



October 23, 2015

PROCUREMENT GUIDELINES

PROCUREMENT OPERATIONS HOUSTON COMMUNITY COLLEGE SYSTEM

Procurement Guidelines are issued by the Executive Director under Article 1 of the Houston Community College Procurement Operations Procedures Manual.

No. 8

Subject: **Best Value procedure for certain goods and services less than formal bid threshold.**

The purpose of this guideline is to document the general process and rules governing the authority of the Executive Director and Chief Procurement Officer to issue best value awards for certain goods and services, including consulting services, less than the formal bid threshold as defined under Section 44.031 of the Texas Education Code.

Such awards may be completed in accordance with this procedure in lieu of additional proposals being sourced, only for the purchase of certain goods and services when it is deemed in the best interest of Houston Community College (HCC).

This guideline shall be applicable to a purchase irrespective of method of contracting and payment and will only be applicable for purchases funded through a general, capital or auxiliary fund.

This guideline shall not be applicable to grant funded purchase of any kind; such purchases shall be governed by all applicable requirements defined under the grant.

For the purchase of goods when an existing HCC standard has been identified or for the purchase of services, including consulting services, when unique qualifications and/or experience of a specific vendor has been identified, the Executive Director and Chief Procurement Officer may make a written determination, based on the specific needs and

waive the requirement of seeking additional proposals as defined in Section 4.5 Process for Certain Dollar Threshold of the Procurement Operations Procedures Manual.

This procedure shall only apply to a purchase that is deemed in the best interest of HCC and shall be for an amount less than \$50,000 per annum in accordance with Section 44.031 of the Texas Education Code.

All purchases completed through this method shall include a written determination and shall be supported by a viable business rationale to be provided by the requesting department seeking to make the purchase. In addition, all purchases completed through this method shall include a signed HCC Conflict of Interest Certification form, to be completed by the requesting business owner and proposed vendor.

In accordance with Section 44.031 of the Texas Education Code, all purchases completed through this method shall include the following documentation as part of the written determination and resulting purchase order.

This award is being made based upon State of Texas Education Code 44.031 (b).

Section 44.031. PURCHASING CONTRACTS.

(a) Except as provided by this subchapter, all school district contracts for the purchase of goods and services, except contracts for the purchase of produce or vehicle fuel, valued at \$50,000 or more in the aggregate for each 12-month period shall be made by the method that provides the best value for the district.

(b) Except as provided by this subchapter, in determining to whom to award a contract, the district shall consider:

- (1) the purchase price;
- (2) the reputation of the vendor and of the vendor's goods or services;
- (3) the quality of the vendor's goods or services;
- (4) the extent to which the goods or services meet the district's needs;
- (5) the vendor's past relationship with the district;
- (6) the impact on the ability of the district to comply with laws and rules relating to historically underutilized businesses;
- (7) the total long-term cost to the district to acquire the vendor's goods or services;
- (8) for a contract for goods and services, other than goods and services related to telecommunications and information services, building construction and maintenance, or instructional materials, whether the vendor or the vendor's ultimate parent company or majority owner:
 - (A) has its principal place of business in this state; or
 - (B) employs at least 500 persons in this state; and
- (9) any other relevant factor specifically listed in the request for bids or proposals.