

# Uniform Guidance Purchasing Updates

## What University Administrators and PIs Need to Know

# Executive Summary

The Uniform Guidance (UG) governs the management of federally funded sponsored projects across the entire project lifecycle. Although much of the UG took effect on December 26, 2014, the government delayed implementation of the procurement sections. Updated University purchasing policies implementing the UG are scheduled to go into effect at Columbia on October 1, 2017. The UG supersedes requirements from OMB Circulars A-21, A-110 and A-133.

This presentation highlights the Purchasing areas that are impacted by the UG relating to sponsored transactions, but it is important to mention that there are changes affecting non-sponsored transactions as well that will be addressed separately.

The changes in related University policies became effective October 16, 2017.

# Today vs. 10/16/17 and after *(for sponsored transactions)*

## What stays the same

- Competitive sourcing of goods and services
- Number of quotes or proposals required depends on dollar thresholds
- Substantiated rationale required for non-competitive transactions (single/sole source)
- Price analysis required for single/sole source
- RFP support documentation required for bid award
- Conflict of Interest requirements

## What will change

- Competitive sourcing of goods and services starting at \$3,500 as opposed to \$2,500
- Service Providers are subject to competitive sourcing requirements above \$3,500 *(reduced from \$25,000)*
- 2 or more quotes/proposals up to \$150K as opposed to 3-quote requirement
- Fewer allowances for non-competitive transactions
- Purchases above \$150K must use a more elaborate **public** standardized RFQ/RFP process administered by Central Purchasing
- Utilization of Minority, Women and disadvantaged Businesses and equitable distribution of spend *(not subcontracting)*

# What will change effective 10/16/17

<u>Sponsored Goods and Services</u>			
	<i>UwPA - University-wide Purchasing Agreement (negotiated by Purchasing)</i>		
	<i>UG - Uniform Guidance</i>		
<u>Current Purchase Transaction Thresholds</u>	<u>Updated Purchase Transaction Thresholds</u>	<u>Type of Competitive Action</u>	<u>If Non-Competitive Action</u>
\$0 and up (UwPA only)	\$0 and up (UwPA only)	Requires One (1) written quote or proposal from a qualified supplier	N/A
\$0 - \$2,500 (non-UwPA) \$0 - \$25,000 (non-UwPA Service Provider)	\$0 - \$3,500 (non-UwPA)	Requires One (1) written quote or proposal from a qualified supplier	N/A
\$2,501 - \$10,000 (non-UwPA)	not applicable threshold	Requires 2 written quotes or proposals	Single/Sole Source Justification form with supporting documentation
\$10,001 and up (non-UwPA) \$25,001 and up (non-UwPA Service Provider)	\$3,501 - \$150,000 (non-UwPA)	Requires an appropriate number of quotes or proposals from qualified suppliers	Single/Sole Source Justification form with supporting documentation
not applicable threshold	\$150K and up (non-UwPA)	3 or more Public RFQ's or RFP's (managed through Central Purchasing)	Single/Sole Source Justification form with supporting documentation*
*Single/Sole Source form must be approved by Senior Level Officer (supplemental approver) in department prior to submission to Purchasing at this dollar threshold.			



**KEEP  
CALM**

**AND**

**DOCUMENT  
EVERYTHING!**

# How will this impact me?

- Additional effort will be required for purchases over \$150K due to UG public bidding requirements
- Non-competitive purchases will require documented price analysis
- To reduce documentation requirements, utilization or establishment of UwPAs or DSAs (Departmental Select Agreements) is recommended
- Transactions will require feedback from subject matter experts (researchers, PI's, etc.) when to document selection of non-competitive or not-low bidder has been selected
- UG documentation requirements are generally more significant

# Non-Competitive Procurement - Now What?

## Straight from the Uniform Guidance:

200.320(f) - Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:

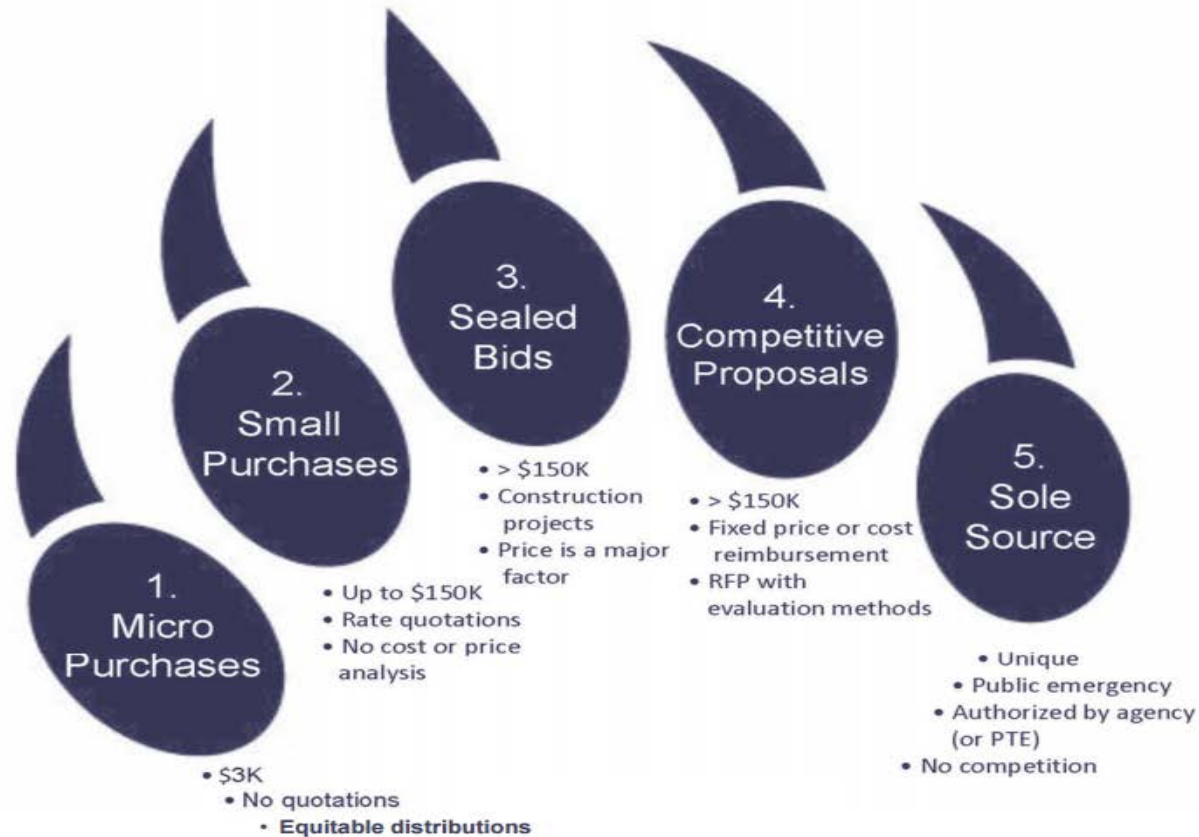
- (1) The item is available only from a single source;
- (2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- (3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity;
- or
- (4) After solicitation of a number of sources, competition is determined inadequate.

200.323(b) - The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. (*above \$150K*)

200.323(a) - The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.

# UG Procurement Basics by OMB

## Procurement “Claw” (Section 200.320)





# Sponsored Transaction Resources

## Procurement for Sponsored Projects



Welcome. This webpage will assist you in purchasing goods and services using sponsored funds. Start by answering a few simple questions in the interactive guide below to determine the required supporting documents.

**Additional information and resources** can be found at the bottom of this webpage by expanding a topic of interest.

Answer the questions in the [Uniform Guidance Interactive Guide](#) to determine the requirements and forms necessary for your purchase.

Is the transaction with a UwPA (University-wide Purchasing Agreement) or Non-UwPA Supplier?

UwPA Supplier

Non-UwPA Supplier


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Restart

# Sponsored Transaction Resources

(cont.)


## - News, Bidding Information, and Policies

- [News](#)
- [Bidding Information](#)
- [Columbia's Policy on Competitive Procurement](#)
- [Columbia's Policy on Procurement of Sponsored Projects](#)
- [Federal Government Full Text on Uniform Guidance](#) 
- [Learn More about the Procurement Department](#)

## - Forms and Templates

Documents	Examples of Completed Documents
<a href="#">Bid Award Letter Template</a>	N/A
<a href="#">Bid Non-Award Letter Template</a>	N/A
<a href="#">Bid Prep Form</a>	Example
<a href="#">Competitive Sourcing Price Summary - Sponsored</a>	Example for Goods Example for Service Providers Example for Software
<a href="#">Procurement Matrix for Complete list of Forms (coming soon)</a>	(coming soon)
<a href="#">Purchasing Checklist and Competitive Sourcing Form - Sponsored</a>	Example
<a href="#">RFP Evaluation Matrix #1</a>	Example
<a href="#">RFP Evaluation Matrix #2</a>	Example
<a href="#">RFP Template 2017</a>	N/A
<a href="#">RFP Timeline 2017</a>	N/A

## - Training and Contact Information

- [What's Changing in Procurement for Sponsored Projects](#)
- [Contact Us](#) 

# Non-Competitive Form - Sponsored

**Sole/Single Source Form** (*Sponsored Transactions in excess of \$3,500*) Purchase Requisition # \_\_\_\_\_

Please select the type of non-competitive purchase:

- \_\_\_ Sole Source (product/service cannot be obtained from any other source)
- \_\_\_ Single Source (product/service could be obtained from another source, but reasonable circumstances warrant obtaining from the identified source)

Reason for Sole/Single Source:

- \_\_\_ Product/service is only available from the identified source based on (*select only one*):
  - Proprietary – Competition is precluded because the product is under patent, copyright, or proprietary design (*Patent number or lock out specifications is required*)
  - Replacement – for parts or components for equipment specifically designed by the supplier and are only available from the Original Equipment Manufacturer (OEM) without the manufacturer's warranty (*OEM Verification*)
  - Exclusive capability – products/services can only be obtained from the identified qualified source. No other supplier(s) were identified despite a good faith effort (*Document good faith efforts*)
- \_\_\_ The funding agency or pass-through entity expressly authorizes non-competitive proposals in the award or in response to a separate written request from the University (*please upload agency approval letter as a supporting document of the Purchase Requisition*) – **EDM Document Name = Sponsor Non-Compete Authorization**
- \_\_\_ Competitive quotes/proposals were requested from qualified suppliers and only one proposal was submitted that was consistent with the outlined specifications (*must document RFQ process and verify qualifications of suppliers approached*) – **EDM Document Name = RFP Sole Source**
- \_\_\_ Due to the nature of the scientific research, the required good(s) and/or service(s) are only available from a specific supplier

Insert necessary justification for the above indicated Single or Sole source reason:

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## Price Analysis

A price analysis must be performed by the Requisitioner to ensure that the price charged by the supplier is reasonable and customary. Please select one or more of the methods listed directly below to qualify this price and complete the **Competitive Sourcing Price Summary – Sponsored**

- \_\_\_ Comparison of previously proposed/purchased prices for the same or similar products (include previous Purchase Order number, and quotes if applicable) – **EDM Document Name = Previous PO**
- \_\_\_ Comparison of proposed prices with independent market research or independent Government cost estimates (i.e. GSA, NYS OGS, etc.) **EDM Document Name = Gov't Price Quote**
- \_\_\_ Completed through an accepted cooperative agreement (i.e. E&I, US Communities, etc.) **EDM Document Name = GPO Price Quote**
- \_\_\_ Other (*please indicate the supporting documentation*)

Insert details of the above selected items used for assessing price reasonableness

# RESOURCES

- <http://finance.columbia.edu/procurement/purchasing>
- <http://finance.columbia.edu/procurement-sponsored-projects>
- [http://finance.columbia.edu/files/gateway/content/purchasing/Uniform\\_Guidance\\_Purchasing\\_Updates.pdf](http://finance.columbia.edu/files/gateway/content/purchasing/Uniform_Guidance_Purchasing_Updates.pdf)
- <http://policylibrary.columbia.edu/competitive-procurement>

For questions or comments regarding Uniform Guidance, please email [uniform-guidance@columbia.edu](mailto:uniform-guidance@columbia.edu).