



Uniform Guidance Overview

Effective July 1, 2018



- **What is Uniform Guidance?**
 - Uniform Guidance (UG) is a set of regulations consolidating several Office of Management and Budget (OMB) circulars.

- **Why are we doing this now?**
 - The UG requirements related to procurement will take effect July 1, 2018 for non-state entities.
 - These sections focus on increased competition, documentation, and maintaining a consistent procurement process.

- **How does this affect you?**
 - UG is required for all Federal Funded Grants but for consistency, the University has chosen to adopt these changes for all purchases beginning on July 1, 2018. As a result we have updated:
 - Procurement Bidding policy
 - Sole Source definition
 - Conflict of Interest
 - Small and Minority Business Participation

Uniform Guidance – Summary

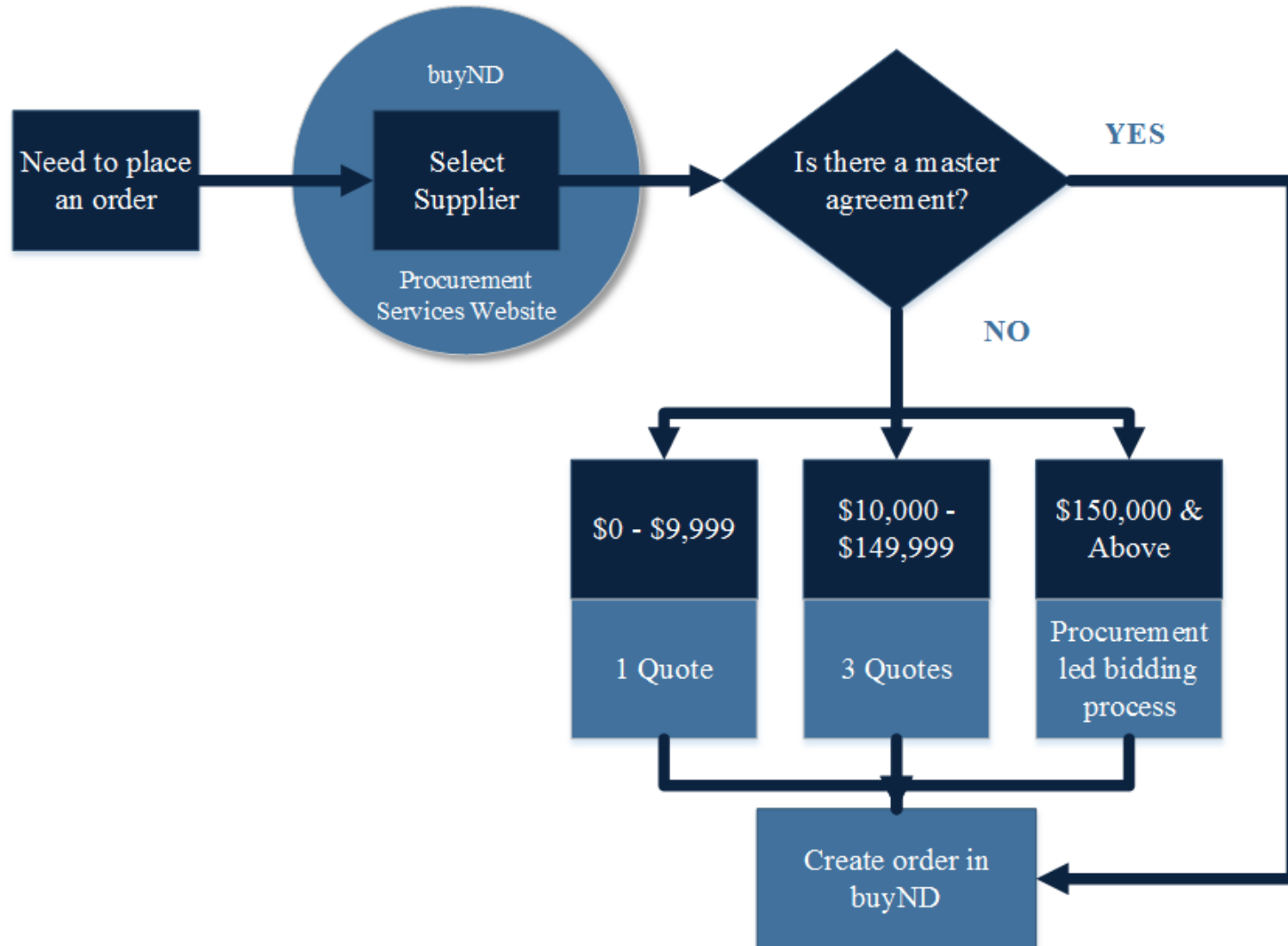
	Current State		Future State	
Bidding Policy	Order Amount	Procedure	Order Amount	Procedure
	\$0 - \$4,999	1 Quote	\$0 - \$9,999	1 Quote
	\$5,000 - \$24,999	3 Quotes	\$10,000 - \$149,999	3 Quotes
	\$25,000 and above	Formal Bidding Process (RFX)	\$150,000 and above	Formal Bidding Process (RFX)
Sole Source	<ul style="list-style-type: none"> Supplier is sole manufacturer/supplier Supplier is sole acceptable manufacturer/supplier per explanation below Emergency/Urgent purchase To maintain compatibility with existing equipment Continuity of research 		<ul style="list-style-type: none"> Product/service is only available from a single source Public Emergency Procurement (this applies primarily in cases of a natural disaster or an imminent threat to campus safety) Federal Awarding Agency Authorization (the awarding agency specifically authorizes a non-competitive procurement after a written request from the Non-federal entity) Inadequate competition after multiple attempted solicitations 	
Conflict of Interest	<ul style="list-style-type: none"> Every employee completes an annual Conflict of Interest online form managed by General Counsel. RFP committee members complete the Evaluation Committee form managed by Procurement. 		<ul style="list-style-type: none"> Continue current General Counsel Conflict of Interest certification. RFP committee members will complete an updated Evaluation Committee document outlining Conflict of Interest in accordance with UG. 	
Small and Minority Businesses	<ul style="list-style-type: none"> The University does not have a formalized small and minority business participation program. 		<ul style="list-style-type: none"> A policy to encourage use and make best efforts to include small/minority businesses, women's business enterprises, and labor surplus firms. 	

Federally Funded Grant Orders

Current State						
Bidding Policy	Order Amount	Procedure	Total Annual Orders	Funds 200000 - 249999	Funds 300XXX	Funds 305XXX
	\$0 - \$4,999	1 Quote	41,104	8,368	62	21
	\$5,000 - \$24,999	3 Quotes	1,803	109	-	6
	\$25,000 and above	Formal Bidding Process (RFX)	821	31	-	-
Annual Totals			43,728	8,508	62	27

Future State						
Bidding Policy	Order Amount	Procedure	Total Annual Orders	Funds 200000 - 249999	Funds 300XXX	Funds 305XXX
	\$0 - \$9,999	1 Quote	42,082	8,438	62	22
	\$10,000 - \$149,999	3 Quotes	1,494	65	-	5
	\$150,000 and above	Formal Bidding Process (RFX)	152	5	-	-
Annual Totals			43,728	8,508	62	27

Order Process



Master Agreements

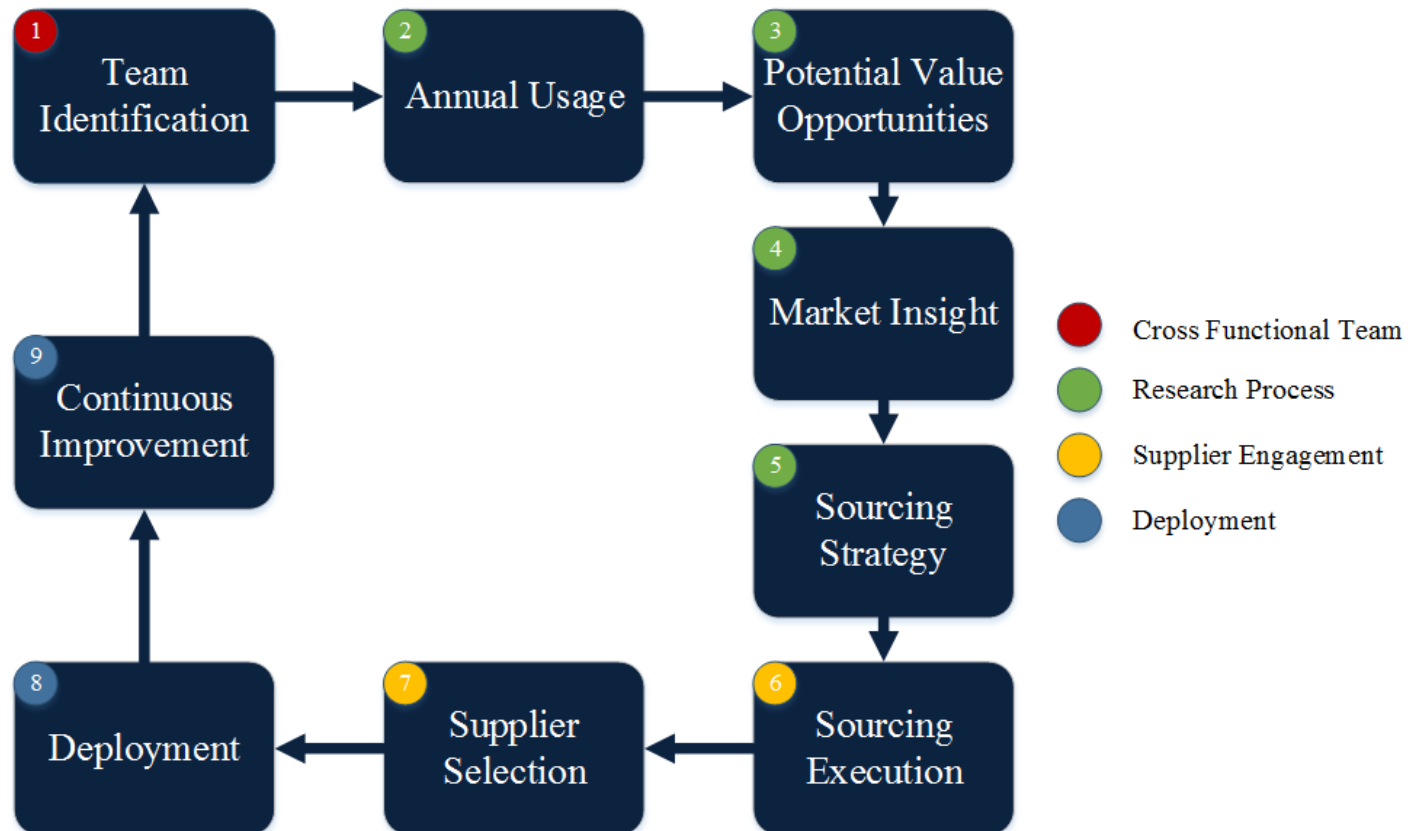
- Developed after a bidding process and include agreed-upon terms and conditions between the University and the supplier.
- Eliminate the need for future terms negotiations.
- Defined to include types of goods and services so that purchases meet the requirements of UG.
- Benefits:
 - Expedite the purchasing process
 - Satisfy bidding requirements at all dollar levels
 - No additional quotes required when purchasing from the supplier
 - All Notre Dame legal requirements are covered

Quote Guidance: \$10,000 – \$149,999

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- **Master Agreement in Place**
 - Place an order in buyND
 - **No Master Agreement**
 - Three quotes are required:
 - Quote from the known supplier
 - Two additional quotes
 - If only one quote is available, Procurement will support you in identifying additional quotes.
 - If you have a need but do not have a supplier, Procurement will help identify potential suppliers and help you meet the three quote minimum.
 - **Replacement and Maintenance Parts**
 - If you are trying to replace or repair parts from existing equipment, you can purchase the parts without getting three quotes.
 - If more than one distributor is available for that part, you must get three quotes. Procurement can help identify additional distributors.

Quote Guidance: \$150,000 & Above

- Procurement-led bidding process
 - Request for Bid (RFB) or Request for Proposal (RFP)



Sole Source: Continuity of Research

- UG has limited the use of sole sources to four distinct justifications.
- Continuity of research is no longer an acceptable sole source.
 - If an item or service is only available with the required quality from one source, or only one source can provide the items or service in the timeframe, this is a viable sole source justification, provided the purchase complies with general procurement standards set in UG.
- Example: You are replacing a motor that you have purchased from one supplier in the past.
 - In addition to the one supplier, other brands must be invited to participate in the bidding process.
 - All motors must be evaluated to select the “Best Value” for the University. Best Value is defined by the evaluation criteria established by the purchaser (Price, Total Cost of Ownership, maintenance cost, quality, etc.)
 - You must investigate if similar motors are available on the market, and Procurement can help with this identification.

- **Conflict of Interest**

- Faculty or staff members involved in a bid or selection process must disclose any conflicts with a supplier providing a bid.
- Individual with conflicts may not develop the scope, evaluate the proposal, or engage in supplier selection.
- If the individual recuses himself/herself from the process, the supplier will be allowed to submit a proposal.
- Otherwise, the supplier will not be allowed to submit a bid.

- **Small and Minority Business Participation**

- Individuals utilizing federal funds are encouraged to use and make a best effort to include these firms in their bidding process.
- Procurement is partnering with the Office of Public Affairs and the Office of Economic Development to develop a program that supports this vision and is available to facilitate this requirement.

Questions?

- [Updated Procurement Policy](#)
- [Federal FAQs](#)
- [Uniform Guidance](#)

Thank you!