**Texas State Procurement Training and UPPS No. 05.02.05**

**Certification Requirements Issue No. 3**

 **Effective Date: 05/09/2019**

 **Next Review Date: 10/01/2023 (E4Y)**

 **Sr. Reviewer: Associate Vice**

 **President for Financial Services**

**01. POLICY STATEMENTS**

01.01 This policy specifies the minimum [procurement training and certification requirements](https://gato-docs.its.txstate.edu/jcr%3Ac53d8e95-4a87-48ed-b169-5b07de66b464/Procurement%20Procedures%20Handbook%20Official%203.2019.pdf) for any Texas State University employee identified with Texas State procuring, purchasing, contract development, or contract management as defined in Section 02.

01.02 The Texas State Procurement and Strategic Sourcing Office will implement, oversee, and maintain a procurement training program that will:

1. require all Texas State purchasers, contract developers, and contract managers to obtain the appropriate level of procurement certification that is determined by the state comptroller;

1. provide training opportunities to Texas State procurers regarding “best value” procurement techniques and methodologies; and

1. keep Texas State procurers abreast of any changes that may impact Texas State’s procurement processes.

01.03 This policy applies to all Texas State procurers who routinely purchase goods, materials, services, or prepare competitive solicitations to procure goods, materials, or services on behalf of Texas State, including utilizing the following Texas State procurement processes:

1. use of P-card for any procurement, regardless of the amount;

1. use of P-card for any procurement exceeding the standard Texas State P-card spending limits;

1. use of the procurement systems; and

1. any other approved procurement process at Texas State.

**02. DEFINITIONS**

02.01 P-Card – Texas State issued state of Texas procurement card used for the purchase of small dollar or emergency procurements. For additional details, refer to the [Texas State Procurement Card Manual](https://www.txst.edu/procurement/howtopurchase/procurementcard.html).

02.02 HUB – vendors certified by the state of Texas as Historically Underutilized Businesses (HUBs). The state of Texas mandates this vendor class for consideration for increased procurement opportunities and awards with state agencies and institutions of higher education. A vendor must meet certain criteria established by the state of Texas in order to be certified as a HUB. For additional details, refer to the [Texas State HUB Outreach Program website](https://www.txstate.edu/procurement/hub-specialist.html).

02.03 TSUS Marketplace – e-Procurement system implemented at Texas State to expedite and improve the efficiency of the procurement process and leverage Texas State’s purchasing power, while ensuring compliance with applicable procurement policies and procedures. This is the preferred Texas State procurement process because of the built-in workflow and approval processes, ability to capture detailed procurement or spending data, and user friendliness. For additional details, refer to the [Texas State Procurement and Strategic Sourcing website](http://www.txstate.edu/gao/purchasing/).

02.04 Solicitation – requests or invitations to vendors to submit bids, proposals, offers, information, qualifications, or other expressions of interest, either formal or informal, in order to receive an award, order, or contract to provide goods or services to meet Texas State’s needs.

02.05 Purchasing – the receipt and processing of requisitions; development of specifications; development of statement of work; the issuance of purchase orders against existing, cooperative or agency contracts; and verification of the inspection of merchandise or receipt of services by the university. The term does not include the development of solicitations and contract awards.

02.06 Contract Development – applies to actions taken prior to contract execution, including the receipt and processing of requisitions; assessment of need; development and review of specifications; development and review of scopes of work; identification and selection of procurement methods; identification and preparation of evaluation criteria; preparation and advertising of solicitation documents; tabulation of respondent bids; evaluation of respondent proposals; negotiation of proposals; and the preparation and completion of contract award documents. The term does not include invoice or audit functions.

02.07 Contract Management – applies to actions taken following contract execution, including the assessment of risk; verification of contractor performance; monitoring compliance with deliverables and reporting requirements; enforcement of contract terms; monitoring and reporting of vendor performance; and ensuring that contract performance and practices are consistent with applicable university policies and procedures, [Texas State University System (TSUS) Rules and Regulations](https://gato-docs.its.txstate.edu/jcr%3Afe4852f4-5dfe-4e6a-837d-750ac9621db9/TSUS_Rules_and_Regs_thru_02-07-19.pdf), and the laws of the state of Texas.

02.08 Purchaser – Texas State employee whose job duties include the responsibility of purchasing, contract development, or contract management on behalf of Texas State.

02.09 Procurer – Texas State employee whose job duties include the responsibility to prepare and submit request for procurement solicitations, purchase requisitions for goods or services, or third-party contracts to meet the needs of the operating units. The director of Procurement and Strategic Sourcing may determine that other employees, by the nature of their jobs, meet the definition of a Texas State procurer. It does not include:

1. account managers or others who only approve a requisition to expend the funds for making a purchase per [UPPS No. 03.01.09](http://www.txstate.edu/effective/upps/upps-03-01-09.html), Fiscal Responsibilities of Account Managers at Texas State, or give special approvals because of the nature of the procurement (i.e., hazardous, radioactive materials, live animals, vehicles, security equipment, assets, or sponsored programs, etc.);

1. those employees designated the authority to obligate Texas State by approving contracts in accordance with [UPPS No. 03.04.02](http://www.txstate.edu/effective/upps/upps-03-04-02.html), Contracting Authority;

1. employees charged with responsibilities for real property acquisitions or leasing; or
2. department project managers and others who are assigned to monitor a project involving contracted products or services.

02.10 SAP – the university Enterprise Resource Planning (ERP) system. The system performs end-to-end financial functions for the university supply chain resourcing, to include purchase requisitions, purchase orders, goods receipt, accounts receivable, and other finance functions.

**03. PROCEDURES**

03.01 The director of Procurement and Strategic Sourcing is responsible for the development, administration, and monitoring of procurement training at Texas State. The director shall have oversight to:

1. develop the curriculum and study materials, arrange for classrooms and supplies, and assign classroom instructors based on availability and needs;

1. assure that the available schedule of classes is communicated to the Texas State purchaser via email on a first-come, first-served basis and posted to a training website; and

1. track that required procurement certifications are completed for each identified Texas State purchaser.

03.02 Employees are responsible to:

1. schedule, attend, and complete required procurement training or certification identified for their role;

1. schedule, attend, and complete the [necessary continuing education units (CEU’s)](https://comptroller.texas.gov/purchasing/training/continuing-education/) required by the state comptroller; and

1. notify and provide evidence or documentation for the director of Procurement and Strategic Sourcing files upon successful completion of required procurement training classes, certification, or continuing education.

03.03 Department heads are responsible for assuring compliance for the applicable employees (procurers) they supervise.

**04. PROCUREMENT TRAINING**

04.01 Procurement training will provide Texas State procurers a basic understanding of the strategies, [tools, procedures, policies, guidelines](https://gato-docs.its.txstate.edu/jcr%3Ac53d8e95-4a87-48ed-b169-5b07de66b464/Procurement%20Procedures%20Handbook%20Official%203.2019.pdf), documentation, and principles of procurement at Texas State.

04.02 Training will include, but is not limited to, the following topics:

1. procurement basics;

1. procurement ethics:

1) conflicts of interest (actual or perceived), and

2) public integrity;

1. principles of best value;

1. supplier relationships;

1. competitive solicitations;

1. HUB mandates;

1. roles and responsibilities of buyers and suppliers;

1. procurement processes:

1) competitive solicitations,

2) proprietary or sole source procurements,

3) emergency purchases,

4) P-cards,

5) requisition to check process,

6) E-procurement,

7) documentation and records management, and

8) pros and cons of use of P-cards, E-procurement, and SAP procurement;

i. laws, regulations, policies and procedures:

1) Texas State Procurement and Strategic Sourcing guidelines;

2) Texas State policies;

3) [Texas State University System (TSUS) Rules and Regulations](https://gato-docs.its.txstate.edu/jcr%3Afe4852f4-5dfe-4e6a-837d-750ac9621db9/TSUS_Rules_and_Regs_thru_02-07-19.pdf);

4) federal and state laws, rules, regulations, and policies

(a) Texas Public Information Act;

(b) standards of conduct for state employees;

(c) Texas prompt payment requirements; and

(d) Excluded parties list.

5) Attorney General (AG) opinions impacting the procurement processes; and

6) procurement procedures.

j. Procurement systems, methods and tools:

1) P-cards (procurement cards)

(a) use, limitations, and restrictions;

(b) Texas State university and state rules;

(c) reconciliation; and

(d) audit and review.

2) SAP materials management procurement

(a) use and limitations;

(b) T-Codes and workflow; and

(c) reporting.

3) TSUS Marketplace

(a) E-procurement objectives;

(b) forms, screens and reports; and

(c) catalog versus non-catalog purchases.

4) Summary and conclusion

(a) strategic procurement and your role in the process;

(b) gaining the benefits; and

(c) being on the Texas State procurement team.

**05. PROCUREMENT CERTIFICATIONS**

05.01 The Texas State procurement training and certification requirements program for purchasers, as defined in Section 02, has approved the procurement or contract certifications listed below:

a. State of Texas (administered by the Texas Procurement and Support Services Division of the Texas Comptroller’s Office)

1) Certified Texas Contract Developer (CTCD); and

2) Certified Texas Contract Manager (CTCM).

**06. PROCUREMENT PERSONNEL COMPLIANCE WITH TRAINING AND CERTIFICATION REQUIREMENTS**

06.01 Upon adoption of this policy, each purchaser (as defined in Section 02.), will have a maximum of 18 months to complete the required training or certification.

06.02 Any employee hired as a purchaser (as defined in Section 02.), must comply with the training and certification requirements (as defined in Section 04.), within 12 months of the date of hire.

06.03 Texas State will not allow purchasers that do not meet these requirements to solicit or procure for the university in any capacity:

a. Texas State may terminate or re-assign the employee to a position without procurement responsibilities, if possible, at the direct supervisor’s discretion.

b. approval for an exception or an extension to the Texas State procurement training and certification requirements are on a case-by-case basis. The request is to be routed through the appropriate divisional vice president or cabinet officer and concurrence is obtained in writing from the vice president for Finance and Support Services after consultation with the associate vice president for Financial Services and director of Procurement and Strategic Sourcing.

**07. REVIEWERS OF THIS UPPS**

07.01 Reviewers of this UPPS include the following:

Position Date

Associate Vice President for October 1 E4Y

Financial Services

Director of Procurement

and Strategic Sourcing October 1 E4Y

**08. CERTIFICATION STATEMENT**

This UPPS has been approved by the following individuals in their official capacities and represents Texas State policy and procedure from the date of this document until superseded.

Associate Vice President for Financial Services; senior reviewer of this UPPS

Vice President for Finance and Support Services

President