ **Description** – Enter the brand name or equal specification, the general name of the items, e.g., chairs, desks, etc, should be listed first; the manufacturer and model number of the item should follow immediately. (e.g., computer task chairs, KI Model #2572 Or Equivalent.) When using a brand name specification, the words “OR EQUIVALENT” must be inserted to inform vendors that alternate bids will be considered. Literature should be requested to accompany any alternate bid which can verify that the alternate bid complies with the specifications. The description should contain the essential requirements that clarify the quality level or indicate the features that are important to the function of the item/service being purchased.

Generally, the following language should NOT be included in a requisition:

- ◆ “No substitutes”
- ◆ “Only nationally known brands accepted”
- ◆ “No alternatives will be accepted without prior approval of the requisitioner”

Section Three – Purchasing Process and Limits

3.0 PURCHASING PROCESS AND LIMITS

- 3.1 Purchases less than \$5,000:** Competitive bids are not required but are encouraged when possible.

Purchases should be made using the State P-Card – See PCard Manual.

For purchases less than \$5,000 that are not eligible for the PCard, prepare a *Requisition Form* and submit to the Procurement Office for approval. An itemized quote from the vendor is required. The Requisition form must indicate the “business purpose”. Requisition Form (and quote) must be submitted to the Procurement Office prior to purchase.

- 3.2 Competitive Purchases between \$5,001 and \$25,000:** Competitive bids are not required for purchases less than \$25,000; however, the Procurement Office reserves the right to check prices with other vendors or to obtain quotes if they deem it necessary.

For the purchase of goods:

- Must be submitted to Procurement Office on a Requisition Form
 - Must include funding information and appropriate signatures
- An **itemized quote from the vendor is required**
- Requisition Form must indicate the “Business Purpose”
- Requisition Form (and quote) must be submitted to the Procurement Office for **prior** approval
- Once approved, a Purchase Order will be issued and sent to the vendor (by Procurement) to order the items

For the purchases of Services:

- Department must type a WV48 Agreement
 - Must include funding information and appropriate signatures
- If the vendor is an individual or sole proprietor the Determination of Independent Contractor Worksheet and the Independent Contractor Declaration is required
- Agreement must be signed by the Vendor and submitted to Procurement prior to the beginning date of service
- Once approved, an E # will be assigned to the Agreement and sent to the vendor (by Procurement) authorizing the service

- 3.3 Competitive Purchases between \$25,001 and \$50,000:** Informal quotes are required for competitive purchases (goods and services) between \$25,001 and \$50,000. Quotes can be obtained by the Procurement Office or the Requesting Department.

For Competitive Goods:

- Must be submitted to Procurement Office on a Requisition Form
 - Must include funding information and appropriate signatures
- Requisition must indicate the “Business Purpose”
- Requires a signed and notarized Purchasing Affidavit (Forms Repository)
- Informal quotes are required – **attach quotes from three potential vendors**
- **If quotes are not attached, Procurement will obtain three quotes for you**
- Once approved, a Purchase Order will be issued and sent to the vendor (by Procurement) to order the items

For Competitive Services:

- Department must type a WV48 Agreement
 - Must include funding information and appropriate signatures
- If the vendor is an individual or sole proprietor the Determination of Independent Contractor Worksheet and the Independent Contractor Declaration is required
- Informal quotes are required – **attach quotes from three potential vendors**
- **If quotes are not attached, Procurement will obtain three quotes for you**
- Requires a signed and notarized Purchasing Affidavit
- Agreement must be signed by the vendor and submitted to Procurement **prior to the beginning date of service**

- Once approved, an E # will be assigned to the Agreement and sent to the vendor (by Procurement) authorizing the service

Quotes obtained by the Requesting Department: If the requesting department is obtaining their own quotes, they must get at least three competitive quotes. When obtaining quotes, each vendor should be given the same specifications for the product or service. All vendors should be notified of any changes in specifications. Quotes may be obtained in writing or electronically. One no-bid response from a vendor may be included to satisfy the three (3) quote requirement. The quotes must be attached to a *Requisition Form* and sent to Procurement Office.

The CFO or designee will determine if it is in the university's best interest to obtain additional quotes or to solicit the goods or services through a formal bid process.

Note: The CFO or designee has the authority to waive the three (3) quote requirement if they deem it in the best interest of the university. If the CFO waives the requirement, it will be documented in writing in the Procurement purchase order file.

3.4 Competitive Purchases over \$50,000: Bids for all competitive purchases (goods and services) over \$50,000 will be obtained by the Procurement Office. Organizational units must complete a *Requisition Form* and submit to the Procurement Office.

The requisition form must include complete specifications and a minimum a three suggested vendors (name, address and email address).

Bids will be advertised on all competitive purchases exceeding \$50,000 and made by means of sealed or electronically submitted bids.

All bids are posted on the Procurement Office bulletin board and on the Procurement Webpage a minimum of five (5) days prior to the bid opening.

Bids will be opened by the Procurement Office staff in the presence of a witness on the date and time stated on the request for bids. After the bids are opened, they will be photocopied (or scanned) and forwarded to the originating department for evaluation and recommendation for award. Once awarded, a purchase order is sent to the Attorney General's Office for approval (if necessary). The vendor receiving the award is

notified of the award by receipt of an approved, signed purchase order.

Normal turnaround time for requisitions over \$50,000 is forty-five (45) to sixty (60) days. However, please try to submit your requisitions sixty (60) to ninety (90) days in advance of the time from which you want delivery of goods or services. Orders not submitted within the time need to meet specific deadlines WILL NOT be given special treatment and will be processed within the routine purchasing time frame.

3.5 Sole/Single Source of Supply: Sole/single source purchases are not permissible unless the materials, supplies, equipment, services, and printing needs are available from only one supplier. A requirement for a particular propriety item does not justify sole or single source purchase if there is more than one potential bidder or supplier for that item. Single source purchase is permitted only when the goods and services are of such a unique nature that they cannot be acquired from any other source. The following are examples of circumstances that could necessitate sole/single source purchases:

- a. Where the compatibility of equipment, accessories, or replacement parts is the paramount consideration.
- b. The item cannot be obtained through ordinary purchasing procedures and methods;
- c. The item is available from a spending unit or other institution with preference under the West Virginia code; and
- d. Where specific and unique items are called for on a grant or contract.

Timeline for Processing: Normal processing time is typically less than 2 weeks. However, if the vendor's contract contains terms and conditions that conflict with the State's terms and conditions and the vendor **does not** agree to sign the WV-96 it may take anywhere from four (4) to eight (8) weeks to process. Therefore, when planning your purchases please allow ample time for unexpected delays.

Sole/Single Source Purchases for Goods over \$25,000:

Required Paperwork	Comments
Requisition Form	<ul style="list-style-type: none"> • Include itemized list of items being purchased • Include fund/org/account • Must indicate the “Business Purpose” • Department signature required
Vendor’s Quote/Contract	<ul style="list-style-type: none"> • Vendor must sign quote • CFO or designee will sign on behalf of the University
Sole/Single Source Justification Form (Forms Repository)	<ul style="list-style-type: none"> • Must be completed and signed by the requesting department • Must be approved by the CFO
Purchasing Affidavit	<ul style="list-style-type: none"> • Must be notarized
WV-96 (only needed if the vendor’s quote/contract has terms and conditions that conflict with the state’s terms and conditions)	<ul style="list-style-type: none"> • As a general rule, the vendor should sign first on any contract documents. • If they refuse to sign the WV-96 Addendum, you should not sign their documents. Instead, request that the vendor submit their objections and any proposed alternative language to you in writing, and forward it to Procurement along with all the contract documents.
W-9 (may be required if the vendor is not in our vendor file)	<ul style="list-style-type: none"> • Form must be completed by the vendor and signed in blue ink. Original form required.
If over \$25,000, a WV-1a Form (may be required if the vendor is not registered with the state)	<ul style="list-style-type: none"> • Form must be completed and signed by the vendor.

Sole/Single Source Purchases for Services over \$25,000:

Required Paperwork	Comments
Requesting Department must type a WV48 Agreement	<ul style="list-style-type: none"> • Include detailed description of services being provided • Include fund/org/account • Obtain appropriate signatures • Must be submitted to Procurement prior to the beginning date of service
If the vendor is an individual or sole proprietor	<ul style="list-style-type: none"> • Determination of Independent Contractor Worksheet • Independent Contractor Declaration Form
Sole/Single Source Justification Form (Forms Repository)	<ul style="list-style-type: none"> • Must be completed and signed by the requesting department • Must be approved by the CFO
Purchasing Affidavit	<ul style="list-style-type: none"> • Must be notarized
WV-96 (only needed if the vendor's quote/contract has terms and conditions that conflict with the state's terms and conditions)	<ul style="list-style-type: none"> • As a general rule, the vendor should sign first on any contract documents. • If they refuse to sign the WV-96 Addendum, you should not sign their documents. Instead, request that the vendor submit their objections and any proposed alternative language to you in writing, and forward it to Procurement along with all the contract documents.
W-9 (may be required if the vendor is not in our vendor file)	<ul style="list-style-type: none"> • Form must be completed by the vendor and signed in blue ink. Original form required.
If over \$25,000, a WV-1a Form (may be required if the vendor is not registered with the state)	<ul style="list-style-type: none"> • Form must be completed and signed by the vendor.

3.6 Emergency Purchases: Unforeseen needs that require the protection of human life and/or economic loss to government facilities may be processed through emergency purchasing procedures. Hardship situations created by improper planning or neglect will not be considered sufficient grounds for an emergency purchase. Contact the Procurement Office for additional information.

3.7 Contract Purchases: FSU utilizes WV State Purchasing Contracts, Other College/University Contracts, WVNET Contracts, E & I Contracts, Purchasing Consortium Contract and GSA contracts, etc... These contracts provide convenience and guaranteed pricing.

Bids are not required when purchasing from a contract.

Examples of contract items include but are not limited to: paint, tires, lab supplies, paper, furniture, and computers, etc. Contracts are on file in the Fairmont State University Procurement Office. Copies are available upon request.

When ordering from contracts using your PCard, you should indicate the contract number on your PCard receipt.

Contract orders over \$5,000 must be submitted to the Procurement Office on a *Requisition Form*. The contract number and item numbers should be referenced on the Requisition Form as well. Contract orders over \$5,000 will be processed via the State PCard by someone in Procurement (if the vendor accepts PCard). If the vendor does not accept PCard, a purchase order will be issued.

When placing orders be sure to check all available contracts first; however, the use of state contracts is not mandatory.

3.8 Agreements: Agreements allow departments to purchase services, other than repairs, that are unique or special in nature. Consultants, guest speakers, artists, accreditation services, laboratory services and inspection services are just a few examples.

When negotiating a contract for a consultant or artist include all travel costs in the basic service fee (and not listed separately).

3.8.1 Non- Competitive Services: The Requesting Department can complete the *Agreement Form WV-48* for non-competitive services. The agreement should be signed by the vendor **prior** to the beginning date of service and submitted to Procurement for approval and processing prior to the date of service as well.

If the vendor is a full-time State employee, the certification statement in the middle of the form must be fully completed and signed by their immediate supervisor.

If the agreement is for an individual or sole proprietor the following forms must be completed and attached:

- Determination of Independent Contractor Worksheet
- Independent Contractor Declaration

NOTE: If the vendor is a FSU employee, a *Temporary Appointment (processed through Payroll)* must be used in lieu of the *Agreement Form WV-48*.

If the vendor/individual is not listed in the state's vendor payment file (wvOASIS), a W-9 form will be needed (see Section 6 for more information).

If a vendor has an individualized contract, this may be used in lieu of the WV-48 form. However, please note an *Agreement Addendum Form WV-96* may be required if there are terms and conditions on the vendor's agreement. Contact the Procurement Office for additional information and requirements for the Agreement Addendum Form.

A *Vendor's Invoice* will be required to process payment for the services provided.

Section Four – Internal Resources

4.0 INTERNAL RESOURCES:

- 4.1 Catering Services:** The Campus Food Service provider has first right of refusal for all on-campus catering functions.

Individuals requesting catering services should contact the University food service provider for availability and pricing. Once availability and pricing are confirmed, the procurement process must be completed. Food Service will NOT perform catering services without a completed CATERING REQUEST form PRIOR to the service.

NOTE: Hospitality Functions require a Hospitality Justification Form.

- 4.2 Central Stores:** Basic office supplies and household supplies are available for purchase from Central Stores (Stockroom) located in the Physical Plant.

Contact Central Stores for additional information.

- 4.3 Copy Center:** Copy Services are available through the University Copy Center located in 126 Colebank Hall. Copy jobs can be submitted to the Copy Center though on online form found at: <https://www.fairmontstate.edu/adminfiscalaffairs/printing-services/printing-services-request-form>

Section Five – Special Procedures and Miscellaneous Items

- 5.0 SPECIAL PROCEDURES AND MISCELLANEOUS ITEMS:** The procurement of certain commodities and services has limitations or require special processing procedures which are listed below:
- 5.1 Change Orders:** When a purchase order requires a cancellation or a change, the organizational unit must type a *Purchase Change Request Form*. The change order must clearly state what is being changed or canceled, the reason for the change and the complete accounting information.
- 5.2 Computer Hardware and Software Purchases:** All IT related purchases (hardware, software, and supplies) regardless of price, require IT approval. To initiate the purchasing process and obtain approval, the requesting department will complete the “IT Procurement Request Form” (an electronic form) within the IT Self-Service Portal. <https://fairmontstate.topdesk.net/>
- 5.3 Legal Services:** (any dollar amount): Prior approval is required by the Attorney General’s Office. Contact the Procurement Office for additional information.
- 5.4 Association Dues and Professional Memberships:** All association dues and professional memberships must be listed on the State Expenditure Schedule. Contact the Accounts Payable Office for additional information.
- 5.5 Advertising:** Advertising (except for legal ads and employment ads) is processed through University Relations (URM). Exceptions must be approved by URM.
- 5.6 Employee Reimbursements:** It is understood that at times it is necessary for employees to purchase goods or acquire services for official university business at his/her personal expense. Such purchases must follow purchasing policies and procedures. An original invoice, the *Employee Reimbursement Request Form* and a *Receiving Report* are required for reimbursement of such expenses.
- The *Employee Reimbursement Request Form* and *Receiving Report* are available in the Institutional Forms Repository.
- 5.7 Leased Space:** Contact Procurement Office for additional information.
- 5.8 Contract Terms and Conditions:** If the vendor’s contract terms and condition conflict with the state’s standard terms and condition, a *WV-96 Agreement Addendum Form* is required. The *WV-96 Agreement Addendum* should be used whenever a vendor

submits alternative contractual terms and conditions for your signature. Often, these are on preprinted forms that have not been amended or reviewed by the Attorney General. The WV-96 was developed by the Attorney General's Office to eliminate the most common conflicts with State law that are found in contract documents submitted for review.

A *WV-96 Agreement Addendum* is not needed when Higher Education purchasing terms and conditions are the only ones being used, and it is not a substitute for any other terms and conditions. It is intended to amend documents submitted by a vendor, and has no significance standing alone.

As a general rule, the vendor should sign first on any contract documents.

Department personnel do not have signature authority and CANNOT sign a vendor's contract or the WV-96 Addendum. All contracts and WV-96 Addendums must be signed by someone in the Procurement Office.

If a vendor refuses to sign the WV-96, they must submit their objections and any proposed alternative language in writing to the Procurement Office. This information will be sent to the Attorney General's Office for review.

- 5.9 W-9 Form:** Before a purchase order or agreement can be processed in Banner, the vendor must be listed in the State's Vendor Payment file (wvOASIS). An original signed W-9 form is required to add vendors to the payment file or to make any changes to the vendor file. The *W-9 Form* must be filled out by the vendor/individual and must have an original signature. Please do NOT complete the W-9 form on behalf of the vendor.
- 5.10 WV Ethics Act:** All purchases made by FSU must comply with the WV Ethics Act. <http://www.ethics.wv.gov/Pages/default.aspx>
- 5.11 Hospitality Guidelines:** The campus food service vendor has exclusive rights to all food served on our campus and permission must be received by our food service vendor for any food to be bought from another vendor.

Hospitality is defined as the expense of state funds for the reception of guests by a spending agency for a specific event or function related to conducting state business provided that the function is:

- necessary
- appropriate to the occasion
- reasonable in amount

- serves as a bona fide University purpose

These expenses include meals, refreshments, awards and supporting purchases for the event, such as paper products, décor items, etc.

Hospitality guidelines outlining allowable and prohibited expenses according to groups and functions:

STUDENTS

Students - Allowable Expenses	Account Code
Receptions and banquets for which the primary purpose is the attendance and benefit of student groups, or potential students.	H168XX
Paper products and props supporting the service and décor of student functions	H168XX
Awards to students for performance and or competition	H168XX
Events held to promote a social atmosphere at the University	H168XX

Students - Prohibited Expenses
Alcohol
Gifts given without recognition of performance or competition

EMPLOYEES

Employees - Allowable Expenses	Account Code
Conferences held by University personnel for which registration and/or vendor fees are charged.	H148XX
*Pre-authorized employee recognition events	H148XX
*Pre-authorized training to ensure proper ability to perform job duties.	H148XX H157XX
Hospitality expense related to the required attendance of State employees from various geographical locations	H148XX
Events that build relationships with potential donors opened to alumni, retirees and current staff, faculty and students.	H148XX

Employees - Prohibited Expenses
Alcohol
Departmental recognition/awards
Parties of personal nature: birthday, retirement, going away, holiday, etc.
Departmental training, workshops or meetings: pizza parties, catering, order in, pick up, etc.
Charitable donations
Personal nature items used to entertain guests: golf clubs, club memberships, event tickets
Meals and refreshments for employees only

****Pre-authorized indicates that the School Administrator with PC level approval has authorized the expenditure of the event.***

OFFICIAL FUNCTIONS

Official functions - Allowable Expenses	Account Code
Hospitality expenses related to the presentation of ceremonial functions; inauguration, commencement, etc.	H148XX
Board of Governors meetings	H148XX

Official Functions - Prohibited Expenses
Alcohol

VISITORS/CANDIDATES/RECRUITS

Visitors/Candidates/Recruits - Allowable Expenses	Account Code
Hospitality expense related to accreditation visitation from an accrediting agency.	H148XX
Hospitality expense related to State employees meeting with candidates, and recruits. Spouses of candidates and recruits who accompany the party are included if the visiting candidate is present.	H148XX

Visitors/Candidates/Recruits - Prohibited Expenses
Alcohol
Gifts of a personal nature that does not promote FSU
Hospitality expense of hiring committees that are interviewing a candidate or recruit without the presence of the candidate or recruit.

GENERAL NOTES:

The Hospitality Form requires prior approval from Procurement.

PCard is the preferred method of payment for all hospitality expenses. If the transaction amount exceeds your departmental PCard limit, please send a requisition to Procurement for payment.

All hospitality expense receipts (account codes H168XX and H148XX) need to be accompanied by a ***Hospitality Form*** specific to that event.

The *Hospitality Form* is available in the Institutional Forms Repository.

Effective: August 15, 2008

Updated: October 3, 2014 (to correct the account codes only)

Updated: July 1, 2019 (new form and requires prior approval)

Section Six – Forms

6.0 Forms: All purchasing forms are available in the Institutional Forms Repository.

To ensure the use of the correct form, departments are requested to use the Forms Repository to obtain the current procurement form. **DO NOT** print out multiple copies of forms to keep in your file. The forms change frequently and this may result in the use of the wrong form.