

# HOWARD COLLEGE

## PURCHASING HANDBOOK

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## OVERVIEW

Welcome to the Howard College Business Services (“HCBS”) department. The HCBS department is a part of the Howard County Junior College District (“HCJCD” or “College”) which serves sites in Big Spring, San Angelo, and Lamesa and includes the SouthWest College for the Deaf.

This Purchasing Handbook is designed to provide you with basic information and training on purchasing policies and procedures. You will learn about the tools and resources available to you when making departmental purchases.

The College is a public entity, and as such, is accountable to many stakeholders, including the Howard County taxpayers, the State of Texas, various federal, state, and local governments, and private organizations and individuals. So, when making purchases for the College, it is incumbent upon you to avoid impropriety.

There are three major things that you should consider before making any purchase:

### **USE COLLEGE PURCHASING POWER APPROPRIATELY**

As an employee of the HCJCD, you are allowed to make purchases for official business use only. Make sure that you know what you are purchasing and why it is needed. If you have questions, check with your supervisor or Business Services.

Make every effort to ensure that you are getting quality goods at a fair price. This generally means using trusted vendors and shopping for the best price for the item(s) needed.

Provide courteous, fair, and open competition to all potential vendors. Keep non-public information confidential.

### **AVOID THE APPEARANCE OF FAVORITISM**

Do not accept gifts or gratuities from vendors, either for business or personal enrichment. This could bring into question the reasons why the vendor was chosen and whether the decision was based on a legitimate business need.

### **AVOID THE APPEARANCE OF A CONFLICT OF INTEREST**

The College prohibits the purchase, lease, or contracting for services with any employee or near relative who has an employee-vendor relationship. An employee-vendor relationship is defined as

- An employee proposes for consideration to rent or sell goods or to provide services to the College, or an employee owns or controls more than 10% interest in any business that proposes for consideration to rent or sell goods or to provide services to the College; or

- A near relative of an employee proposes for consideration to rent or sell goods or to provide services to the College, or a near relative of an employee owns or controls more than 10% interest in any business that proposes for consideration to rent or sell goods or to provide services to the College, and the employee has in connection with his or her College employment responsibility for the departmental decision to accomplish or approve the transaction.

## **PROCUREMENT ETHICS**

- Demand ethical practices from all participants in the purchasing process.
- Strive to obtain the maximum value for each dollar of expenditure.
- Foster a transparent environment by being fair and reasonable in all dealings
- Promote positive relationships by providing all competitive vendors courteous, fair, and equal treatment.
- Make reasonable efforts to negotiate equitable and mutually agreeable settlements of controversies with vendors.
- Under no circumstances directly or indirectly accept gifts, gratuities or things of value that might influence or appear to influence purchasing decisions.
- Avoid involvement in any activity that could be considered a conflict between personal interests and the interests of HCJCD.
- Know and obey the State of Texas laws and HCJCD policies governing the purchasing function and remain alert to the legal ramifications of purchasing decisions.
- Retain all nonpublic information in a confidential manner.

# GENERAL PROCESSES

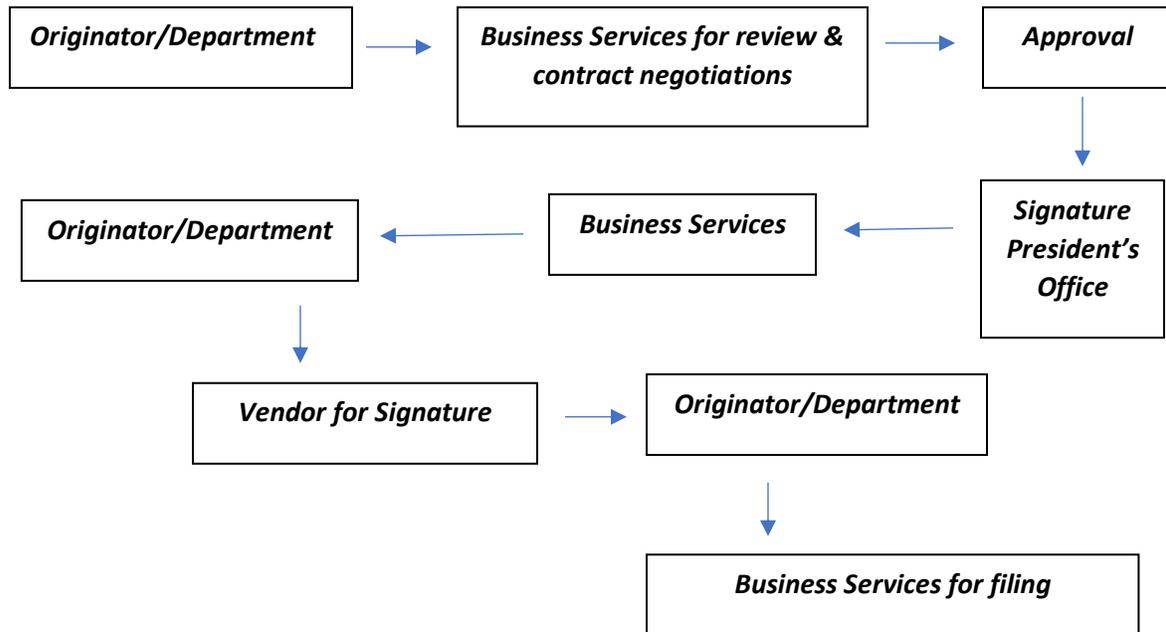
## CONTRACTS

All contracts and agreements that commit College funds shall be signed by the President of the College or her designee. These contracts must be routed through Business Services for review and approval prior to purchasing. E-mail the contractual documents accompanied with a Document Signature Request Form to [BusinessServices@howardcollege.edu](mailto:BusinessServices@howardcollege.edu).

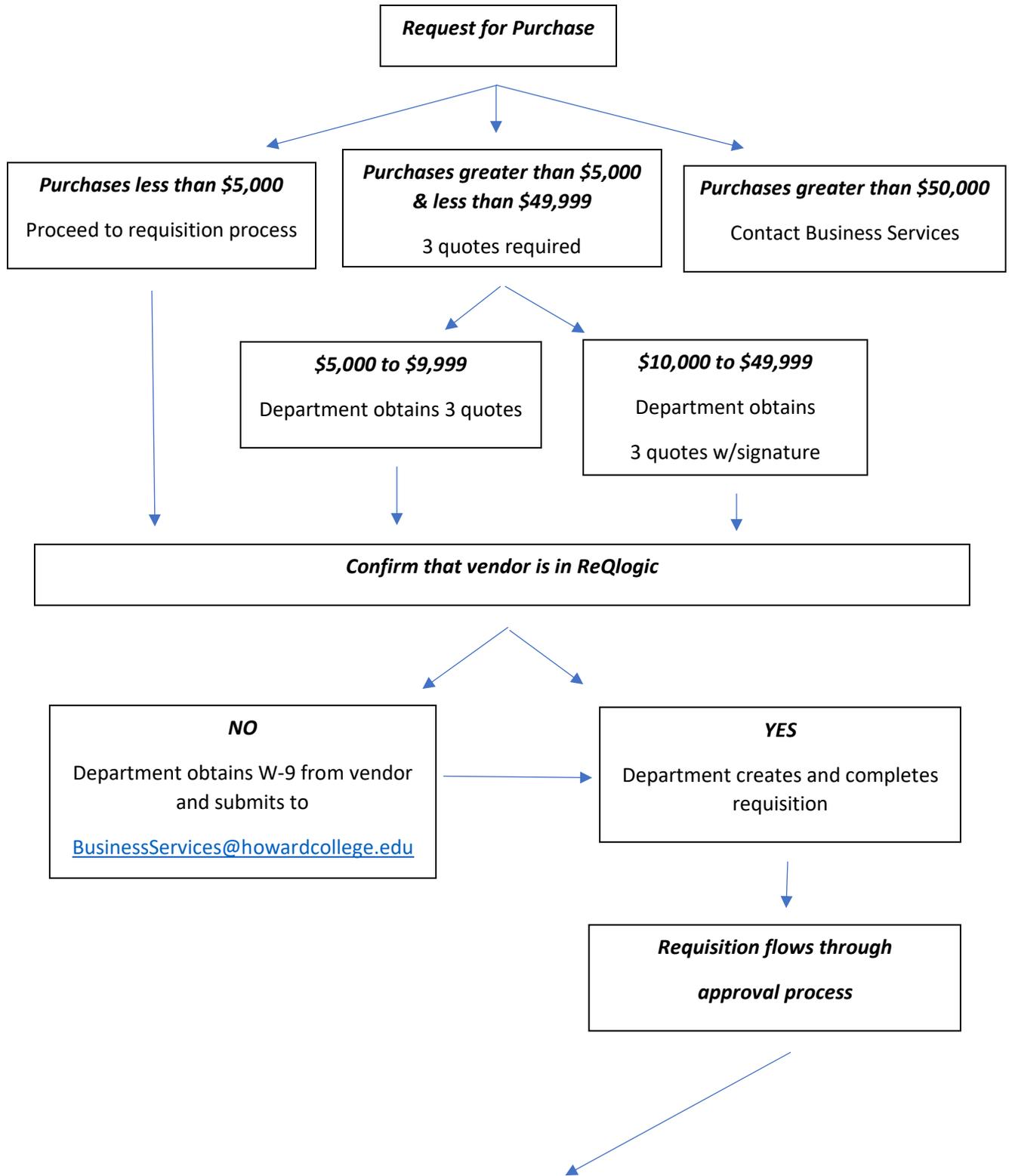
The Request for Signature Form is found at: <https://howardcollege.edu/wp-content/uploads/PDF/Purchasing/Document%20Signature%20Request.pdf>

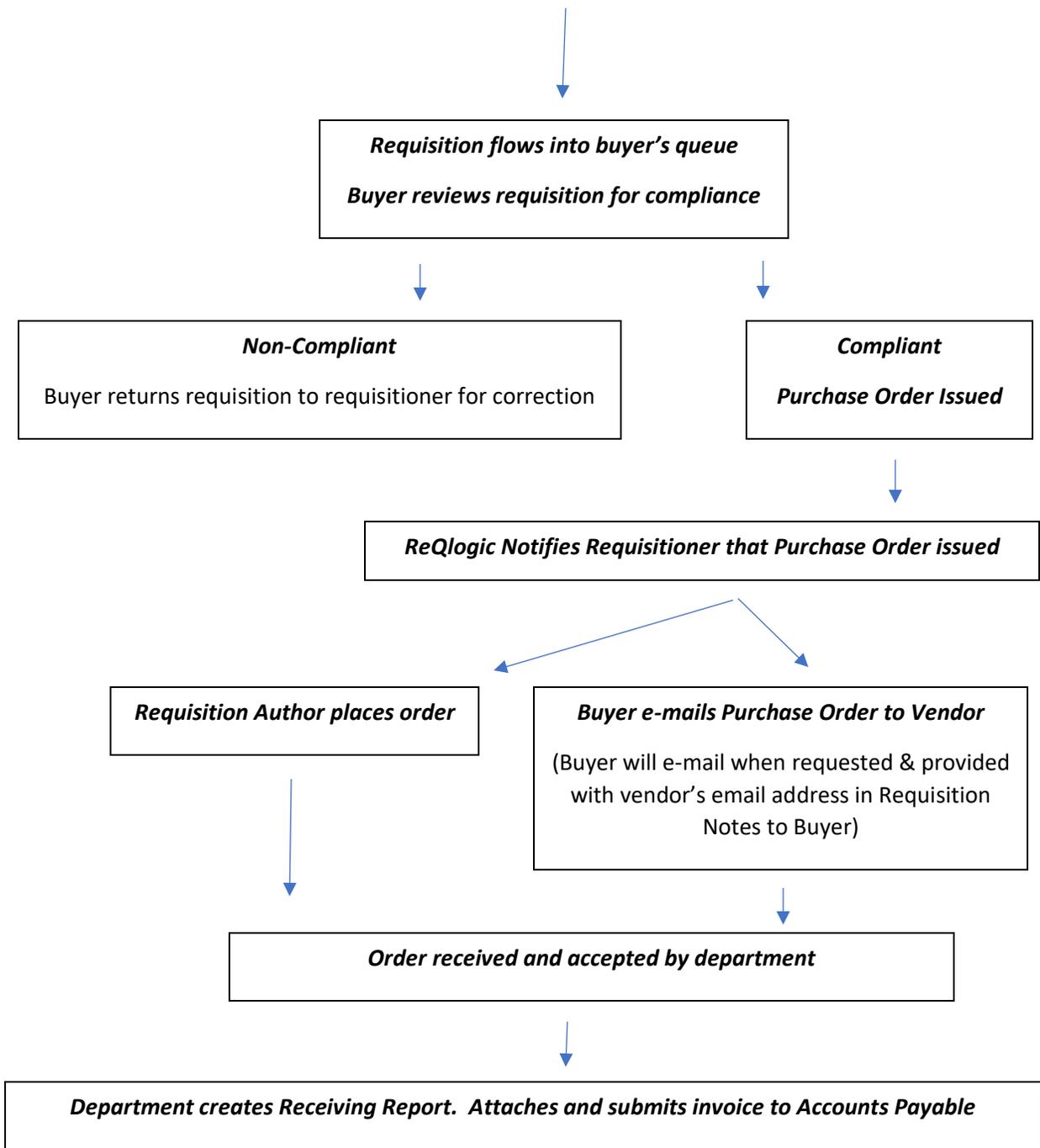
Contracts and agreements are broad terms frequently used to cover various types of agreements including price schedules, fixed price agreements, Memorandum of Understandings, and other legal documents. These agreements are written contracts with a specific vendor for specified products or services and for a designated length of time. The Texas Education Code requires that the College issue solicitations for commodities where the College spends over \$50,000 district-wide over a fiscal year, 12-month period.

### ***Contract Flow:***



# REQUISITIONS AND PURCHASE ORDERS





# GENERAL PROCEDUES

## COMMONLY USED ABBREVIATIONS

CSP	Competitive Sealed Proposal
IFB	Invitation for Bids
PO	Purchase Order
REQ	Requisition
RFP	Request for Proposals
RFS	Request for Facilities Services
RFQ	Request for Qualifications

## COOPERATIVE PURCHASING CONTRACTS & INTERLOCAL AGREEMENTS

A purchasing cooperative is a type of cooperative arrangement that aggregates demand to obtain lower prices from selected suppliers. Co-op agencies are organizations that are independent of the College.

Howard College may participate in interlocal agreements with other local government agencies, educational institutions, or purchasing cooperative organizations which satisfies the law requiring competitive bids.

These types of programs allow government agencies to utilize contracts that were competitively bid. Even though these contracts fulfill competitive bidding requirements, multiple quotes may still need to be obtained in certain situations to demonstrate best value.

The College utilizes several Interlocal cooperative programs, and this list is not all inclusive:

- Texas Association of School Boards (TASB) BuyBoard
- Houston-Galveston Area Council (H-GAC)
- Texas Interlocal Purchasing System (TIPS/TAPS)
- U.S. Communities Government Purchasing Alliance

## SOLE SOURCE

A “sole source” purchase means that **only one supplier**, to the best of the College’s knowledge and by **thorough research** is capable of delivering the required products or services.

A sole source purchase per Section 44.031 of the Texas Education Code **IS**:

- An item for which competition is precluded because of the existence of a patent, copyright, secret process, or monopoly;
- A film, manuscript, or book;
- A utility service, including electricity, gas, or water; and
- A captive replacement part or component for equipment.

A sole source purchase **IS NOT**:

- An item from a vendor because the College really likes that vendor;
- An item the College wants to buy because that is the kind that has always been purchased in the past,
- An item that is conveniently packaged or goods that could be procured separately from multiple sources;
- An item from a vendor that is located close to the college and is convenient; or
- An item that is copyrighted, trademarked, or patented but has acceptable substitutes. An example would be Nike athletic shoes. Nike athletic shoes are patent protected, but there are other brands of athletic shoes such as Adidas, New Balance, etc. that sells athletic shoes. Brand specificity is not considered justification for a sole source purchase.

If you are requesting a sole source purchase, please submit the following information to Business Services:

- A statement that identifies the unique features, characteristics, or specifications of the requested product which will serve as the baseline for the justification.
- An explanation of the College's need for the unique features, characteristics, or specifications. This explanation must address the critical importance of the unique specifications, characteristics, or specifications to the intended use of the product or service by the College.
- A statement explaining why a competitor's product is not satisfactory or why the sole source product or service cannot be provided by any other available vendor.
- Sufficient detail must be included to show that the marketplace has been canvassed to locate acceptable competitive products.

The use of a proprietary/sole source purchase is an overt act that must withstand critical scrutiny. Justifications must be objective and must avoid statements that cannot be substantiated. The justification cannot be that competing products are not satisfactory. It is important to note that the cost of a product is not acceptable justification for a proprietary purchase.

It is recognized that many sole source purchases are based upon extensive investigative work done by the end-user before submitting the requisition and that there are good reasons why one product will work, and another may not.

Remember that a proprietary/sole source purchase is an exception to the competitive bidding requirements and should only be used when appropriate. The Business Services Department and/or President of the College has final authority to determine if a product or service meets the sole source criteria as specified in the Texas Education Code 44.031(j)(k).

Because of patent expirations, new technologies, and new companies entering the marketplace, justification on all sole source purchases shall be reviewed on an annual basis.

In addition, annual justification is not required for software or products that would require a significant financial investment by the College to replace the major component of the item/service that is considered to be sole source.

## **CAPITAL OUTLAY**

Capital outlay is defined as, “expenditures with a combined value equaling \$5,000 or greater for the acquisition of non-consumable property such as equipment, software technology and associated upgrades, vehicles, and other such items that operate as a unit.”

Capital outlay items are maintained on the College inventory system and must be purchased using the College requisition system. All capital items must be coded with the Capital Object Code – 56290, even if they are listed on a requisition with multiple lines and less than a \$5,000 unit cost.

## **PROCUREMENT METHODS**

The Requisition Author must be knowledgeable of all purchasing procedures and follow all procedures when purchasing items from vendors.

“Purchase” is defined as goods, services, and/or projects within a fiscal year’s 12-month period using:

- several requisitions during that time, or

- one requisition from one or many suppliers.

Separating of purchases into multiple requisitions to avoid procurement procedures is prohibited.

Purchases using federal monies may require additional quotes in conjunction to interlocal cooperative vendors and/or sole source letters.

Requisition Authors should inquire if a vendor is a member of a Interlocal cooperative, and these contracts should be utilized whenever possible. When a vendor is a member of an Interlocal cooperative, the Requisition Author must obtain and attach a written quote to the requisition which includes the quote date, name of representative, and Interlocal cooperative contract number. The cooperative contract number must be entered in the *Interlocal Contract Information field* in the format following: Cooperative Name – Cooperative Contract Number, i.e. BuyBoard # 90-123.

### ***Quote Requirements***

#### 1) When A Purchase is Below \$5,000

When a purchase is below \$5,000 a requisition may be entered without additional requirements, but additional requirements may be required for future purchases as defined by “Purchase” above.

Comparison shopping is encouraged, and purchases in this category must consider expediency, efficiency, relevant information, and best value for the College.

#### 2) When A Purchase is Between \$5,000 and \$9,999

When a purchase exceeds **\$5,000**, the department must obtain three quotes and attach them to the requisition when submitting it, unless one of the following criteria is met:

##### a. Interlocal Cooperative Information

- Attach a written quote from the vendor which includes quote number, quote date, name of representative, and Interlocal cooperative number.
- Enter the Interlocal cooperative number in the *Interlocal Contract Information field*.

b. College Awarded Contract (RFP, Bid, RFQ, etc)

- Attach the RFP/BID RFQ number, board approval date, and contract expiration date to the requisition.

c. Sole Source

There are very few true sole source items. All sole source items must be approved by Business Services prior to a requisition being authored.

- Attach the sole source letter and the sole source justification to the requisition.

All information must be attached and noted in the Notes to Buyer field and/or the Interlocal Contract Information field in the requisition request, or it will **not** be processed and will be returned to the Requisition Author.

3) When A Purchase is Between \$10,000 and \$49,999

The department must obtain three written quotes signed by the vendor and attach them to the requisition when submitting the requisition, unless one of the following criteria is met:

a. Interlocal Cooperative Information

- Attach a written quote from vendor which includes quote number, quote date, name of representative, and Interlocal cooperative number.
- Enter the Interlocal cooperative number in the *Interlocal Contract Information field*.

b. College Contracts (RFP, Bid, RFQ, etc)

- Attach the RFP/BID RFQ number, board approval date, and contract expiration date to the requisition.

c. Sole Source

There are very few true sole source items. All sole source items must be approved by Business Services prior to a requisition being authored.

- Attach the sole source letter and the sole source justification to the requisition.

All information must be attached and noted in the Notes to Buyer field and/or the Interlocal Contract Information field in the requisition request, or it will **not** be processed and will be returned to the Requisition Author.

#### 4) When A Purchase is \$50,000 or Greater

Contact Business Services to discuss/implement a formal solicitation.

Formal solicitations normally require a minimum of four weeks to complete depending on when the Board of Trustees meeting occurs. Please plan accordingly.

## **REQUISITION INFORMATION**

Requisitions are created by departmental Requisition Authors and are subject to an approval process based on departmental routing codes and purchase amount. Once the necessary approval has been obtained, Business Services will review the requisition for compliance with College policies, procedures, and laws.

### ***Required Information***

Every requisition must include the following information:

- Author
- Date
- Vendor
- Item Description
- Department
- Quantity
- Amount
- Quotes (attached)
- Justification (attached)

### ***Purchase Type***

- Goods - each line must include a brief (field limited to 30 characters) description, including model and descriptive name, quantity, and unit price.
- Services – include a brief (field limited to 30 characters) description of the scope of services to be performed. Include the duration of term, if applicable.

## ***Requisition Author Responsibilities***

The requisition author is responsible for the following:

- To code budget account correctly
- Transfer budget funds, if required
- Code campus ship to location correctly
- Identify the vendor correctly
- Obtain a vendor W-9, if required
- Accurately and briefly describe goods or services (ReQlogic limits description to 30 characters.)
- Accurately enter shipping and handling costs, when charged. Shipping and handling costs must be denoted as a separate line item.
- Complete receiving report

## ***Purchase Order Creation & Distribution***

After all the Requisition Approvers have ratified the requisition, and the requisition has been reviewed by Business Services for compliance with purchasing procedures, a purchase order will be created.

ReQlogic will notify the Requisition Author when the purchase order is created. The Requisition Author can then contact the vendor to place the order and print the purchase order if needed.

In no case, should the Requisition Author place an order with a vendor prior to receiving notice that a purchase order was created. Without an approved purchase order, you could be personally liable for payment of the purchase.

At the Requisition Author's request, Business Services will email the purchase order to the vendor if the vendor's email is entered in the Notes to Buyer field. Format the request as: "*Pls send PO to Vendor @ vendor's email.*"

## **RECEIVING REPORTS & PURCHASE ORDER CLOSEOUT**

When the goods or services have been received, the Requisition Author should complete a Receiving Report that notes the quantity of goods or services received.

All vendor invoices should be mailed or emailed directly to the Financial Accounting Office, to the attention of Accounts Payable.

If the Requisition Author receives an invoice from the vendor, the invoice should be scanned and attached to the requisition and then separately forwarded to Accounts Payable in the Financial Accounting Office.

If the purchase order is not closed when the invoice is received, the Requisition Author should contact Accounts Payable for further direction.

## **INFORMATION TECHNOLOGY PURCHASES**

All electronic equipment, including all personal computers, printers, and associated devices, and software purchases must be approved by the IT Department. In many cases, requisitions will automatically route to the District Chief Technology Systems/Data Security Officer. In situations where a requisition does not route to the officer, the Requisition Author must obtain written permission to purchase this item and attach the authorization to the requisition.

## **COPIER ACQUISITION**

The College leases all new copiers under a master lease agreement. The request for a new copier must be submitted and approved by Business Services. In no circumstances should a copier be acquired directly by a department.

## **INSURANCE REQUIREMENTS**

To protect the College's interests, all vendors that provide goods and services to the College should have a Certificate of Insurance on file with Business Services. If a current certificate is not on file with the College, Business Services may ask for your assistance in obtaining this document.

## **PROFESSIONAL SERVICES**

Competitive bids shall not be solicited for professional services of any licensed or registered certified public accountant, architect, landscape architect, land surveyor, physician, optometrist, professional engineer, state-certified or state-licensed real estate appraiser, or registered nurse.

Contracts for these professional services shall be made based on demonstrated competence and qualifications to perform the services and for a fair and reasonable price.

## **MICRO-PURCHASING**

A micro-purchase is an acquisition of products or services where the amount of the transaction does not exceed \$3,500.

### ***Federal Regulatory Definition for a Micro-purchase (2 CFR §200.67)***

Micro-purchase means a purchase of supplies or services using simplified acquisition procedures, the aggregate amount of which does not exceed the micro-purchase threshold. Micro-purchase procedures comprise a subset of a non-federal entity's

small purchase procedures. The non-federal entity uses such procedures in order to expedite the completion of its lowest-dollar small purchase transactions and minimize the associated administrative burden and cost. The micro-purchase threshold is set by the Federal Acquisition Regulation at 48 CFR Subpart 2.1 (Definitions). It is \$3,500 except as otherwise discussed in Subpart 2.1 of that regulation, but this threshold is periodically adjusted for inflation.

### ***Federal Regulation for a Micro-purchase (2 CFR §200.320(a))***

Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (§200.67 Micro-purchase). To the extent practicable, the non-federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-federal entity considers the price to be reasonable.

Competition: Purchases within the micro-purchase threshold can be awarded without soliciting competitive price quotations, as long as, the price is reasonable.

Purchases: To the extent practicable, purchases must be distributed equitably among qualified suppliers. Price comparisons are not required, but the price(s) should be considered reasonable. This distribution of purchases among qualified suppliers can happen in one of two ways, as a single purchase or over several purchases. For example, a school procuring apples may purchase: 1. Apples from various suppliers at the same time (the total of the purchases cannot exceed \$3,500), or 2. Apples from one supplier for the first purchase of the apples (for \$3,500 or less) and apples purchased from a different supplier (for \$3,500 or less) the next time apples are purchased, etc.

## **EMERGENCY PURCHASES**

The College is not required to bid or quote goods or services when an emergency affects the health or safety of occupants of College property, which therefore requires immediate delivery of goods or the performance of services. Business Services must be notified prior to submittal of an emergency requisition, and documents must be attached that demonstrates an emergency exists. Failure to plan does **not** constitute an emergency.

## **REQUISITIONING & P-CARD BLACKOUT DATES**

To facilitate the College's financial year-end closing, purchase requisitions and P-Card purchases are restricted during a blackout period. The blackout dates apply to all sites, departments, and grants.

### ***P-Card Purchases***

- Last Day to Use P-Cards. The last day to **fully** use a P-Card before the blackout period is the last working day of June, unless modified by Business Services. During the months of July and August, P-Card use is limited. Please use a requisition to purchase items and services which are not authorized for purchase after this blackout date.
- Grant Expenditures with P-Cards. Grants may not use P-Cards within the last 60 days of a grant which is officially ending (rollover funds are excluded). Please plan your purchases and travel expenditures accordingly.

### ***Requisitions & Purchase Orders***

- Purchase Orders. The last day to enter a requisition into the ReQlogic system is the last working day of July, unless modified by Business Services.
- Receipt of Items. Items must be received by August 31. Any item received after this date will be charged to your budget in the new fiscal year.
- Receiving Reports. Receiving reports and all supporting documents must be received in the Financial Accounting Office by the first Friday of September.

### **BOARD OF TRUSTEES APPROVAL**

The Board of Trustees are to be informed of all purchases greater than \$50,000 prior to acquisition. "Purchase" is defined as goods, services, and/or projects within a fiscal year's 12-month period using several requisitions during that time or one requisition and from one or many suppliers.

### **PROCUREMENT CARD PURCHASES (P-CARD)**

A Procurement Card is an alternate method of procurement utilized to purchase small dollar amount items and services and for travel arrangements. These purchases are governed by the procedures of the College's Procurement Card program.

Employees must meet specific procurement criteria and must be approved by their supervisor prior to receiving a procurement card. Cardholders are required to use vendors approved via the bid and quoting process, when applicable, and monthly credit limits are established by departmental needs.

The P-Card is intended to be used by approved staff for authorized purchases. The card does not grant the users permission to extend departmental purchasing ability to acquire items not authorized by policy or procedures.

The single item purchase limit is \$750.00, unless modified by Business Services on an individual cardholder basis. Exceptions to this limit includes travel expenditures, utility expenditures, and miscellaneous purchases as approved on a per occasion basis by Business Services.

Please refer to the Procurement Card Handbook for additional information.

## **TEXAS SALES AND USE TAX EXEMPTION**

Please refer to Policy 4.1 for details regarding Texas Sales and Use Tax Exemption.

## **REQUISITION REVIEWERS**

Embedded in each requisition is an approval hierarchy according to the departmental budget owner or departmental supervisor. Requisitions also route according to the requisition amount, presence of grant funds, equipment and/or capital outlay involvement, foundation fund inclusion, and repairs and maintenance items. As the requisition routes to various areas for approval, verification occurs to ensure that the requisition is correct according to the specific area of oversight responsibility.

Depending on the specific item and the criteria listed above, the routing will vary.

**Document Review** – All requisitions route for Document Review and are checked for general ledger/department budget coding, budgeted/overbudget amounts, vendor selections, prepaid situations, and presence of attachments.

**Budget Review** – All requisitions are verified to be within budget amounts or that they are approved for an overbudget situation.

**Budget Owner Supervisor (Department Supervisor)** – By approving, the supervisor affirms that the requisitioned item is a needed departmental good or service and that the general ledger/budget coding is correct. The Budget Owner Supervisor is sanctioning the purchase of the goods or the payment of the service. The Budget Owner Supervisor should verify the attachments to ensure that the purchase meets district purchasing policy.

**External Funding Review** – By approving, the individual responsible for grant oversight on the Big Spring site or the San Angelo site verifies that the goods or service is within the grant budget as authorized by the grant funding agency, that the general ledger/department budget coding is correct, the budget is adequate to cover the expense, and that all attachments are present. Requisitions will route to the appropriate campus when they are coded with Fund 37 or 38.

IT Review – By approving the IT Department verifies that the requisitioned item is acceptable for purchase. Requisitions will route here when object codes are 56204, 56290 or 56532.

Foundation Billing – By approving, the Development Officer is affirming that the requisitioned item or service is a legitimate foundation purchase, and that one of the College foundations will reimburse the College for the requisitioned item when billed. Requisitions will route here when the department code is 5746.

Cabinet Member -- By approving the Cabinet Member affirms that the requisitioned item or service is an acceptable purchase for the department coded on the requisition.

Capital Outlay Review – Items are checked for capital outlay status. Requisitions will route here when the object code is 56290.

Repairs & Maintenance Review – The item is reviewed for Repair & Maintenance status. Requisitions will route here when the object codes are between 56400 and 56499.

Chief Financial Officer – Requisitions are reviewed and approved at this level when the requisition amount exceeds \$5,000.

President – Requisitions are reviewed and approved at this level when the requisition amount exceeds \$10,000.

Chief Business Officer – Requisitions are reviewed to ensure they meet all College policies and guidelines and that necessary documents are attached.

Purchasing – Requisitions are reviewed to ensure they meet all College policies and guidelines and that necessary documents are attached prior to generating a purchase order.

Any Reviewer who chooses not to approve a requisition in their queue can return it to the Requisition Author by recalling it (use Recall Button).

Any Reviewer who has a question about a requisition in their queue can query the Requisition Author by using the ReQlogic inquiry system. The requisition and the Reviewer's question will return to the Requisition Author's queue allowing them to respond. By using the ReQlogic query system rather than email, the responses are included in the requisition history.