

STEPHEN F. AUSTIN
STATE UNIVERSITY

Office of the General Counsel

POLICY SUMMARY FORM

Policy Name: Delegated Purchasing Authority

Policy Number: 17.5

Is this policy new, being reviewed/revised, or deleted? Review/Revise

Date of last revision, if applicable: 4/20/2021

Unit(s) Responsible for Policy Implementation: Vice President for Finance and Administration

Purpose of Policy (what does it do): This policy supports the university's centralized purchasing function but provides for specific delegations outside of the procurement office and also describes the handling of unauthorized purchases.

Reason for the addition, revision, or deletion (check all that apply):

- ☐ Scheduled Review ☐ Change in law ☐ Response to audit finding
☒ Internal Review ☐ Other, please explain:

Please complete the appropriate section:

Specific rationale for new policy: N/A

Specific rationale for each substantive revision: Revise approval for unauthorized purchases

Specific rationale for deletion of policy: NA

Additional Comments:

Reviewers:

Judi Kruwell, Interim Vice President for Finance and Administration
Jennifer McCall, Director of Procurement and Business Services/HUB Coordinator
Damon Derrick, General Counsel

Delegated Purchasing Authority

Original Implementation: Unpublished

Last Revision: February 1, 2022 ~~April 20, 2021~~

Purpose

This policy supports the university's centralized purchasing function but provides for specific delegations outside of the procurement office and also describes the handling of unauthorized purchases.

Definitions

Account Manager is defined as a department head (including department chairs, division heads, and all deans or designees) and/or a financial manager.

Centralized purchasing requires the various departments and operational units of the university to make purchases utilizing the knowledge and experience of the procurement department.

An **unauthorized purchase** occurs when a university employee orders a product or service without an authorized purchase order issued by the procurement department *and the purchase is also not specifically delegated under proper administrative approval.* -

General

The university adheres to a policy of centralized purchasing for the purposes of:

- ensuring compliance with state and federal laws, rules, and regulations;
- protecting the university from unauthorized acquisitions of supplies, equipment, and services;
- providing budgetary control and coordination;
- ensuring fair and ethical business practices;
- providing savings through consolidation of requirements and standardization of products where appropriate;
- providing Best Value Procurement (17.1) through various purchasing methods.

The procurement department, under supervision of the director of procurement and *business services*~~property services~~/HUB coordinator, has sole authority for the negotiation and purchase of all goods and services for the university with the exception of items listed in Items Requiring Board of Regents Approval (1.4), and the following specific delegations that exist under proper administrative approval:

- The director of the university libraries is authorized to purchase books, periodicals, journals, and other related materials needed to maintain university resource collections; and the curator of the Stone Fort Museum is authorized to purchase general merchandise for resale in the museum gift shop;
- Employees are authorized to make procurement card purchases in accordance with Procurement Card (17.11), and procurement card procedures maintained on the procurement department website;
- Employees ~~without procurement cards~~ may make purchases and request reimbursement if the purchase is approved by the account manager, follows university procurement policy and procedure, and other purchase options are not possible or available (taxes will not be reimbursed, except as allowed by law);
- Certain *direct pay disbursements* ~~payments~~ may be made *as outlined in* ~~by completing a voucher for submission to the controller's office.~~ Direct Pay Disbursements (17.20)., ~~provides guidelines for purchase voucher use.~~

A memorandum of delegated purchasing authority is authorized by the President pursuant to Contracting Authority (1.3). Account managers may approve purchases of goods and services subject to policies and procedures.

All other purchases are to be submitted as a formal request for the procurement office to secure a good or service.

All official correspondence other than that delegated above; i.e., solicitations, purchase orders, change orders, cancellations, etc. shall be issued by the procurement office. The director of procurement and *business services* ~~property services~~/HUB coordinator is delegated authority to sign all titles and associated documents for the purchase, transfer, or sale of vehicles, trailers, or marine equipment.

Purchases will be subject to Contracting Authority (1.3).

Unauthorized Purchases Made Outside of Delegated Authority

Unauthorized purchases will include inappropriate reimbursement requests that fall outside the scope of university procurement policy and procedure. Except as delegated herein, university employees are not authorized to commit to an expenditure of funds on behalf of the university.

Unauthorized purchases over \$5,000 will not be paid by the university unless a justification is submitted to the *director of procurement and business services/HUB coordinator* and may also be *subject to* vice president for finance and administration ~~for~~ review. If approved, the appropriate

documentation and payment approval must be submitted to the procurement office to process a purchase order for the unauthorized purchase. ~~State~~ and state appropriated funds may not be used to pay for the service or product unless approved by the vice president for finance and administration. If the unauthorized purchase is not approved, ~~by the vice president for finance and administration~~, the employee will be responsible for payment to the vendor unless the order can be cancelled and/or the goods returned. Any freight, shipping costs, or return penalties will be paid by the employee in the event the order is cancelled and/or the goods returned to the vendor.

The following circumstances will not constitute an unauthorized purchase; however, a requisition must be entered in the university's financial system at the earliest practical date so that payment is not delayed resulting in possible late fees:

- emergency purchases as defined by Best Value Procurement (17.1);
- memberships;
- purchases that were to be made with a procurement card that reasonably could have been expected to be less than \$5,000;
- magazine or book subscriptions;
- other automatically recurring or renewable fees;
- purchases associated with existing contracts negotiated by the procurement office;
- tournament fees or game guarantees;
- guest lecturers, speakers, artists, entertainers, performers, musicians if the contract is signed by the president or authorized designee prior to the event;
- other professional services as defined by state comptroller's expenditure codes, if the contract is signed by the president or authorized designee prior to the event; and
- service contracts associated with grants as long as the contract is in process with office of research and graduate studies.

Cross Reference: Contracting Authority (1.3); Items Requiring Board of Regents Approval (1.4); Best Value Procurement (17.1); Direct Pay Disbursements (17.20); Procurement Card (17.11)

Responsible for Implementation: Vice President for Finance and Administration

Contact for Revision: Director of Procurement and ~~Business Property~~ Services/HUB Coordinator

Forms: Memorandum of Delegated Purchasing Authority

Board Committee Assignment: Finance and Audit