All purchases shall be processed through the Nicolet College Business Office. Purchasing procedures apply to all acquisitions, rentals, leases, and contracts for services including personal and professional services. Procurement procedures for capital equipment are specified in Board Policy 3.03 Procurement.

All purchases shall be made in compliance with state statutes, Chapter TCS 6, Wis. Admin. Code and Sec. 6 of the Financial Accounting Manual (FAM).

**General Purchasing Requirements**

1. All receipts must be a detailed list of items purchased. Receipts lacking sufficient item description will not be reimbursed or will be returned to the employee to provide detail.

2. If budgets are inadequate to cover Purchase Orders and Payment Authorizations, Budget Transfers must be submitted to the Business Office prior to processing the purchase paperwork.

3. Employees involved in purchasing are prohibited from having a financial interest in any transaction and are prohibited from receiving any gratuity or financial gain from any vendor.

4. For seminar or conference registrations which must be paid prior to the event, employees must have an approved Travel Request Form and should pay registration fees with a personal credit card or College credit card, (if issued). After travel is completed, the request form and all detailed receipts should be submitted to the Business Office for reimbursement.

**Purchase Requisitions/Orders and Payment Authorizations**

1. Purchase Requisitions/Orders must be used for all tangible items received. The appropriate Executive Leadership Team member or Director/Dean must provide prior approval for all purchases.

2. Non-tangible items (e.g. memberships, dues, subscriptions, services) purchased must be authorized using the payment authorization process. The appropriate Executive Leadership Team member or Director/Dean must provide prior approval for all payment authorizations. Ongoing payment authorizations when the same vendor must be arranged with the Business Office prior to making the first purchase.
3. Employees with appropriate approval may purchase items under $50. The employee will be reimbursed upon receipt of the appropriate documentation and detailed receipts.

4. Employees may request a cash advance up to $50 for an approved purchase. The employee must sign for the advance and return all detailed receipts and change to the Business Office within five (5) business days of the purchase.

**Nicolet Credit Card Usage**

1. College credit cards will be issued to College staff as deemed necessary by the President. Credit cards will be issued in the names of both the College and the employee or department. Distribution and use of all credit cards shall be reviewed on an annual basis by the Chief Financial Officer or at such other times as deemed appropriate for administrative reasons (e.g., when a staff member leaves the College).

2. All expenditures involving the use of College credit cards are the responsibility of the individual authorized to use the credit card. College credit cards may only be used for authorized business-related expenditures; therefore, personal expenses must not be charged on College credit cards. All credit card purchases/charges will be reviewed monthly by the Chief Financial Officer for appropriateness and adherence to policy.

3. Detailed credit card receipts must be submitted to the Business Office within ten (10) days of expenditure.

4. Questionable credit card purchases will be investigated. Misuse of the College credit card will result in loss of credit card privileges and disciplinary action.

**Non-Construction Purchases Between $10,000 and $50,000**

- Supplies, services, and similar items valued between $10,000 and less than $25,000 require a minimum of two (2) written quotations.

- Supplies, services, and similar items valued between $25,000 and $50,000 require a minimum of three (3) written quotations.

Quotes and approved Purchase Requisitions must be sent to the Procurement and Enterprise Services Manager prior to the purchase order being processed. If unable to obtain the required number of quotes, approval from the Procurement and Enterprise Services Manager must be obtained.

**Non-Construction Purchases Greater Than $50,000**

1. **Competitive Sealed Bids**

   Competitive sealed bids are required for purchases greater than $50,000 where:
a. A complete, adequate, and realistic purchase description is available.

b. Two or more responsible suppliers are willing and able to compete.

c. The purchase lends itself to a firm-fixed price contract, and selection of a supplier can be made principally on the basis of price.

d. All bids will be prepared by the Procurement and Enterprise Services Manager with the help of the requester. The bid file, including all sealed bids, award recommendation, and the date and time the College received information, etc. will be retained in the Business Office. All bids must be opened at a public opening with at least two College employees present. The bid opening shall be held at the bid submission deadline.

2. Competitive Selection Request for Proposals (RFP)

a. For purchases greater than $50,000, where conditions are not appropriate for the use of sealed bids, competitive selection will be used. Generally, competitive selection is used if a firm, fixed-price contract is not appropriate or when factors other than price are of primary consideration in awarding the purchase (e.g., professional services where qualifications are of primary consideration).

b. The RFP document shall be prepared by the Procurement and Enterprise Services Manager with the requester. Proposals shall be solicited from an adequate number of qualified sources and the RFP shall be publicized at a minimum of a Class 1 Notice in the official District newspaper or posted on the College’s designated public website. Nicolet shall provide mechanisms for the evaluation of the proposals received, determination of responsible offerors for the purpose of written or oral discussions, and selection for contract award.

c. The award will be made to the qualified offeror whose proposal is most advantageous—price and other factors considered. All original documentation related to the procurement (e.g., RFP, award recommendation submitted, evaluation summaries, time and date received information) will be retained in the Business Office.

3. Non-competitive Negotiation

For purchases greater than $50,000, non-competitive negotiation may only be used when:

a. The item or service is only available from a single source, with supporting documentation provided.

b. After solicitation in a competitive purchase, competition is determined to be inadequate.

c. The purchase is from another governmental body.
d. Cooperative purchasing under Chapter 16.73 Wis. Stats. is utilized.

e. The purchase is made through a cooperative purchasing association which has a competitive purchasing process that is substantially the same as the competitive procurement requirements applicable to the Wisconsin Technical College System (WTCS), and which have been recognized by the WTCS President. The grantor agency authorizes non-competitive negotiation. Public exigency or emergency will not permit a delay incident to competitive procurement; Nicolet may determine the procurement methodology most appropriate to the situation.

f. Purchases of used equipment from a vendor who offers it for immediate sale may be purchased through non-competitive negotiations.

All paperwork regarding the non-competitive negotiation must be sent to the Business Office prior to awarding a contract and issuing a Purchase Order.

Specific Brand Name Equipment
When District employers require that potential employees be trained on a specific brand of equipment, the College is authorized to purchase that brand. The College must obtain and submit letters documenting the employers’ request with the Purchase Requisition.

Construction Projects
As defined in Chapter 62.15 Wis. Stats., all contracts for construction projects shall be made in the name of the District and shall be executed by the District Board Chairperson and District Board Secretary. All paperwork must be forwarded to the Business Office prior to purchase order approval.

1. $5,000 or less – A minimum of two (2) quotes is required.

2. Greater than $5,000 but not exceeding $25,000 – Publication of a Class 1 Notice of the proposed construction is required prior to execution of the contract. A minimum of three (3) written quotations are required.

3. Greater than $25,000 – Publication of a Class 2 Notice of the proposed construction is required. Sealed, written bids will be reviewed in a competitive process.

Contract Provisions
All contracts in excess of $25,000 shall contain:

1. Provisions for termination by the College.

2. Conditions under which the contract may be terminated for default.
3. Conditions where the contract may be terminated due to circumstances beyond the control of the contractor.

4. Provisions for administrative, contractual or legal remedies when contractors violates or breach contract terms.

5. A provision requiring compliance with Executive Order 11246, entitled "Equal Employment Opportunity" as amended by Executive Order 11375, and as supplemented in Department of Labor regulations (41 CFR, Part 60). For construction contracts, the threshold for compliance with this provision is $10,000.

6. All contracts and approved requisitions must be forwarded to the Business Office prior to Purchase Order approval.