

Policy 4201
Procurement of Goods, Supplies & Services

Date of Current Revision: December 2020

Responsible Officer: Associate Vice President for Business Services

1. PURPOSE

This policy prescribes regulations for the university's procurement of goods, supplies and services. The policy is designed to comply with applicable state laws, regulations, and policies.

2. AUTHORITY

The Board of Visitors has been authorized by the Commonwealth of Virginia to govern James Madison University. See Code of Virginia § 23.1-1600; § 23.1-1301. The Board has delegated the authority to manage the university to the president.

3. DEFINITIONS

Contract Approval

Process by which a contract between JMU and an outside entity is executed.

Emergency Procurement

A procurement method used as a result of a serious or urgent issue that demands immediate action (normally impacting the health or safety of individuals, security or condition of property, or as otherwise deemed necessary in the reasonable judgment of the director of procurement).

Term Contract

A contract awarded whereby a source of supply is established for a specific period of time. Term contracts are established based on indefinite quantities to be ordered "as needed," although such contracts can specify definite quantities with deliveries extended over the contract period.

4. APPLICABILITY

This policy applies to all procurement for the university by faculty, staff, students, and administrators, regardless of the source of funds, including procurement charged to educational and general, auxiliary enterprise, grant and local fund accounts.

5. POLICY

All procurement of goods and services must be made according to applicable state laws, regulations, policies, and procedures, as well as guidelines established by the director of procurement services. All procurement will be made in a fair and ethical manner, without impropriety or the appearance of impropriety.

6. PROCEDURES

6.1 Procurement Procedures

Procurement procedures including instructions for completing forms, are provided at the [Procurement Services website](#).

6.2 Cancellation of Contracts and Purchase Orders

Contracts and purchase orders issued by the Office of Procurement Services may only be changed or canceled by that office. Requests for needed changes or cancellation are to be submitted to the Office of Procurement Services for issuance of a formal change order. Communication of needed changes or cancellations to vendors by other departmental personnel is not authorized.

6.3 Term Contracts

The Commonwealth and the university award term contracts for the procurement of certain goods, supplies, and services to obtain more favorable prices through volume purchasing and to reduce procurement lead-time and administrative effort. Items available on term contracts should be procured from the contracted vendor in accordance with provisions of the contract. Available JMU term contracts can be found at the [James Madison University – Contract Management System](#) web page.

6.4 Contract Approval

Authority to sign procurement contracts for the university is delegated to the senior vice president for administration and finance, the associate vice president for business services, and the director of procurement services; each may further delegate that authority in writing as appropriate. Also see university Policy [4100](#) – Contracts - Signature Authority. A list of such delegations and the dollar limit of authority shall be maintained in the Office of Procurement Services. Such delegations shall include the training needed to assure compliance with applicable laws and regulations and to uphold the integrity of the university's procurement process.

6.5 Emergency Procurement

All persons involved in the procurement process shall engage in proper planning, so as to obtain the quantity, quality, and timeliness of delivery of goods and services at the least cost to the university. Emergency procurement procedures shall be implemented only to protect personal safety or property, not to compensate for improper planning.

7. RESPONSIBILITIES

Purchasers are expected to exercise prudent judgment and their actions must sustain the test of public review.

Persons who issue contracts/purchase orders are responsible to assure the contractor's total performance is in accordance with the contractual agreement. Problems, including over shipments and overruns, complaints, and non-compliance with contractual provisions, are to be resolved by the issuing authority. Persons who receive delivery of goods, supplies, and services are responsible for the prompt inspection for shipping damage, shortages, and completion of a [receiving report](#). Prompt reporting of unresolved problems to the Office of Procurement Services is essential for the university to avail itself of legal remedies.

The director of procurement services is the university's chief procurement agent and contracting officer and shall administer the university procurement program by recommending policy, and developing, publishing, and enforcing appropriate procedures; delegating procurement authority to departments as appropriate; comparing requisitions for purchase with reasonable standards; reviewing the procurement delegation and activity/records of departments for legality and compliance with this policy.

All departments, offices, and employees that generate, receive, or maintain public records under the terms of this policy are responsible for compliance with Policy [1109](#) - Records Management.

8. SANCTIONS

Sanctions will be commensurate with the severity and/or frequency of the offense and may include termination of employment.

9. EXCLUSIONS

Requests for exception to this policy are to be submitted in advance of procurement to the director of procurement services for consideration.

10. INTERPRETATION

Authority to interpret this policy rests with the president and is generally delegated to the associate vice president for business services.

Previous version: March 2018

Approved by the president: April 2002