

3359-3-07 Office of purchasing.

- (A) President of the university. As specified in rule 3359-05 of the Administrative Code, the president is executive head of all university colleges, branches, schools, and departments, possessing duties, responsibilities and powers as delineated in the rules of the university.
- (B) Director of purchasing.
- (1) The director of purchasing shall be appointed by the board and the board's designee(s) upon the recommendation of the president, all in the office at the discretion of the president; and shall report to the president consistent with the administrative reporting line then in effect.
 - (2) The director of purchasing shall be responsible for the oversight and management of the department of purchasing and conducts routine purchasing, accounting and budget control transactions, consistently with good business practice and applicable federal, state, and local laws.
 - (3) The director of purchasing shall have the responsibility and the requisite authority to execute contracts for the purchase of equipment, materials, supplies, and services for the university.
- (C) Competitive procurement process.
- (1) Unless otherwise provided in this rule 3359-3-07 of the Administrative Code, all equipment, materials, supplies, and ~~services~~ shall be purchased through solicitation of competitive bids or proposals except in the following instances:
 - (a) Where such equipment, materials, supplies or services are purchased pursuant to sections 4115.31 to 4115.35 and section 5147.07 of the Revised Code; or
 - (b) Where the amount of such purchase of equipment, materials, and/or supplies is less than seventy-five thousand dollars; or
 - (c) Where the purchase of services, or any combination of services, equipment, materials, and supplies, is less than one hundred thousand dollars; or
 - (d) Where the purchase is for the construction, addition, alteration, structural, or other improvements of a university building structure and the purchase is for an amount less than the bidding threshold established in rule 153:1-9-01 of the Administrative Code.
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bidding is in the best interest of the university.

- (4) Contracts shall be awarded to the low responsible and responsive bidder that best meets the needs of the university. The university may accept or reject any or all bids or proposals in whole or by item. For any contract authorized by the university's policy on purchasing, the university is authorized to make multiple awards as provided for in the university's request for bids or proposals.

(D) Exemptions from the competitive procurement process.

- (1) The purchase of goods or services through non-profit or governmental agencies or consortia, including but not limited to the inter-university council of Ohio, whose contracts meet the competitive bidding requirements, as determined by the university, and upon terms and conditions that are in the best interest of the university.
- (2) In accordance with division (B) of section 5513.01 of the Revised Code, purchases through Ohio department of transportation agreements, for machinery, materials, supplies, or other articles upon such terms and conditions that are in the best interest of the university.
- (3) The purchase of books, periodicals, and other learning resources for the university libraries' collections.
- (4) The contracting for entertainment acts, performers, and artists and their selected, required, or contractually mandated promoters or associated vendors.
- (5) The purchase of stock merchandise for purposes of resale in campus retail locations.
- (6) The negotiation of a contract following a request for proposals that by its nature solicits a response that includes multiple options or variable terms.

(E) Waiver of competitive bidding.

- (1) Except where prohibited by law, competitive bidding requirements of the university may be waived under limited and exceptional circumstances. Exceptional circumstances which warrant the waiver of competitive bidding include, but are not limited to:

- (a) The need for certain professional, technical, and specialized services, where such services are temporary in nature, there are sufficient economic interests to support such a waiver, and where such

operated by the university; or
(c) Equipment, materials, supplies, or se

board as an information item.

- (H) The director of purchasing shall take into consideration potential opportunities for new vendors and contractors, especially minority business enterprises certified /and conenterpri