

# UConn HEALTH

## Administrative Policy 2021-02 Procurement: Acquisition of Goods, Services and Real Estate

<b>Title</b>	Procurement: Acquisition of Goods, Services and Real Estate
<b>Policy Owner and Contact Information</b>	Procurement & Supply Chain Operations Website: <a href="http://poc.uhc.edu">http://poc.uhc.edu</a> Phone: 860-679-2408
<b>Campus Applicability</b>	UConn Health
<b>Applies to</b>	UConn Health workforce and UConn Health's current and prospective suppliers and contractors
<b>Effective Date</b>	12/20/2021

### BACKGROUND:

UConn Health's authority to acquire goods, services and real estate in support of its mission derives primarily from Title 10a of the Connecticut General Statutes, which outlines public bidding and other requirements applicable to various commodities.<sup>1</sup> UConn Health's purchases must also comply with the State of Connecticut Code of Ethics, University Code of Conduct, and other requirements associated with specific aspects of a purchase, including the funding source (e.g., federal grant funds) and UConn Health's larger relationship with the supplier (e.g., potential patient referral sources such as physician practices and hospitals).

### PURPOSE:

To ensure compliance with requirements, and promote best practices, applicable to UConn Health's acquisition of goods, services and real estate.

### DEFINITIONS:

**Acquisition:** Any method of acquiring goods, services or real estate including by purchase, lease, trade-in, or on a trial basis.

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<sup>1</sup> Connecticut General Statutes section 4a-52a addresses the authority of each constituent unit of the state system of higher education to purchase goods and services. Connecticut General Statutes section 10a-151a addresses the purchase of equipment for research, library media and library books by constituent units, and 10a-151b outlines the competitive bidding requirements applicable to the purchase of equipment, supplies and contractual services by constituent units. In addition, The University of Connecticut Health Center Finance Corporation is authorized to purchase and contract on behalf of UConn Health pursuant to Connecticut General Statutes §§ 10a-250 through 10a-263.

**Purchase:** The purchase of equipment, supplies, or services, or the lease of personal property. Includes acquisition methods other than immediate payment in full of the seller's prices.

**Contract:** Any legally-binding written agreement signed on behalf of UConn Health, regardless of the title or format of the document. Some examples of documents that may become "contracts" upon signature include: a quote, proposal, order form, letter or memorandum of agreement.

**Goods:** Tangible or intangible items including supplies, equipment, furniture, telecommunication devices, subscriptions, and software.

**Real estate:** Physical space for offices, classrooms, clinical care, or other uses.

**Services:** Generally means work performed by a person and includes construction, maintenance, repair, transportation, distribution, patient care, teaching, management, support services, software development, and software as a service ("SaaS").

#### **POLICY STATEMENT:**

UConn Health's Procurement & Supply Chain Operations Department (the Procurement Department) is responsible for creating and maintaining policies and procedures to support institutional compliance with the laws, regulations and University policies applicable to procurement, and to promote practices that enable UConn Health to make strategic purchasing decisions and get best value. It is the responsibility of all members of the UConn Health workforce as well as anyone who conducts business with UConn Health, to familiarize themselves with this policy and all related procedures. (See the [Procurement Procedures](#) for additional information about authorized and unauthorized purchases.)

The Procurement Department has developed standard purchasing mechanisms (such as purchase orders issued through UConn Health's electronic procurement system) to facilitate the processing of authorized purchases. In addition, the Procurement Department may allow non-standard purchase methods (such as the use of an employee's personal credit card) on a case-by-case basis to facilitate purchases that cannot be made through established purchasing mechanisms, or when a non-standard method is otherwise advantageous to UConn Health. Individuals must obtain advance, written permission from the Procurement Department before utilizing a non-standard purchase method. (See the [Procurement Procedures](#) for additional information about standard and non-standard purchasing methods.)

Regardless of the purchasing method utilized, purchase requests must be submitted, reviewed and approved by authorized individuals in accordance with current UConn Health procedures. Each purchase request must contain complete and correct information, and be submitted/approved by a workforce member with authority over the funds that will be used for payment as well as any workforce member(s) who are required to review the request due to the type and/or value of the purchase. To ensure that the prerequisites applicable to a contemplated purchase have been fulfilled and sufficient funds will be available when payment is due, all institutionally-required approvals must be in place before any workforce member acquires goods, services or real estate, or promises payment on behalf of UConn Health. UConn Health credit, purchasing power, and/or facilities may not be utilized to acquire goods or services for non-UConn Health activities or for personal use.

Suppliers must comply with applicable UConn Health policies and procedures, including submission of the information required to create a supplier profile in UConn Health's e-procurement system. (See the [New Supplier Application Guideline](#) for additional information.)

If either UConn Health or the supplier requires that a contract be signed in connection with any aspect of a purchase, the contract must be reviewed, approved and signed in accordance with UConn Health's policies and procedures applicable to that type of contract. (See the [Contract Procedures](#) for additional information.)

Purchases or commitments to purchase that do not comply with this policy and associated procedures are considered unauthorized purchases and will be dealt with as described in the procedures regarding unauthorized purchases and the Enforcement section of this policy. Suppliers are cautioned that UConn Health may not make payment for goods or services provided as a result of an unauthorized purchase.

#### **PROCEDURES/FORMS:**

UConn Health has established the following procedures and forms to facilitate compliance with this policy:

- UConn Health [Procurement Procedures](#)
- [New Supplier Application Guideline \(with links to forms\)](#)
- [Non-Competitive Purchase Justification Form](#)
- [Emergency Purchase Form](#)
- [Unauthorized Purchase Form](#)
- [Contract Request Form](#)
- [Guideline: When a Counter-Signed Contract is Required](#)
- [Procedures for Determining FMV and Commercial Reasonableness for Certain Referral Source Arrangement Contracts](#)
- [Uniform Guidance \(applicable to federally-funded purchases\)](#)

#### **REFERENCES:**

- Connecticut General Statutes:
  - Section 4a-52a Purchases by constituent units of the state system of higher education. Disqualification from bidding. Delegation of purchasing authority to state agencies.
  - Sections 10a-109a, et seq. The University of Connecticut 2000 Act and Next Generation Connecticut
  - Section 10a-151a Purchase of equipment for research, library media and library books by constituent units.
  - Section 10a-151b Purchase of equipment, supplies and contractual services by constituent units and their institutions.
  - Sections 10a-151f through 10a-151i Regarding qualified, revenue and nonmonetary contracts
  - Sections 10a-250 through 10a-263 The University of Connecticut Health Center Finance Corporation Act
  - Chapter 10 Code of Ethics, particularly Part I Code of Ethics for Public Officials (1-79 through 1-90a) and Part IV Ethical Considerations Concerning Bidding and State Contracts (1-101mm through 1-101rr); [Office of State Ethics - Plain Language Guides to the Code of Ethics](#)
- [University Code of Conduct](#)
- [University Guide to the State Code of Ethics](#)
- The University of Connecticut Health Center Finance Corporation's Policies and Procedures Governing Purchasing and Contracting

**RELATED POLICIES:**

- [2012-04 Contract Signature Authority](#)
- [2003-04 Business Associate Agreements](#)
- [2002-06 Procurement of Goods & Services \(Research/Sponsored Programs\)](#)
- [2016-02 Stark and Anti-Kickback Policy](#)

**ENFORCEMENT:**

Violations of this policy or associated procedures may result in appropriate disciplinary measures in accordance with University By-Laws, General Rules of Conduct for All University Employees, applicable collective bargaining agreements, the University of Connecticut Student Code, other applicable University Policies, or as outlined in any procedures document related to this policy.

In addition, UConn Health’s Chief Executive Officer and any UConn Health employee involved in initiating or approving a non-compliant purchase or signing a contract without the authority to do so may be held personally responsible for any costs or liabilities suffered by UConn Health as a result of the unauthorized transaction.

**APPROVAL:**

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Andrew Agwunobi (Signed)  
Andrew Agwunobi  
UConn Health Chief Executive Officer

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12/20/2021  
Date

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Kiki Nissen (Signed)  
Kiki Nissen  
Administrative Policy Committee Vice-Chair

\_\_\_\_\_  
12/20/2021  
Date

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Janel Simpson (Signed)  
Janel Simpson  
Administrative Policy Committee Chair

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12/17/2021  
Date

**POLICY HISTORY:**

**New Policy Approved:** 12/20/2021

**Replaces the following policies:**

- [2006-18 UConn Health’s Statutory Authority to Purchase and Contract](#)
- [2006-19 Purchasing Approval Authority](#)
- [2006-30 Authorized Purchase](#)
- [2006-31 Emergency Purchase](#)
- [2006-32 Non-Competitive Purchase](#)
- [2015-06 Procurement Sourcing and Supplier Selection](#)