

Competitive Bidding and Specifications

All purchases shall be based upon the principle of competitive bidding except as herein provided. Required documentation related to competitive bidding shall be routed through the institution's Purchasing Office, prior to the purchase to ensure compliance with applicable policies and guidelines. Unless otherwise provided in this policy, electronic document distribution and record keeping is permitted in the procurement process, except when original signatures are required. Whenever possible, all specifications for materials, supplies, equipment and services shall be worded or designed so as to permit open and competitive bidding for the supplying of the article, commodities or services to which they apply. For all RFPs and RFQs exceeding, written certification from the author or committee that the specifications, to the best of their knowledge, are not proprietary shall be documented in the bid file. It is the responsibility of the Purchasing Office to ensure all competitive bidding is considered fair and open in a bid process. The Purchasing Office will issue all RFPs and RFQs. It will be considered open and competitive bidding by utilizing one of the following procurement techniques:

- A. Requests for Quotation (RFQ) – a competitive process soliciting bids from possible suppliers for a one-time procurement of product(s) and/or service(s).

Specifications based on brand names and product numbers - reference to brand names, trade names, model numbers or other descriptions peculiar to specific brand products is made to establish a required level of quality and functional capabilities; it is not intended to exclude other products of that level. Comparable products of other manufacturers will be considered if proof of comparability is contained in the bid. Vendors are required to notify the purchasing director whenever specifications procedures are not perceived to be fair and open. All suggestions or objections shall be made in writing and received by the purchasing director at least three (3) working days prior to the bid opening. It shall be the responsibility of the vendors, including vendors whose product is referenced, to furnish with the bid such specifications, catalog pages, brochures or other data that will provide an adequate basis for determining the quality and functional capabilities of the product offered. Failure to provide this data may be considered valid justification for rejection of a bid;

Specifications based on standard specifications;

Specifications based on qualified products list; or

Specifications based on catalogs, price lists, or price schedules;

- B. Requests for Proposals (RFP) – a competitive process in which bids are solicited from possible suppliers, with a source or sources of supply established for a specified period of time at agreed upon unit pricing for goods and/or services.

1. Request for Proposal – Under \$25,000, sealed bid with cost and technical proposal submitted as one document. (Obtained by the Purchasing Office).

2. Request for Proposal – For \$25,000 and over, sealed bid with separate sealed technical and cost proposals must be submitted at the same time. Acceptability of technical offers shall be determined by an evaluation team selected by the president or designee. Members of the evaluation team should be adequate and appropriate to the scope and nature of the RFP. All technical offers shall be evaluated based on the criteria of the RFP and other information learned during the technical evaluation process. Technical offers not deemed acceptable will not proceed to the pricing phase. Cost proposals shall not be opened if the associated technical proposal has been deemed non-responsive and is rejected by the institution. Technical and cost proposals shall not be made public until the inspection period following the evaluation of the cost proposals; or
3. Multi-step Sealed Bidding – The use of a multi-step sealed bidding process is required in the acquisition of institutional computer systems involving the purchase of hardware and the development of application software. The multi-step bidding process also may be used for the procurement of other products or services, when it is not practical to prepare initially definitive specifications. (See Guideline B-035, Procedures for Multi-Step Sealed Bidding).

C. Procurement Under the Authority of Another Entity's Bid Process:

Purchase of materials or services, for which any TBR or UT institution or the State of Tennessee Department of General Services, Purchasing Division, has awarded a contract to a vendor through the competitive bidding process may be made without adherence to Minimum Notice and Number of Bids, provided the vendor meets the bid specifications. Note: the competitive bidding process of another entity (except the State Purchasing Division) must have specified that other institutions would be permitted to purchase under the bid. This section does not preclude utilizing an SWC as a bid in accordance with the competitive bidding process, Minimum Notice and Number of Bids, if so desired. (F&A Rule 0690-3-1-.01 (5) and Section XVII of this policy.)