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Proper Purchasing Procedure: Requisition, Approvals, Purchase Order, Place Order

Purchases over Purchase Order amount are limited to 10% or $100 (whichever is less) exclusive of sales tax. Invoices that exceed the purchase order above these limits will require additional approvals.

Purchasing Procedures

INTRODUCTION

This manual is intended to benefit those employees who are involved in the requisitioning of supplies and services within the College. It should serve as a reference source for official policies and procedures and also serve as a vital function of informing personnel of proper requisitioning procedures. Due to the constant changes in laws, regulations, policy, etc., it would be impossible to cover every requirement or situation involved in the purchasing process. This material is being made available in a form more responsive to change and only provides brief guidance for normal process and is subject to change at any given time. If a specific type of process or requirement is not covered in this manual, please contact the Purchasing Department for information.

PURCHASING AUTHORITY

All purchases, rentals, leases, and lease/purchases to which the College is party are subject to regulations and procedures as stipulated in the Arkansas statutes. All types of purchases, regardless of the source of funds, are subject to these regulations and procedures and require prior approval of the Purchasing Department. The Purchasing Official and/or Purchasing Specialist are the purchasing authorities for the College. Purchases not authorized by this department are not a legal obligation of the College. Any individual making a purchase without proper authority first being given is assuming a personal obligation to the vendor for which he/she may be held personally liable.

PURCHASE REQUEST PRIOR TO ANY COMMITMENT

Accountability is a must; a requisition and supporting documentation must be approved by authorized approvers. An approved purchase order must be in place prior to any commitment that would result in the expenditure of funds. Individuals should use caution when researching or inquiring about services or products with any vendor. A simple conversation can sometimes be easily interpreted by a vendor/contractor as an obligation by SEARK for the product or service.

Once a requester has obtained proper approvals and the approved requisition is received in the purchasing office, a purchase order will be processed. No purchases are to be made without an approved purchase order.

No requisition can be processed with a deficit budget amount.

Requisitions for computer equipment, software or any computer related type items should be approved by the Director of Computing Services. A designated IT department employee will review all such purchases and must approve for compatibility and appropriateness to work on the campus computer system.
SELLING TO STATE AFTER TERMINATION OF EMPLOYMENT IS PROHIBITED

(1) It shall be a breach of ethical standards for any former employee, unless the former employee’s last annual salary did not exceed ten thousand five hundred dollars ($10,500), to engage in selling or attempting to sell commodities or services, including technical or professional consultant services, to the state for one (1) year following the date employment ceased.

(2) As used in the subsection, “sell” means:
   (a) Signing a bid, proposal, or contract;
   (b) Negotiating a contract;
   (c) Contracting any employee for the purpose of obtaining, negotiating, or discussing changes in specifications, price, cost allowances, or other terms of a contract;
   (d) Settling disputes concerning performance of a contract; or
   (e) Any other position with activity toward the ultimate consummation of a sale through the actual contract for the sale is subsequently negotiated by another person.

DISCLOSURE OF BENEFITS RECEIVED FROM CONTRACTS

All personnel are to be informed that Arkansas Act 483 of 1979, as amended requires any individual drawing a salary from a State Agency who has or obtains any benefit from any State or SEARK Contract with a business in which the employee or a member of his/her immediate family has a financial interest, shall report such benefit to the Department of Finance and Administration. The Act covers, in great detail, ethics in public contracting and penalty for violation of any of the provisions. When suggesting a vendor, do not list any known business in which SEARK employees have any known financial interest.

DISCLOSURE CERTIFICATION

In compliance with the requirement of Governor’s Executive Order 98-04 and the regulations resulting from such any Contract executed by Southeast Arkansas College, which exceeds $25,000, shall require the contractor/individual to disclose information as required. (pg 19-20) A Purchase Order is considered a legal Contract. This requirement is for each individual transaction exceeding $25,000.

MINORITY PURCHASING GOALS

In accordance with ACT 698 of 1991, the College established a "Minority Purchasing Program" which supports the policy of the State of Arkansas to promote equal opportunity, as well as economic development in every sector. The College is committed to utilizing minority businesses in contracting to the maximum extent feasible. An annual procurement goal of ten percent (10%) business with minority firms has been established by SEARK shall, within the limits of state statutes and regulations, pursue the award of a fair share of all contracts with minority businesses and shall encourage and assist minority businesses in the methods of doing business with this College. The SEARK Purchasing Department maintains a listing of all known minority vendors and reviews all "small orders" to identify any goods or services that can be procured from a minority vendor. When SEARK obtains goods or services by the use of the "competitive bid" process, at least one of the three or more bids considered shall attempted to be solicited from a minority business if a minority business is identified, which sells the type of commodity or service being procured. All employees of this College are encouraged to assist the Purchasing Department in this very important program. If you are aware of any minority firms that can provide goods or services to SEARK, please contact the Purchasing Department.
SMALL PURCHASE

Purchases for most commodities and services totaling $10,000 or less (small orders) including freight but excluding sales tax may be made without bid procedures, except for printing and state contract items. Although bidding is not required, departments are advised to exercise prudent judgment in securing the best price.

Circumventing the $10,000 limit by repeated small quantity procurement of like items is prohibited and will not be allowed.

ESTIMATED PURCHASE REQUEST

On some occasions the total cost of a product or service cannot be determined at the initial date of need. In these type situations a requisition with the estimated dollar amount should be processed to insure that all proper laws regulations/procedures are followed and funds are available and reserved to pay for the obligation. When the invoice is received and the actual dollar amount is determined, an adjustment will be made to the original estimate for payment.

State of Arkansas requires sales tax to be paid on most purchases. When processing a requisition, you must list Sales Tax. If you do not have an exact sales tax from the vendor, enter a line item and “estimate Sales Tax” at the rate of 9.75%. This includes out-of-state vendors.

BID PROCEDURES

(1) Competitive Bids

With a few exceptions, all purchases for commodities and services exceeding $10,000 in total cost, not including sales tax, are subject to bid procedures. Purchases for normal commodities and services that total over $10,000 but not over $50,000 will be awarded by use of Competitive Bid procedures. Competitive bidding is a method of procurement which requires obtaining bids by: (a) direct mail request, (b) fax, (c) telephone to bidders and obtaining written set prices of each item, or (d) e-mail. This procedure can normally be accomplished within five (5) working days but can take longer depending upon the complexity of the product required. Once a minimum of three bids is received, a requisition is processed online. Bids are forwarded to the purchasing office along with the documentation of the product requested.

(2) Competitive Sealed Bids

Purchases totaling more than $50,000 for commodities and services require formal Competitive Sealed Bid procurement to be accomplished by the Purchasing Department. This procedure requires a newspaper advertisement and takes a minimum of twenty (20) days, normally longer. Individuals requisitioning commodities and services of this nature should allow time for the above procedure when anticipating their departmental needs.

The individual requesting the item is responsible for working with the purchasing department to development complete bid documents with a detailed description for each item or service requested.

CAPITAL IMPROVEMENT/PUBLIC WORKS

Capital improvements valued at less than $20,000 are subject to Arkansas Building Authority minimum standards and criteria are exempted from requirement of the Procurements Law. All work the college directly contracts with a contractor and is estimated over $20,000 must be formally bid in accordance with Arkansas laws and regulations.
“Capital Improvement” means all land, buildings, structures, utilities on-site and off-site improvements, and other appurtenant improvements, existing or future, and all construction, repairs, alterations, and renovations thereof which are undertaken, owned, operated, or otherwise managed by a state agency.

“Public Works” means works, whether of construction or adaptation, undertaken and carried out by the national, state, county, school district, or municipal authorities, and designed to serve some purpose of public necessity, use, or convenience; such as public buildings, roads, aqueducts, parks, and all other fixed works constructed for public use. The term relates to the construction of public improvements and not to their maintenance or operation.

**EXCEPTIONS TO BID REQUIREMENTS**

There are a few circumstances and items for which Arkansas Purchasing Law provide exceptions to all or part of the bid requirements. Please note that failing to anticipate needs due to poor planning is **NOT** an exception.

**NOTE:** Exempt Commodities or Services do not exclude the approval of a Purchase Order prior to the acquisition of commodities or service.

Certain purchases, which may be authorized by the Purchasing Official without the necessity of bid procedures are as follows:

Exempt Commodities and Services:

- (a) Advertising in newspapers and related publications, television, radio, and billboards;
- (b) Freight and storage charges;
- (c) Licenses; (does not include software licenses)
- (d) Maintenance of office machines and technical equipment;
- (e) Membership in professional, trade, and other similar associations;
- (f) Postage;
- (g) Published books, manuals, maps, films, technical pamphlets, and copyrighted educational aids for use in libraries and other informational or instructional purposes, in instances in which other applicable laws do not provide a restrictive means for the acquisition of same;
- (h) Service of some visiting speakers, lecturers and performing artists Travel expenses, such as room and board and transportation charges;
- (i) Utilities
- (j) Gasoline credit card purchases;
- (k) Commodities procured for resale in cafeterias, bookstore, gift shops, canteen and other similar establishments.
- (l) Fees, Medical and physician fees;
- (m) Taxes
- (n) Travel expense items, such as room, board and transportation charges
- (o) Work of art for museum and public display.

**EMERGENCY PURCHASE**

When circumstances dictate that the immediate acquisition of commodities or services is necessary to prevent endangerment of human life, health, state property, or the functional capability of the university, an emergency exists and an emergency procurement may be initiated.

- (a) All emergency procurements must be approved in advance by the Purchasing Dept. A department must submit a requisition along with an explanation of the emergency, and unless the emergency is critical,
department must obtain a minimum of three (3) competitive bids. The quotation abstract must show the names of at least three (3) firms contacted in attempting to obtain competition.

(b) When time or circumstances do not permit prior approval, approval must be obtained at the earliest possible date. Requests for approval should be in writing and must include a requisition and a written explanation of the emergency. The written explanation must give specific reasons for determining that an emergency existed. The department must also include a copy of a quotation abstract with the request for approval. The quotation abstract must show the names of at least three (3) firms contacted in attempting to obtain competition.

(c) Emergency procurement can become the personal responsibility of individuals making the purchases.

SOLE SOURCE PURCHASE

Sole source procurements are those which, by virtue of the performance specifications, are available from a single source. Brand name or design specifications are not sufficient justification for sole source. Such procurements may include but are not limited to the following:

(a) Requirements of performance compatibility with existing commodities or services.
(b) Repairs involving hidden damages.
(c) Requests for approval should be in writing with the following information and must include a requisition and an explanation of sole source: (1) What the item/unit is to be used for (2) Why no other item/unit can be used (3) Why no other vendor or source can provide the product or a like product. Final determination on “Sole Source” will be made by the Purchasing Department and recommended for approval to the VP of Fiscal Affairs.

STATE PURCHASING CONTRACT ITEMS

The State of Arkansas has issued numerous state contracts that SEARK is obligated by law to use. You may wish to call the purchasing office before entering a request to check on mandatory contracts.

The following are examples of items which are under statewide "term contracts." Commodities may be added to or deleted from this list at any time. These items must be purchased only from the contract source. Go to http://www.dfa.arkansas.gov/offices/procurement/contracts/Pages/default.aspx for a complete listing of state contracts.

Air Conditioners/Heat Pumps
Automobiles (Trucks and Vans)
Computers
Custom and Stock Continuous Labels
Lamps/Ballasts
Office Supplies, General
Snap-Out Forms, All
Telephones Instruments
Toilet Tissue and Paper Towels
Xerographic & Print shop Paper

Ammunition
Copiers
Continuous Forms (Standard and Custom)
Index Tab Dividers, Custom Printed
Envelopes, all
Printing - some types of publications; Letterhead; Forms;
Software LAR
Tires and Tubes
Video Recording Tapes

OFFICE SUPPLIES

Office supplies are on a Mandatory State contract with Goddess Products. Nearly all office supplies, regardless of intended use, must be purchased from Office Depot. Office supplies and any other contracted items cannot be purchased from any other sources. Departments are advised that many items under contract are not available by choice of brand and/or model number. The contracts are awarded on goods meeting minimum specifications or on an "or equal basis."
**NON-MANDATORY CONTRACT LIST, OFFICE SUPPLIES**

- Batteries
- Break room items – Examples: Coffee pots, coffee, sodas, bottle water, candy, sweetener, creamer, eating utensils, paper plates, napkins, paper towels
- Cleaning Supplies
- Envelopes
- First Aid supplies, medicines, hand sanitizers
- Furniture
- Gloves
- Kleenex, bathroom tissue
- Lamps
- Light Bulbs
- Office Technology – Computers, monitors, etc.
- Copy & Print Depot
  - State agencies must follow Amendment 54 and follow the Procurement Law & Rule guidelines.
- Promotional Items - Custom Personalized Products. State agencies must follow the Procurement Law & Rule guidelines.
- Toner, ink cartridges
- Trash bags, can liners

**BLANKET PURCHASE ORDER**

A blanket purchase is a purchase order issued to one vendor for commodities or services to be secured or rendered over a specific period of time. List specific period of time and name of event or items covered under the blanket purchase.

- **Restrictions:** Because the college is required to purchase certain items on state contract and because printing is subject to bidding, blanket purchase orders are not allowed for these types of purchases.

**PRINTING**

All printing, regardless of the cost, must be processed through State Contract, State Agency or bid process. The printing criteria are as follows:

1. Uses commercial printer’s ink. The use of a soy ink product is REQUIRED for printing.
   a. Not toner or inks for inkjet printers, etc.
2. Uses a commercial printing press
   a. Not a digital printer or copy machine
3. Produces on paper
   a. Not plastic, canvas, etc....

SEARK can solicit bids up to $100,000 for printing not done at an approved State Agency. Detailed specifications and price estimates are a must on all requisitions on printing jobs. When printing is required, contact the purchasing department prior to processing online requisitions for assistance with printing jobs.

Note: State regulations absolutely prohibit the College from approving payments for printing that were not procured by authorized purchasing procedures.
Copy/Digital Copying

Copy/Digital Copying is no longer considered “printing”. Requisition must state copying or digital copying. Invoices from the vendor must state type of printing: toner or digital.

PROMOTIONAL ITEMS

Promotional items will follow the sale bidding process and any other commodities.

RECEIVING GOODS/MERCHANDISE

All incoming freight (with few exceptions) is handled through shipping and receiving. If a delivery is attempted in your department, direct that person to shipping and receiving.

Upon receipt of delivery, the department should inspect the contents for correct merchandise, quantity or for damages of any nature. Any packing slip and/or invoice that are received should immediately be forwarded to Accounts Payable.

BUSINESS CARDS

Business Cards are purchased through U of A Cooperative Extension Service. Purchase department will place order for all business cards. All pertinent information should be forwarded to the purchasing department with the requisition number listed. SEARK’s official logo and the approved standard format will be used exclusively.

TRAVEL CARDS/REQUISITIONS

SEARK has a State issued “Ghost” Travel Card for the purpose of registration fees, hotel accommodations, and airline tickets for most faculty and staff. President, VP and a selected group of faculty and staff maybe issued a Travel Card in their name for the purpose of hotel accommodation and airline tickets when traveling individually or with a group. Both type travel cards follow the same procedures.

Requisitions for Hotel accommodations, Airline tickets must contain the following minimum information listed on the requisition:

a) Name of person traveling, name on ticket to be issued must match exactly the name on your driver’s license or other type(s) of photo identification
b) Name of Hotel and/or Airline
c) Destination
d) Date of departure and return
e) Name of Conference attending
f) Purpose of trip (conference, recruiting, etc)

A Travel Authorization (TA Form) must be approved and forwarded to the purchasing department prior to a purchase order being processed.

P-Card (Purchasing Card) Purchases

SEARK issues P-Cards to authorized individuals for use in their departments. All P-Card purchases must be approved and a purchase order issued before a purchase can be made. If policy and procedures are not followed, P-Cards can be suspended.
or revoked (refer to P-Card Program Policy and Procedures). P-Cards are kept locked in the vault and must be signed out prior to use.

**FOOD PURCHASES ON CAMPUS**

No food may be purchased with state/federal funds for SEARK employee-only meetings. Regulations do not allow refreshment expense for employees.

External organizations, SEARK organizations and employees meeting with non-employee or student attendees may provide food when meeting on SEARK campus.

**CATERING AND SPECIAL MEETING**

The SEARK Food Service (Shark Attack) has rights of first refusal on all catering activities and special meetings on campus or off-campus College sponsored activities.

**OFFICE MACHINE REPAIR AND MAINTENANCE SERVICE**

The typical office machine repair is covered by a “maintenance contract.” Most equipment covered by this type of service has a sticker with the name of the company, phone number, serial number of the equipment, etc. affixed in a very visual location on the equipment. In these cases the individual departments call the required service directly into the servicing company. All other types of repairs and services of office machines must be approved through the Purchasing Department. If the repair/service cost is not known at the time of need then a requisition with an estimated dollar amount must be processed prior to any repairs or service being done.

**CONSTRUCTION, RENOVATION, OR REMODEL**

The Physical Plant Director is responsible for all new construction, renovation or remodel of all College buildings and grounds. This responsibility covers everything from the construction of a new building to the relocation of an electrical outlet.

All requests from departments that are for construction, renovation remodel or for products that will require construction, renovation or remodel for their installation will be directed to the Physical Plant Director for approval and processing. The process can require several layers of approvals depending on the nature of the project, source of funds, and total estimated cost.

Always contact the Physical Plant Director for assistance in this type of request.

**PROFESSIONAL AND CONSULTANT SERVICES**

Professional services consist of personal services, which are professional in nature, of an individual or individuals who are not employees of the State of Arkansas. The purchase of professional and consultant services up to $10,000 can be accomplished by use of a Purchase Order. Services exceeding $10,000 in fees require the utilization of a Professional/Consultant Services Contract and the Professional/Consultant Services justification form, in addition to regular purchasing procedures. These contracts are subject to review and advice by the Department of Finance and Administration, Legislative Council or Joint Budget Committee Review. Services exceeding $50,000 are subject to review and advice by the Legislative Council. Departments are advised to contact the Purchasing Department for the current procedures and form requirements at least sixty (60) working days in advance of the need for such services involving expense from $10,000 to $50,000 and ninety (90) days in advance for those services involving expenses over $50,000. A W-9 form must accompany
each Purchase Request. With recent changes and the possibility of upcoming requirements related to the process and approval of these type contracts, it is advisable that a department should contact the Purchasing Department as soon as a need is known.

**VENDOR APPLICATION**

It is the responsibility of the department to get all major information when requesting new vendor set up. A vendor application form has been set up to assist with the information required to set up new vendors. *(See Attached)* New vendors will not be set up until purchasing department receives completed form.

**W-9 FORMS**

The W-9 form is the basis for establishment of "Vendor Maintenance" with the State of Arkansas. A Vendor Maintenance File must be established, or on file, with the Department of Finance and Administration prior to any payment being processed. W-9 forms must be completed by the individual or group desiring to do business with SEARK prior to payment being processed for that vendor. *(See Attached)*

**DISAPPROVED REQUISITIONS/PURCHASE REQUESTS**

Purchase orders will not be processed when a proposed expenditure results in a budget deficit. If there are questions or concerns about a purchase order that requires it to be rejected, this can be done by any approval or in purchasing.

**RENTALS, LEASES, LEASE PURCHASE OF COMMODITIES/EQUIPMENT AND REAL ESTATE**

All rentals, leases, lease purchase contracts or renewal of any such contracts for commodities or equipment require prior approval of the Purchasing Department. Proposed written agreements should be submitted for execution along with a completed Requisition form. In many instances it will be necessary to conduct bid procedures, as state law requires bidding on all but short-term arrangements for lease or rental of any tangible items. All contracts for the lease of a commodity that exceeds a cost of ten thousand dollars ($10,000) during the initial period of the contract shall be awarded on the basis of competitive bidding procedures. Any lease of a motor vehicle must have prior approval of the State Purchasing Director. All rentals and leases of real estate must be coordinated by Arkansas Building Authority. College needs should be identified and requested through the Purchasing Department. The request should be submitted to State Building Services ninety (90) days prior to the date the property is needed. They will review the request and act as agent for the College in negotiating the rental or lease of all property.

**PREPAYMENTS**

The general rule for payment of commodities or services is to pay for them only after the receipt of such. In some unique situations pre-payments may be required for such items as postage, U.S. Government documents, association dues, registration fees, subscriptions, etc.

**PAYMENTS**

The Business Service Accounts Payable Office is responsible for the production of all checks. Before any check can be written, a signed “receiving “copy and a proper invoice from the vendor must be received in the Accounts Payable Office. Forward all packing slips and invoices to Accounts Payable.
When submitting requisitions for items to be paid in advance, such as registration, memberships, subscriptions, etc., allow enough time for the approval process. Attach to the requisition documentation stating the cost of the commodity. Take into consideration a Purchase Order is processed prior to the check.

END OF FISCAL YEAR

The end of a Fiscal Year (FY) is on June 30th of each year, thus the expenditure of funds for each FY must be made on or before this date. Before any actual expenditure is made, a requisition must be processed and approved. The item(s) should be received or, in the case of a labor related project, the service/project must be completed. The Purchasing Department receives an extremely large number of Requisitions during the last two (2) months of the FY. Planning ahead on the part of departments will assure you of the best possibility of meeting your requirements and the expenditure made within the FY. See the paragraphs titled “SMALL PURCHASE” and “BID PROCEDURES”. Sufficient time is needed in order for your requirements to be processed, supplies/equipment received and payment made prior to the end of the FY. All Requisitions for equipment items or large amounts (over $25,000) of commodities should be received in the Purchasing Department no later than six (6) weeks prior to the actual need, if the need involves labor allow eight (8) weeks. It is suggested that each department maintain a list of needs at all times. If this list contains bid type items then suggested specifications must also be maintained. Each year cut off dates will be established and announced by the Purchasing Official and Vice President of Fiscal Affairs.

STANDARDS OF CONDUCT

A. Statement of Policy: All purchasing policies and procedures used by the Southeast Arkansas College are for the purpose of obtaining the highest quality materials and services at the lowest possible price. Arkansas Purchasing Law and Regulations charges public employees with discharging their duties impartially so as to assure fair competitive access to governmental procurement by responsible contractors. Moreover, they should conduct themselves in such a manner as to foster public confidence in the integrity of both the State’s and Southeast Arkansas College’s procurement organization. In this regard, it is expected that vendors who do business with Southeast Arkansas College will observe the same ethical standards.

B. Gratuities and Kickbacks:
   a. Gratuities. It is a breach of ethical standards for any person to offer, give, or agree to give any employee of Southeast Arkansas College or for any employee of Southeast Arkansas College to solicit, demand, accept or agree to accept from another person a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing or in any other advisory capacity in any preceding or application, request for ruling, determination, claim, or controversy, or other particular matter pertaining to any contract and any solicitation or proposal therefore.
   b. Kickbacks. It is a breach of ethical standards for any payment, gratuity, or offer of employment to be made by or on behalf of a contractor or any person associated, as an inducement for the award of a contract or order.

C. Use of Confidential Information. It is a breach of ethical standards for any employee to knowingly to use confidential information for actual or anticipated personal gain or for the actual or anticipated personal gain of any other person.

D. Public Access to Purchasing Information. Purchasing information is a public record to the extent provided for in the Freedom of Information Act.

EQUIPMENT PURCHASES/INVENTORY PROCEDURES

Equipment is defined to be “all tangible property with a total unit cost of $5,000 or more and a normal usage of two (2) years.” This is the general guideline for placing items on the school’s inventory; however, there are items that are considered to be high pilferage items that need to be accounted for in the same manner as well as items purchased in
groups, i.e. chairs, desks, etc. that have a relatively small cost individually but collectively need to be accounted for on an inventory.

When an item is capitalized, a tag number is assigned and placed on the item. At this point the item is in the department that it was purchased for and becomes the responsibility of that department.

To remove an item from inventory a Buildings & Grounds Maintenance Department Work Request with all pertinent information (inventory tag number, model number, serial number, etc.) needs to be submitted to Physical Plant Director. If items are stolen, contact Buildings & Grounds in a timely manner for the necessary paperwork. This is absolutely necessary for audit purposes.

Equipment is not to be taken off campus without executive approval.