

TITLE 610. STATE REGENTS FOR HIGHER EDUCATION
CHAPTER 1. ADMINISTRATIVE OPERATIONS
SUBCHAPTER 11. PURCHASING

610:1-11-3. Definitions [AMENDED]

The following words and terms, when used in the Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Acquisition" means all type of purchases and rental necessary to perform the duties assigned to the Oklahoma State Regents for Higher Education, whether bought or leased by contract or otherwise, and includes every means by which the Oklahoma State Regents for Higher Education obtains any materials, supplies, service or equipment.

"Award" means when the Authority, Chief Executive Officer, department, Purchasing Director, or other person authorized to make the acquisition, agree on a suitable vendor for a competitive bid and the Purchasing Director, or designee, notifies the successful vendor.

"Bidders list" means a list of individuals or business entities that desire notification of solicitations for specified commodity codes.

"Chancellor" means the Chief Executive Officer at the Oklahoma State Regents for Higher Education.

"Commodity Code" means a group of like products or services.

"Competitive Bidding" means a process of acquisition wherein bidders submit bids to the Purchasing Director pursuant to terms, conditions and other requirements of a solicitation.

"Days" means calendar days unless otherwise specified.

"Department" means a department within the Oklahoma State Regents for Higher Education

"EEOC" means Equal Employment Opportunity Commission.

"Emergency acquisition" means an acquisition made by the Purchasing Director without seeking competitive bids to relieve an unforeseen condition believed to endanger human life or safety or pose imminent danger to significant property.

"Equipment" means all personal property acquired for the Oklahoma State Regents for Higher Education's use which is in the nature of a tool, device, or machine and shall be deemed to include all personal property used or consumed by The Oklahoma State Regents for Higher Education and is not included within the category of materials and supplies.

"Fiscal Year" means the period of time from July 1 of a calendar year through June 30 of the succeeding calendar year.

"Goods" means products, material, supplies and includes all property except real property acquired by the Oklahoma State Regents for Higher Education for its use or consumption, except equipment.

"Invitation to Bid" or **"ITB"** means a document issued which describes the goods or services for which offers are being solicited.

"Professional Services" means services which are predominantly advisory or intellectual in character, or involve support rather than supplying equipment, supplies or other merchandise. Professional services include those services requiring special, usually advanced education or skill.

"Purchasing" means the Purchasing Department of the Oklahoma State Regents for Higher Education.

"Purchasing Director" means the Purchasing Director of the Oklahoma State Regents for Higher Education.

"Request for proposal" or "RFP" means a type of solicitation the Purchasing Director sends to suppliers requesting submission of proposal for acquisitions.

"Request for quotation" or "RFQ" means a simplified written or oral solicitation the Purchasing Director sends to suppliers requesting submission of a quote.

"Services" means labor rendered by a person to another as distinguished from providing tangible goods. It shall include any type of personal or professional service, employment or undertaking except the employment of regular officers and employees by a state agency or such extra seasonal help as is authorized by law and is regularly use.

"**Solicitation**" means a request or invitation by the Purchasing Director for a supplier to submit a priced offer to sell acquisitions to the state. A solicitation may be an invitation to bid, request for proposal or request for quotation.

"**State Regents**" means the Oklahoma State Regents for Higher Education.

"**Vendor registration**" means a process a supplier uses to register with the Purchasing Division to receive solicitations for specified commodities for a specified period of time.

610:1-11-12. Purchases ~~\$2,500~~ \$5,000 or less [AMENDED]

Purchases ~~\$2,500~~\$5,000 or less are not subject to competitive bidding and may be made from vendors capable of providing the required good(s) or services(s) in a quality and timely manner.

610:1-11-13. Purchases between ~~\$2,501~~ \$5,001 and \$25,000 [AMENDED]

Purchases between ~~\$2,501~~ \$5,001 and \$25,000 may be made on the basis of an informal bid process. Purchases made on this basis require price solicitations from a minimum of three (3) vendors, with a minimum of two (2) price quotations being received. All price quotations must be supported by documentation of emailed solicitations and responses, telephone solicitations or facsimile transmission from the vendors.

610:1-11-14. Purchases in excess of \$25,000 [AMENDED]

Purchases in excess of \$25,000 must be reported to the Budget & Audit Committee. These purchases shall be made on the basis of one of the following processes:

- (1) Formal Solicitation process.
- (2) Alternatives to the formal bid process. Purchases may be made from purchase orders or purchase contracts or at a price equivalent to purchase order or purchase contracts that have been awarded to a vendor(s) on the basis of competitive bids by any of the following entities:
 - (A) ~~Oklahoma Department of Central Services~~ The Office of Management and Enterprise Services;
 - (B) Colleges, universities, and other entities within the state system;
 - (C) General Services Administration; and
 - (D) ~~Educational~~ Purchasing consortia.

610:1-11-20. Purchasing Authority for OneNet Statewide contracts [AMENDED]

(a) ~~The Department of Central Services~~ The Office of Management and Enterprise Services shall recognize as a statewide contract an unencumbered contract consummated in behalf of the telecommunications network known as OneNet by the Oklahoma State Regents for Higher Education or any other state entity assigned responsibility for OneNet; ~~provided, said recognition shall require recommendation by the Information Services Division of the Office of State Finance.~~ The ~~Department of Central Services~~ Office of Management and Enterprise Services shall not subject purchases pursuant to said contracts to any quantity limit. {74 O.S., §85.9E. A.}[62 O.S. §34.20.1.A]

(b) The Oklahoma State Regents for Higher Education and any other state entity assigned responsibility for OneNet are authorized to negotiate for education or government discounts from published price listings and to make contracts at such prices subject to adjustment for price increases nationally published. {74 O.S., §85.9E. C.}[62 O.S. §34.20.1 C]

610:1-11-23. Higher Education Purchasing Consortium [NEW]

The Oklahoma State Regents for Higher Education shall have the authority to issue competitive solicitations on behalf of the Oklahoma State System of Higher Education including institutions, centers, or other constituent agencies of The Oklahoma State Regents for Higher Education in an effort to obtain the maximum value and savings for the Oklahoma State System of Higher Education.