

PURCHASES USING FEDERAL FUNDS

Overview

The OMB Uniform Guidance went into effect on December 26, 2014 and applies to awards or funding increments issued on or after that date. Purchases funded by federal grant funds must adhere to regulations found in Uniform Guidance as a condition of receiving funds and to meet annual audit compliance. Smith College will implement the new federal guidelines regarding procurement for all federal grants effective July 1, 2018.

Methods of Procurement

The uniform guidance outlines five methods of procurement:

1. **Micro-purchases** - the acquisition of supplies or services, the **aggregate** dollar amount of which does not exceed \$10,000 (refer to Guidelines for Purchases below).
2. **Small purchase** - the acquisition of supplies, services or equipment in the range of \$10,001 to \$150,000 (**aggregate amount**). Price or rate quotations must be obtained from an adequate number of qualified sources prior to making a purchase.
3. **Sealed bids** - For acquisitions costing more than \$150,000, bids are publicly solicited and a firm fixed price contract is awarded to the responsible bidder whose bid is the lowest price.
4. **Competitive proposals** - For acquisitions costing more than \$150,000, conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program with price and other factors considered.
5. **Noncompetitive proposals** - procurement through solicitation of a proposal from only one source. A waiver must be granted by submitting the Sole Source Justification.

Sole Source Procurement

UG has limited the use of sole sources to four distinct justifications. Those are:

1. Product/service is only available from a single source;
2. Public Emergency Procurement
3. Federal Awarding Agency Authorization (the awarding agency specifically authorizes a non-competitive procurement after a written request from the Non-federal entity);
4. Inadequate competition after solicitation of multiple sources

These changes will result in increased scrutiny of all sole source justifications. The most significant change to the sole source section of UG (from the OMB circulars) is that the "continuity of research" justification is no longer an acceptable sole source.

Guidelines for Purchases

- Purchases must follow the Smith College purchasing procedures for both tangible goods and services.
- Purchases must be necessary, not duplicative and must provide a direct benefit to the Federal grant.
- The threshold amounts refer to the total cost of the purchase. For example, purchasing three \$900 laptops is considered to be a \$2,700 purchase, not three separate items. A \$90,000 equipment purchase with a \$5,000 delivery/set-up fee and \$8,000 in ancillary parts constitutes a purchase over \$100,000.
- Purchases must remain in aggregate and cannot be separated into multiple increments in order to bypass procurement threshold requirements.