

Ulster County Community College Purchasing Manual

This material in this manual is compiled from various sources, including New York State Education Law, General Municipal Law,
the Ulster County Purchasing Manual,
and authorizing resolutions by the SUNY Ulster Board of Trustees.

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SECTION I

OVERVIEW OF PURCHASING MANUAL

PURPOSE

The purpose of these Guidelines is to assist employees when procuring Commodities, Services and Technology and provide the proper steps to take in making a purchase that will facilitate Ulster County Community College's mission while protecting the interests of students, the County of Ulster, the State of New York, the taxpayers and promoting fairness in contracting with the business community.

GOAL

The aim and goal of Ulster County Community College in its purchasing and procurement process is to procure Commodities, Services and Technology that will enable the college to fulfill its mission while ensuring fair and open competition. This procurement process is designed to:

- guard against favoritism, improvidence, extravagance, fraud and corruption;
- ensure that the results meet the college's needs; and
- protect the interests of students, the county, the state and taxpayers.

To ensure these goals are met, State statute provides for checks and balances to regulate and oversee agency procurement activities. But the primary responsibility for procurement rests with the college which, in addition to statutory requirements, should conform with the general practices hereafter set forth.

COMPETITION

Competition in the purchasing and procurement process serves both the college and potential vendors by:

- ensuring the procurement process produces an optimal solution at a reasonable price;
- guarding against favoritism, fraud and collusion; and
- allowing qualified vendors an opportunity to obtain college business.

PURCHASING COMMODITIES AND SERVICES

DOLLAR LIMIT

Up to \$1,000

\$1,001 - \$3,000

\$3,001 - \$9999

PROCEDURE

No competition required

ON CONTRACT: Submit a purchase order

NOT ON CONTRACT: Documented solicitation of verbal quotes from at least three sources, if available

ON CONTRACT: Submit a purchase order

NOT ON CONTRACT: Formal solicitation of written

\$10,000 and over

quotations from at least three sources, if available
ON CONTRACT: Submit a purchase order
NOT ON CONTRACT: Subject to competitive bidding

When competition exists, the purchaser shall make every effort to provide maximum opportunity for offers to compete. The breadth of the competitive field may be defined through the establishment of minimum eligibility requirements describing the Commodities, Services and Technology to be provided, as long as the rationale is sound and the process itself is documented. Alternatively, when competition does not exist, the purchaser should endeavor to negotiate a reasonable price and terms and conditions which can be justified and documented.

RESPONSIBILITY

Contracts should only be awarded to those vendors who are responsible. The college must administer a process in which vendors are required to provide assurances that they conform with responsibility requirements. Such requirements may include, but are not limited to, the vendor's qualifications, financial stability, integrity and performance. **Responsibility differs from responsiveness** in that it generally applies to the vendor and the constructs are established in case law. Responsive applies to the extent to which the vendor has complied with the specifications or requirements of the solicitation.

EVALUATION AND AWARD:

Information provided to vendors must be clearly written such that all vendors understand:

- (i) the requirements of a responsive bid or proposal;
- (ii) how their bid or proposal will be evaluated; and
- (iii) the general method the agency will use to select a successful vendor.

To ensure equitable treatment among competing vendors, each must be provided consistent information throughout the procurement process. All vendors must be considered and awards must be made in accordance with a rational pre-determined process.

The process may use price as the sole determinant or may consider a variety of factors such as quality, cost and the efficiency of the proposed solution. Consideration of cost does not have to be limited to the price of the Goods and Services being procured but may apply to the total cost or cost/benefit of procuring and using the goods and services.

Wherever possible, the evaluation should be quantifiable.

FAIR AND OPEN PROCESS

Employees of Ulster County Community College who are engaged in the procurement process, must make every reasonable effort to ensure that vendors are aware of opportunities to compete for the college's business. In addition, the college must:

- define the process by which the procurement is being conducted;
- disclose the general process to potential vendors;
- adhere to the process while conducting the procurement; and
- document the process.

Additionally, the college must provide vendors with an opportunity to learn why their offer was not selected.

SECTION II **Purchasing Guidelines for Personnel with Authority to Make Requisitions.**

DETERMINING NEED FOR DEPARTMENT

The first step in the purchasing process is to determine that a need exists for a particular Service, Technology or Commodity and to select and document the appropriate purchasing technique for meeting that need. These decisions are made by the Department head, College Purchasing Agent and the area Dean.

Prior to entering a requisition, the requisitioner must verify, using FGIBAVL, that there are sufficient budget funds remaining to cover their requisition. The Accounting Department is available to assist in determining if sufficient budget funds remain.

If the requisition involves travel over 300 miles away from SUNY Ulster, a travel approval form and board approval are required before a requisition can be entered (see travel policy). Anyone who is traveling may obtain a travel advance from the Accounting Department and pay for registration lodging, etc. from that advance. All receipts for such expenditures should then be submitted with the Travel Request Form upon completion of travel to receive any additional reimbursement due. If a travel advance is not desired, requisitions may be entered for payments directly to the various vendors (ie: hotel, conference registrations, etc).

If the requisition involves meals, a meal request form must be completed *in advance* of the event and sent to the Dean of Administration detailing the information required as part of the meals policy.

Sufficient and Insufficient Funds:

A requisition should not be completed if there are insufficient funds in the budget line to cover the purchase. If you would like to purchase an item or service but do not have the necessary funds to cover the expense in the appropriate budget line, a BUDGET MODIFICATION FORM

must be completed. Filing of this form allows for the transfer of funds from one budget line to another. Budget Modification Forms can be obtained from the Accounting channel on the portal, or directly from Accounting. There is also one attached in the appendix of this document. Once a Budget Modification Form has been signed by all necessary parties, it must be submitted to the Accounting Department where it will be entered in Banner within one business day. Once this occurs, the requisition can be entered.

CHOOSING A VENDOR

The college, through the expertise of the College Purchasing Agent, has a list of approved vendors from which a good can be ordered. Every purchase requires a vendor to be established in Banner. If a vendor is not in place, it is the responsibility of the individual completing the requisition to obtain a W-9 form (blank forms can be located on the portal under the Accounting channel). In this instance, the requisition can still be entered, however the vendor information (name and address) should be entered in the document text area. Upon receipt of the completed and approved requisition, and the W-9 form, the Accounting Department will create the vendor and process the purchase order. Even when purchasing from state contract the vendor should be contacted to ensure best and final pricing.

Please make every attempt to obtain quotes that, when feasible, are valid for a duration of up to 1 year or as indicated by the purchasing agent.

The Purchasing Agent can provide a list of suggested vendors for a particular commodity, including state contract information. If a state contract is used to make a purchase, the purchase requisition must reference the state contract number.

Please be advised that catered events on campus and book purchases are subject to existing contractual agreements. Please contact the Dean of Administration's Office for current restrictions.

Blanket orders can be set up with specific vendors. With blanket orders, a specific dollar amount is encumbered with the vendor to cover routine purchases. Even though the requisition is under a blanket order, the purpose for the order and the description of the item are still required. Similarly, the use of a blanket purchase order does not alleviate the requirement that bidding/quoting take place.

In instances when there is a probability that a commodity will be needed above the written quote or bid threshold within a fiscal year, but the exact products cannot be identified in advance (ie: lumber in varying sizes, electrical supplies, printed materials, auto parts, paint etc.), a quote or bid, whichever is appropriate, shall be let using best estimates of quantity and specifications. Upon bid analysis, a vendor will be selected based upon the aggregate low bid/quote based upon best assumptions. After the bidding/quoting process for the desired commodity is completed, a blanket PO shall be issued to that vendor and used for all purchases of that commodity class during that fiscal year. If multiple departments require that same commodity, each may issue its own blanket purchase order citing that same bid. It is recommended that the bid/quote be let with prices to be held for a defined period of time (whenever possible), and that the duration of

the blanket purchase order be of that same duration.

MAKING THE PURCHASE

A. Requisition and the Purchase Ordering Process

Every purchase should, if possible, go through the purchase ordering process which begins with the entering of a requisition into Banner. Instructions for entering of requisitions into Banner Web are attached in the appendix. After requisitions are entered and marked as completed, they will immediately enter the approval queue process. Every ORG (organizational department code) has a unique approval queue established which routes the requisitions through the various approval levels. The department head makes the first approval which is followed by the approval of the area Dean and then purchasing agent. The final approval is by the Dean of Administration. The appropriate budget code must be entered on the requisition. It is particularly important that equipment be coded with an equipment line (see definitions and Capital Asset Policies & Procedures). If you do not currently have a budget line needed, please prepare and submit a budget modification form and one will be created for you. The supporting documentation (quotes) must be submitted to the purchasing agent who will review that documentation before his electronic approval.

B. Purchase Order

Once the requisition is approved by the Department Head, the Purchasing Agent, and subsequently the Dean of Administration, it will be returned (electronically) to the Accounting Office to be assigned a purchase order number. Purchase orders are printed daily and sent to the Dean of Administration for signature. Once signed, they are returned to Accounting where they are immediately distributed. The signed copy is mailed to the vendor, and copies are simultaneously distributed to Accounts Payable, the purchasing agent and the requisitioning department. It is a fair assumption that the vendor receives their copy of the purchase order approximately the same day the requisitioner receives his/her copy. The purchasing agent will forward the quote documentation to Accounting where it will be attached to the Accounting copy of the purchase order and retained for potential future use or audit.

Technology Approval

All purchase orders for technology will be reviewed by OIT to ensure the best vendor is being used, the equipment is compatible, there are no concerns with maintenance or high operating costs, and all necessary components are being ordered.

C. Goods Received

Once good or services are received, the vendor should submit an invoice directly to Accounts Payable. The invoice must be signed, indicating that the goods or services have been provided. Accounting will copy that invoice and send a copy to the requisitioning party who will sign it using their full name attesting that the goods were received in good condition and that the pricing is accurate in accordance with the P.O. and state contract. The Accounts Payable department

will assemble invoices, receipts, purchase orders, quotes etc. and enter them into Banner as a completed invoice ready for payment.

EXCEPTIONS TO THE PURCHASE ORDER PROCESS

A. Petty Cash

Purchases for supplies or other business needs that are \$75.00 and under can be made and reimbursement can be obtained by submitting a *Petty Cash Form* (see appendix) with sales receipts, providing all provisions of this policy are met. Reimbursement requests should be submitted within 30 days of purchase. Any purchases made toward the end of the College fiscal year, August 31, must be submitted by September 15 for reimbursement. All purchases must conform to College purchasing guidelines.

The Dean of Administration approves this reimbursement. It must be understood that these purchases are subject to disapproval and the employee who makes the purchase is at risk of assuming this cost personally. Furthermore, no reimbursement will occur if budgeted funds are not available.

No reimbursement will be made for New York State sales tax, alcoholic beverages or gratuity greater than 20%. Employees should obtain a tax exempt letter prior to purchase.

B. Credit Card Purchases

The requisition/purchase order method is the preferred means by which College purchases should be made, whenever possible. However, if the purchase is of an emergency nature OR if the vendor does not accept a College purchase order, a credit card purchase can be made. Only the President, the Dean of Administration, and the Trustees are permitted to hold credit cards. All purchases must conform to College purchasing guidelines.

Approval process:

- For those purchases that can be planned in advance, the credit card user should fill out the *SUNY Ulster Credit Card Authorization Form* prior to the purchase so the proper approvals are obtained and funds encumbered. See attached form.
- For emergency purchases, the credit card user should receive approval from either the Dean of Administration or the President prior to use. The *Credit Card Authorization Form* should be filled out as soon as possible. “Emergency Purchases” is defined in Section 103.4, Article 5A of the General Municipal Law as a situation that affects public buildings/property or the life, health, or safety of the inhabitants and requires immediate action.

As with any College purchase, no reimbursement will be made for New York State sales tax, alcoholic beverages, or gratuity greater than 20%.

Purchase:

After completing the *Credit Card Authorization Form*, the purchase can be made. The requester can place the order and work with the President's Office so the credit card information is provided to the vendor. All completed *Credit Card Authorization Forms* should then be submitted to the Accounting Office.

Receipts:

Upon use, the credit card user shall immediately submit all signed **original sales documents** (invoices, receipts, credit card slips, etc.) to the Accounting Office. Charges for which there are no receipts may be considered taxable income to the credit card user in accordance with IRS regulations.

Monthly Statements:

Each month the Accounting Office will review the credit card statements and determine that all charges are legitimate College-related expenses with approved *Credit Card Authorization Forms* and receipts submitted. For each purchase the Accounting Office will charge the budget line identified on the *Credit Card Authorization Form*. Any expenses not related to College business or not made in accordance with this policy will be considered null and void per the Authority to Commit Monies Policy.

C. Meal and Food Expenses

For purchases that involve food or meal expenses, the SUNY Ulster Board policy on Meal and Refreshment Expenses must be followed. It states:

The College will pay for or reimburse a business meal or refreshment expense when it is deemed to be necessary, reasonable, and appropriate by the President, a dean, director, department head or designee as stated in SUNY Community College Regulations.

Approval Process:

A *Request for Meals or Refreshment Expenses* form (see appendix) must be completed **in advance** of the event and include the following documentation:

- ✓ A completed department budget number;
- ✓ The name and signature of the person submitting the charge request;
- ✓ The business purpose involved with the meal;
- ✓ The time, place and itemized expenses related to the business meal (a credit card receipt or monthly statement alone is not adequate); and
- ✓ Complete list of attendees, itemizing full names and if they are a staff or faculty member, student or guest.

All provisions of this policy must be met. No reimbursement will be made for payment of New York State sales tax, alcoholic beverages, or gratuity greater than 20%.

For all business meal or refreshment expenses anticipated to be more than \$75 a purchase order following the College's Purchasing and Procurement Policy must be obtained **in advance** of the event.

- For business meal and refreshment expenses less than \$75, reimbursement is provided through petty cash and requires original, itemized receipts, subject to available budgeted funds.

Meal Allowances:

The College will follow the meal allowances provided in the CSEA contract for Ulster County, which include a maximum reimbursable daily meal allowance for employees traveling on approved College business, (currently for 2008-2010 at \$7 maximum for Breakfast, \$13 maximum for Lunch, and \$20 maximum for dinner, or, if traveling out of Ulster County for an overnight conference a \$40 meal allowance per diem without receipts will be provided, subject to departure and arrival times.). Those traveling to major metropolitan areas (ie. New York City, Washington D.C., Los Angeles etc.) may request meal allowances at double the per diem rate (\$14 maximum for Breakfast, \$26 maximum for Lunch, and \$40 maximum for dinner.)

D. Travel Policy and Procedures

All requests for mileage reimbursements should be submitted in a timely fashion (at least monthly,) and requests for mileage reimbursement for travel prior to August 31st must be submitted by September 15th.

Policy

The College will reimburse individuals for reasonable, necessary, appropriate and approved travel and business expenses incurred in the performance of college business as specified in New York State Education Department Community College Regulations, Part 600, Section 602.4 .

The College's policy and procedures apply to all College-funded business travel, without regard to source of funds. College business travel is defined as any travel paid for, whether in advance or through reimbursement, out of a College account including grant and agency accounts. This policy also applies to non-Ulster County Community College employees whose travel is paid for by the College (e.g., prospective employees, speakers, consultants, and other College guests).

It is the responsibility of each individual incurring travel expenses to comply with the College's policy and procedures. Employees who improperly submit and approvers who improperly authorize the use of College funds are subject to disciplinary action.

Purpose

The purpose of this policy is to make faculty, staff, travelers, deans, directors, and department heads aware of their respective roles and responsibilities relative to submitting and approving travel and business-related expenses. Individuals are expected to be prudent when incurring travel or business expenses. Travel at the expense of the College must be in connection with official college activities. Travel by employees on College business or by students traveling for official purposes must be approved in advance by the president or the president's designee. The president may delegate authority to approve travel requests to the extent that competent decisions concerning the nature and necessity of the travel can be ensured.

Procedure

The president has delegated the authority to the employee's Department Head, or equivalent **Area Dean and Dean of Administration Administrator** to approve reimbursable travel, with the exception of travel 300 miles or more from the College. This requires Board approval per Board Policy 8.4.3, Travel Beyond Limit.

APPROVAL PROCESS:

A Travel Request Form must be completed and approved in advance for all travel requests that require funds for airfare, hotels or conference fees.

A Travel Log may be completed for local travel for mileage reimbursement only.

A Request for Meals or Refreshment Expenses Form may be completed for meals only.

After approval by the appropriate administrators **& Area Deans**, the form is sent to the Dean of Administration's Office. If it is necessary to change the amount of a travel ~~requisition~~ request, it should be requested by memorandum to the Dean of Administration rather than submission of ~~another requisition~~ **a new form**.

Travel Expenses

These instructions are intended to make known the College's policy with regard to those expenses that may legitimately be listed on travel and expense reports for reimbursements. Expenses that may be included follow:

1. Transportation costs, including air fare (the lowest fare available) and necessary ground transportation to the destination, including shuttle bus, bus, taxi, other public transportation, or rental car. ~~if no other feasible form of ground transportation is available. For automobile travel from the College, Mileage will be paid at the current reimbursement rate. and tolls, but will be limited to the lowest air fare available.~~

- a. **Privately Owned Vehicles.** The College will reimburse those covered by this policy who use private automobiles on College business at the current mileage reimbursement rate established by the IRS plus parking and toll charges. The mileage reimbursement rate is intended to cover all operating costs including depreciation, repairs, gasoline, insurance, towage and other similar expenditures. When driving on College business, employees must carry a valid driver's license, vehicle registration, and proof of insurance. New York residents must carry a New York Insurance Identification Card. Privately owned motorcycles shall not be used on College business. In the event of an accident involving injuries or damages to other persons or property while operating a privately owned vehicle on College business, the employee must notify the Dean of Administration's Office to provide for any potential involvement of the College. The financial loss for damage to a privately owned vehicle used on business is not reimbursable by the College.
- b. **Rental Cars.** A rental car may be **used and it is recommended for travel over 80 miles. Enterprise is the vendor of choice and offers favorable pricing.** All authorized drivers must be listed on the car rental contract. Collision insurance

(often called Collision Damage Waiver insurance on the rental contract) must be purchased when renting an automobile

domestically. The minimum liability insurance must be purchased if it is not automatically included in the contract.

2. **Lodging costs**, including the cost of a room and associated taxes (if out of state), ~~plus parking expenses~~. The College will reimburse lodging for trips of more than 50 miles one-way. Specific exceptions for travel within the 50-mile proximity in New York, New Jersey, Pennsylvania, and New England locations may be authorized by the ~~employee's~~ Dean of Administration (e.g., multiple-day conferences where commuting is inappropriate, particularly early start or late times, or multiple-day field assignments for which overnight lodging is deemed appropriate).
3. **Meals**, including costs for food not included in the conference fee and nonalcoholic beverages. (Meals are reimbursed at the current CSEA applied rate \$7 breakfast, \$13 lunch, \$20 dinner, except where included.)
4. **Registration fees** for professional conferences.
5. **Gratuities** – not to exceed 20% of bill.
6. **Parking costs**.
7. **Telephone calls** that involve College-related business.
8. **Cancellation fees** incurred in the normal course of doing business.
9. **Travel insurance**.
10. **Airfare** (at the lowest reasonable available fare)

Expenses that *may not* be included:

1. TV movies.
2. Gasoline costs if mileage reimbursement is used.
3. Cost of mileage beyond the amount that would be required to travel by coach class air.
4. Personal telephone calls.
5. Alcoholic beverages.
- ~~6. Dry cleaning or laundry service for business stays less than a week (five consecutive business days).~~
6. Costs for meals, travel or lodging for spouses or other personal guests.
7. Fees incurred for changing reservations unless there is a justification.
8. Expenses and/or fees associated with social or non-mandatory activities at conferences such as tours, sports activities, golf outings, in-room movies, in-flight movies, etc.
9. Unreasonably expensive meals and lodging.
10. Cancellation fees incurred by the traveler through negligence, personal choice, or carelessness of the traveler.
11. All expenses related to the personal negligence of the traveler (parking tickets and fines, towing, traffic violations, damage to personal vehicles, clothing, or other items.)
12. Repairs of personal vehicles used on College business.
13. Lost/stolen cash or personal property including luggage and/or briefcases.
- ~~14. Personal items and services (e.g., shoe shines, haircuts, manicures, saunas, massages, pet care costs, souvenirs or personal gifts, childcare costs, and personal reading materials)~~

Travelers shall not seek reimbursement for goods or services (including transportation, lodging, etc.) that are provided free of charge, paid for by another source or are not related to College business.

Tax-Exempt Status

The College is a tax-exempt organization and individuals should request that sales tax not be

collected in New York State. Unfortunately, the travel industry (e.g., airlines, rail, hotel, car rental, restaurants) frequently will not recognize this status and insist that taxes be paid. In these instances, the employee will be reimbursed for the taxes paid. If the supplier requests a tax-exemption document, a tax exemption letter or ST129 form can be obtained from the Dean of Administration, or is available on the Portal in the forms section. **Tax will only be paid on out of state travel.**

Travel Authorizations and Arrangements

The traveler's **Department Head, Area Dean and Dean of Administration**, ~~director or department head~~, in accordance with this policy should authorize all official College travel. In general, receipts for expenses incurred by the employee must be itemized and attached to the claim that is submitted for reimbursement.

One requisition should be entered for the travel of the trip and all amounts should show on the travel request form. Attachments should include supporting documentation such as an agenda, MapQuest etc, for justification of other costs.

Receipts are ~~also~~ required to substantiate all travel advances regardless of whether the actual expenses incurred were less than or more than the amount of the advance. Receipts are required for expenses (except mileage for use of personal vehicles.) ~~A local travel log must be submitted.~~

~~Under no circumstances may an individual be the sole approver of his or her own Travel Request Form or Local Travel Log. The traveler's supervisor or the supervisor's designee who does not report to the traveler must approve these.~~

To ensure proper accounting, prompt reimbursement and compliance with IRS regulations, travelers need to submit their expenses for reimbursement within 60 days after their return to the work site. ~~Both the traveler's supervisor and the next higher level supervisor must approve reimbursement requests submitted beyond the 60-day time period.~~ **Requests submitted beyond 60 days one year after the date(s) of travel will not be reimbursed be subject to the college pursuing collection action.**

International Travel

Faculty or staff intending to travel abroad to conduct College business or supervise instructional travel must secure approval from the appropriate dean, Dean of Administration, President and Board of Trustees in advance of committing College resources to the trip. This is accomplished by completing and submitting the Travel Request Form at least 60 days prior to the anticipated date of departure. A memo to the appropriate dean should be attached to this form outlining the:

- Purpose of the trip
- Specific, tangible business benefit to the College
- Source of funds (college operating, agency, granting organization)
- How the traveler will report the outcomes to the campus community

Upon return, the traveler is responsible for providing an English translation/explanation for all receipts written in a foreign language. The translation/explanation should provide an identification of the type of expenditure (i.e. meals, transportation, etc.) and a general description

of the items included on the receipt (e.g. lunch for traveler).

Travelers are encouraged to use credit cards for payment and submit the credit card statement that facilitates and validates the conversion process. If a copy of the traveler's credit card statement is included with receipts, reimbursement will be for the amount shown for the item on the statement. If the traveler converts US dollars into foreign currency, the currency exchange

receipts or bank statement detailing the transaction can be used to calculate the US dollar equivalent for expenses reported. For those individuals not using credit cards or lacking currency exchange receipts, receipts submitted in foreign currency must be converted to US Dollars using the Oanda currency converter which can be found at <http://www.oanda.com/convert/classic>.

Reimbursement will be allowed for actual passport and visa fees for travel outside the United States on college business.

For international automobile rentals, all insurance coverage must be taken.

Transportation to Temporary Work Stations Transportation to temporary official work stations or sites shall be reimbursed. If an employee is assigned to attend a conference, training, and /or meeting on behalf of the College, the shortest distance, either home to the event or their regularly assigned work location to the event shall be reimbursed.

Travel Under Sponsored Programs

Travel related to sponsored programs must follow this policy, unless requirements of the granting or sponsoring agency are more stringent than those contained in this policy or procedure.

Forms of Payment for Travel and Business Expenses

After the appropriate approvals have been received for travel, and travel has been authorized through the College's Purchasing and Requisition Policy and Procedure the following **will occur** forms of payment are acceptable:

~~Personal Funds~~

~~The traveler makes all travel-related purchases with personal funds and submits a Local Travel Log or a completed Travel Request Form to obtain reimbursement according to this policy.~~

~~Check Request~~

~~Travelers may request a College check to pay for conference registrations and hotel reservation deposits. Travelers should submit a standard requisition along with a copy of the approved Travel Request Form to Accounts Payable, which will then remit payment directly to the applicable organization. In the event that a credit is received, the traveler is responsible to obtain a check made out to Ulster County Community College or have the credit applied to their bill. The credited amount should be noted on the Travel Request Form as part of the trip reconciliation process.~~

~~Travel Advances—For trips of more than 50 miles one way from the College.~~

The College will pay 80% of the projected costs in advance for approved travel.

Travel advances **will** ~~can be requested~~ **processed** for transportation, lodging, meals, and incidentals when needed. Travel advances for transportation can be requested up to 60 days prior to the departure date. Travel advances are considered a personal charge to the individual requesting the advance. An approved Travel Request Form with appropriate receipts must be submitted within 60 days of

the traveler's return to their work site to reconcile how the advance was used and to indicate the amount to be repaid to the College, or to the traveler. Outstanding travel advances for completed trips must be settled before subsequent advances will be issued.

Required Documentation

~~If the employee is requesting a travel advance,~~ Documentation of projected costs must be submitted with the Travel Request Form.

- **Lodging:** Copy of hotel room rates for overnight stays if not included in conference fees. ~~(Whenever possible lodging is to be paid by the College.)~~ (at the lowest reasonable cost)
- **Transportation:** Lowest Airfare Cost - Copy of airfare cost taken from travel websites will be accepted. ~~(Whenever possible flights should be booked by the College.)~~
- Private Vehicle Mileage Cost - Copy of Mapquest or similar websites that include mileage to destinations will be accepted.
- **Conference Registration Fees:** Copy of a Conference Registration form and agenda is required.

Securing Reimbursement for Travel Expenses

In accordance with IRS regulations, the supporting documentation (i.e. receipts) must reconcile the cost and business purpose of the expenditure, and, for a reimbursement, must show evidence of payment. Employees should itemize all expenses on the Local Travel Log monthly or on the Travel Request Form within 60 days upon their return to the College and attach the original receipts.

If actual meal expenditures are reported instead of the use of a per diem rate, receipts must be included for all meal expenditures submitted on the request for reimbursement.

When expenses are being shared with either individuals or external organizations, a duplicate copy of the receipts will suffice with a detailed explanation that includes the names of the individuals or organizations that paid the balance of the expenses.

E. CALL-In (Confirming) Purchase Orders

In the rare cases of purchases needed in a timely manner prohibitive of the requisition process, employees may place an order before the mailing of a purchase order.

If the purchaser intends to phone in an order due to its urgency, he/she must notify the Accounting Office immediately via email so the purchase order can be stamped as "confirming" to alert the vendor to not duplicate the order. Accounting will also fax urgent orders upon request.

No order will be placed until the Dean of Administration signs the original purchase order.

F. Request for Payment

In the rare cases of emergency purchases or purchases needed in a manner prohibitive of the requisition process time frame, a purchase can be made without a purchase order and payment can be made by submitting a *Request for Payment* (see appendix).

“Emergency Purchases” is defined in Section 103.4, Article 5A of the General Municipal Law as a situation that affects public buildings/property or the life, health, or safety of the inhabitants and requires immediate action.

Any payment made with a Request for Payment must still have received approval PRIOR to making the purchase or committing funds, and budgeted funds must be available.

SECTION III

The Role of and Guidelines for the Purchasing Agent

Commodities, Services and Technology are procured in response to a need or a problem situation that exists. These needs or problems vary with respect to how well they can be defined. Some are common to several departments at the college and others are unique to a particular department. Issues range from relatively simple to complicated problems requiring complex solutions. As problems become more complicated, the requirements for resolving them become more difficult to describe and the expertise of the college purchasing agent is called upon.

To address this array of conditions there is a continuum of procurement techniques available to State agencies. Irrespective of the technique used, acquiring Commodities, Services and Technology is a time-consuming undertaking that requires a fair degree of thought and planning.

The records generated through the use of this policy should fully document the procurement/purchasing process, serving as an historical record as well as the basis for the Office of the State Comptroller's review. When selecting the most effective technique, the College's Purchasing Agent should consider and take into account any and/or all of the following:

- What is the nature of the problem being addressed? (Ex: Routine or unique; any similar problem; what is solution; special skills needed.)
- How well can the college's need be described? (Ex: Specifications; single or multiple solutions; would problem be resolved?)
- What practical considerations are there? (Ex: Complications; timetable, is it realistic? is there competition; other logistical considerations?)
- How well does the proposed Commodity or Service fit into available resources? (Ex: Can service be provided by other college employees; is there management support; are there sufficient resources to pay for the Commodity or Service; are there revenue sources outside of the college available for use?)
- How much risk is involved? (Ex: contingencies; associated costs; adaptability.)

With many procurements, another consideration in selecting the most appropriate purchasing technique is cost effectiveness. When it is necessary to examine costs and benefits, a broad context should be employed. Such an analysis may include:

- the life cycle costs of the product;
- overhead and handling costs;
- the investment of staff time;
- the cost of getting a service provider "up to speed";

- the cost of adapting existing equipment; and
- other financial considerations such as total financing charges net of any trade-in, credit, royalty and residual values.

ROLE OF THE PURCHASING AGENT

The college's Purchasing Agent, as appointed by the Board of Trustees, is to ensure all employees entering a requisition will adhere to the purchasing procedure, including the proper quoting/bidding of items. Employees are reminded that the thresholds apply to the aggregate purchases of that particular commodity for the College's fiscal year (September 1 through August 31). When the potential for written quotes exists, employees should err on the side of caution and obtain written quotes. Employees requisitioning items should feel free to email the College Purchasing Agent to determine if the desired item is on State/County bid, or for suggestions as to possible source. The College Purchasing Agent will supply the information, including a link to the appropriate state bid, if requested. If the intended purchase is technology related, the College Purchasing Agent may refer the requisitioner to OIT for their technical assistance. The employee entering the requisition is responsible for supplying three written quotes (in most instances) to the College Purchasing Agent via interoffice mail, simultaneous with the submission of an electronic requisition. If the purchase is being made from a State or County contract, the number MUST be referenced in the item text of the requisition. If the item is deemed by the College Purchasing Agent to require bidding, the necessary information will be forwarded to the Dean of Administration's office for bid documentation preparation.

The College Purchasing Agent will review the requisition in conjunction with the quotes, when applicable, and will electronically approve or disapprove the requisitions. If the purchase is for technology, the College Purchasing Agent will confer with OIT and receive their approval before approving the requisition. OIT will review the purchase to determine if the item is of an acceptable quality, to be sure it is compatible, to be sure the proper sources were quoted and to be sure all necessary components are being ordered.

The College Purchasing Agent approval indicates that the purchase is being made in conformance with the Purchasing Policy and General Municipal law, and that the required documentation has been received. If the requisition is for an item other than a purchase subject to the purchasing policy, the College Purchasing Agent will automatically approve the requisition to move it to the next stage in the process, however the approval will essentially be viewed as "not applicable".

Upon approval, the College Purchasing Agent will forward the quote documentation to the Accounting Department to be attached to the Accounting Department's copy of the Purchase Order, which will ultimately be retained with the paid invoice in conformance with applicable record retention laws.

TYPES OF PURCHASING TECHNIQUES

A. Supplies through Central Services:

A central inventory of supplies, including the blue books used for mid-term and final examinations, is maintained by Central Services for office use. Examples of supplies which should be ordered through Central Services include copy paper, stationary, pens, pencils, note pads, files, binders, dividers, tape, staples, paper clips, etc. A "Stock Room Request" form can be found on the Work Orders channel on the Portal by clicking on the Work @ Ulster tab. You can also use the following link

http://people.sunyulster.edu/Portal/CentralServices/StockRoom/Stock_Form.html to be directed immediately to the form.

Note: Verbal requests for supplies cannot be honored.

B. Guidelines for Quoting:

Attached hereto and made a part hereof and marked Schedule A is a copy of General Municipal Law 104B showing the monetary guidelines which shall be followed for purchases and public works contracts that fall below established bid limits. These guidelines are set forth in detail in the appendix.

A Summary is below:

Goods up to \$1,000, Purchase is at the discretion of the College Purchasing Agent

Goods \$1,000 to \$2,999, three verbal quotes are required with documentation of the conversation with the vendor

Goods \$3,000 to \$9,999, three written quotes are required

Goods over \$10,000, a Bid process is required

C. Determination of Which Process to Use (Bid or Quote)

All purchases shall be evaluated with attention given to cumulative dollar amounts expected in a given fiscal year for the entire College. When necessary, canvassing of using departments will be done to determine yearly value of a commodity. Past history can be taken into consideration when evaluating yearly costs associated with the purchase of a commodity. If a limit as set forth above is suspected to be exceeded, bidding/quoting shall take place. This decision shall rest with the College Purchasing Agent.

Under no circumstances will a quote that exceeds the bidding limits be awarded.

D.Telephone Quotations:

The telephone log or other record should record at a minimum: date, item or service desired, price quoted, name of vendor, and name of vendor's representative.

E.Written/Fax Quotations:

Vendors should provide at a minimum, date, description of item or details of service to be provided, price quoted, and name of contact.

F. Request For Proposal:

An effective way to award contracts for professional services is to award them only after a minimum number of professionals are contacted and asked to submit written proposals. Requests for proposals (RFPs) are traditionally used as a means of obtaining all types of professional services. RFPs are used to obtain the services of: architects, engineers, accountants, underwriters, fiscal consultants and other professionals.

A RFP and an evaluation of proposal can consider price plus other factors like staffing, experience and suitability for needs and may include negotiations on a fair and equal basis. The award should be the most advantageous to the College.

The process involves making a request for proposals from various professionals or firms and evaluating proposals received. Depending on the complexity of the situation, the college may prepare the RFP in-house or may obtain a consultant to help prepare it.

G.Overall Solicitation Process:

The overall solicitation process involves three steps:

1. A well-planned solicitation effort is needed to identify a sufficient number of qualified firms. To locate qualified firms check listings of firms in trade journals or professional journals, talk to other educational institutions, contact governmental entities, etc. Although many firms may be active in a given locality, not all are likely to have the specialized knowledge and experience needed to perform a satisfactory service. A good solicitation effort helps to ensure that these qualified firms are aware of the college's needs and procurement procedures and are thereby able to participate in the proposal process.
2. Encourage qualified firms to respond to requests for proposals. Preparing a response to an FRP can be costly. Qualified firms may be unwilling to go to the trouble and expense of preparing a proposal if critical details of the engagement or the method used to select (i.e. quality versus price) are not made clear during the solicitation process.
3. The solicitation effort can result in reduced costs through increased

competition. Of course if not properly managed, competition can produce unsatisfactory results. The college may obtain poor quality service, for example, if only cost factors are considered in the selection of a firm. However, if a sufficient pool of qualified firms is identified through a sound solicitation effort, the college can enjoy the economic benefits of competition without sacrificing quality.

There is no requirement in Section 104-B of the General Municipal Law on the frequency of solicitation; periodic solicitation can be made at reasonable intervals. E.g., a professional could be selected with the option of extending the contract in the second and third year before completing another RFP process.

H. Documentation:

All Quotes (written or telephone), copies of New York State or County bid used, and Requests for Proposals (when accepted) shall be documented and forwarded to the purchasing agent at the time of requisition. All purchases resulting from same shall have quote number referenced on purchase order or voucher, thus creating an audit trail. All awards from quotes shall be made to the lowest responsible and responsive bidder if possible. All quotes shall be forwarded to the purchasing agent who will review them prior to electronically approving any requisition. This documentation will then be forwarded to accounting for retention with purchase order and payable documentation.

Circumstances which will be documented may dictate purchase from other than low bidder (i.e., delivery requirements, quantity requirements, if a pickup, the location of vendor, known past experience of vendor, etc.). Any award, other than to lowest bidder, must be documented and approved by the purchasing agent.

EXCEPTIONS TO BIDDING

A. Emergencies:

An emergency exists wherein the delay caused by soliciting quotes would endanger the health, welfare or property of the municipality, or more important of the individual taxpayer, then the procurement of goods or services will be at the discretion of the proper department head with documentation as to the nature of the emergency and shall be approved by the Dean of Administration.

B. Professional Services and Consultants:

Contracts that require professional methods, character, or standards fall into the Professional Service contract category. Many of these professional services require a state license to practice or may be creative and specialized in nature. Where applicable, the college will initiate one of several processes (written/fax quote or RFP) in order to acquire professional services at the best price for the college. A minimum of three vendors will be solicited when possible.

All contracted vendors must comply with insurance requirements as noted in Schedule C of the Appendix.

C. Insurance

All agreements for insurance coverage will be instituted by the Dean of Administration. If competition is available in the market, RFPs will be requested, evaluated and award made.

D. Sole Source:

When there is only one possible source from which to procure goods and/or services, thus indicating there is no possibility of competition, the following should be documented in an e-mail to the purchasing agent at the time of requisition.

- a. Unique benefits of item needed;
- b. No other product/service can compare;
- c. Cost is reasonable as compared to product offered;
- d. There is no competition available.

E. True Lease: Prices will be negotiated between the college and Lessor.

MONETARY GUIDELINES AND/OR LIMITATIONS

All contracts over \$10,000 must be signed by an area dean after completion of a fully executed purchase order and then forwarded to the Dean of Administration for final approval.

A. Purchase Contracts:

1. Purchases that **exceed \$10,000** must be publicly bid per NYS law.
2. Purchases **under \$10,000** are made at the discretion of the College Purchasing Agent. The established procedure is to obtain three verbal quotes with documentation of the conversation with the vendor for purchases that **exceed \$1,000** or three written quotes for purchases that **exceed \$3000**.

B. Public Works Contracts:

1. Public Work Contracts that **exceed \$20,000** must be bid per NYS Law.
2. Public Work Contracts **under \$20,000** may be entered into at the discretion of the Chairman or Director of the Department making the purchase. The

established procedure is to obtain three written quotes for projects that are estimated to cost between **\$5,000 and \$20,000**.

C. Exemptions Negotiated:

NYS Law provides for the following categories to be **negotiated**. A quote or RFP may be used at the discretion of the Dean of Administration.

- Emergency Purchases
- Insurance
- True Leases
- Used Equipment
- Hospital/Nursing Home Equipment

D. Professional Services:

1. Request for Proposal:

- a. Professional Services that will **exceed \$40,000, 104-b**, requires a Request For Proposal (RFP) be issued. E.g., architectural service for new construction, advertising campaigns, inventories, consultants, financial audits and insurance.
- b. All RFPs for professional services shall be processed after consultation with and in conjunction with the Dean of Administration in order to take advantage of the Dean's expertise in this area and to ensure they are prepared and evaluated properly and fairly. RFP's shall be assigned a number in the bid/quote index and this number shall be referred to on any purchase order issued.

2. Written Agreement:

Professional Services with a potential cost of **less than \$40,000** require a written agreement e.g., clearly defined audits, engineering or architectural services for renovations or non-capital projects, heating systems, artwork, video films, instructors, design services. These contracts will be processed by the department after consultation with the Dean of Administration.

3. Negotiated:

Therapists, Counselors, Psychiatrists, Doctors, Nurses, , Attorneys, Software and maintenance of computers, licensing of software systems, etc., shall be negotiated at the discretion of the Dean of Administration.

4. Capital Projects:

All Capital Projects come exclusively under the care, custody and control of the Dean of Administration and their procedures are not referred to in this manual.

DEFINITIONS

- Authorized Signature – All purchase order requisitions must be approved by the Department chairperson and the area Dean. If such authorization is not entered into the Banner System, the requisition will be returned.
- Best Value. This is the basis for awarding all Service and Technology contracts to that vendor which optimizes quality, cost and efficiency, among responsive and responsible vendors. Such basis shall be, wherever possible, quantifiable.
- Budget Code – The correct budget line can be determined from your copy of the College Budget. The budget for your department can be viewed in banner using FGIBAVL.
- Commodities. Standard articles of commerce in the form of material goods, supplies, products or similar items. Does not include Technology.
- Costs and Price. “Costs” in the case of “Best Value” are distinguished from “Price”. Costs include conversion costs, life-cycle costs, etc. and embody price, which is the amount charged by the vendor for the given Commodity or Service or Technology.
- Department Head– The college area placing the order (e.g. Biology, Maintenance)

Emergency – For the purposes of this manual, an “emergency” is an unanticipated, sudden and unexpected occurrence beyond the control of anyone at the College which threatens: (1) the life, health, safety or welfare of any person, or (2) the continued public use of function of College property.

NOTE: Failure to properly and timely plan in advance for all procurements, which then result in a situation in which normal procurement practices cannot be followed, will not constitute a critical basis for an exemption. (per NYS Comptroller’s Office definition)

- Encumbrance – The budget amount to be set aside for items ordered. This should include any shipping charges, handling costs, or allowable discounts.
- Equipment - An individual item with a cost over \$1500 which will be used over a number of years. These items are to be purchased from an equipment expense code and will be tagged as an asset by the receiving department.
- Invoice: A bill the seller of goods sends to the buyer of the goods that identifies the goods and their costs.
- Lowest Price. The basis for awarding all Commodity contracts among responsive and responsible vendors.

- Procurement Record. A record should be kept for each acquisition. This record formalizes the practice of the college maintaining documentation concerning the procurement process and the decisions made during that process. The record should contain all materials necessary to be conveyed to the Office of the State Comptroller for contract review and approval purposes and for post audit, as well as any other material the college determines essential. This record is designed to serve and protect the college, the employee and the business community during and after the procurement.
- Purchase Order: A printed form sent from the buyer of goods to the seller specifying the quantity and description of the goods to be ordered. This form must be signed by the Dean of Administration.
- Quantity – The number of items ordered.
- Requisition: A formal written or electronic request for something needed.
- Request for Payment Form: This form is used as a last source for payment when there is no opportunity for a purchase order.
- Services: The performance of a task or tasks which may include the use of a material good or a quantity of material goods. This definition includes Technology which can be either a good or a Service or a combination thereof (frequently referred to as “bundled procurements”).
- Technology: A good or service or combination thereof that results in a technical method of achieving a practical purpose or in improvements in productivity. .
- Vendor: The provider of goods or services. Complete address and a name of any individual to be referenced should be provided. Keep in mind that the first line of the vendor address is the way the check will be made out.

APPENDIX

Budget Modification Form

Credit Card Authorization Form

Directions for placing a Requisition on Banner

Hotel Tax Exempt Certificate

Manual Purchase Order Form

Petty Cash Form

Request for Meal or Refreshment Expenses Form

Request for Payment Form

Tax Exempt Letter

Travel Log

Travel Request Form

The latest versions of all forms are available on the Portal

AUTHORIZING RESOLUTIONS BY THE SUNY ULSTER BOARD OF TRUSTEES

1. Resolution #09-6-80 Appointment of Claims Auditor
2. Resolution #09-4-43 Purchasing Policies and Procedures
3. Resolution #09-4-45 Authority to Commit Monies
4. Resolution # 09-5-70 Meal and Refreshment Expense Policy
5. Resolution #07-3-33 Purchasing Policies and Procedures Relating to General Municipal Law Section 104.13
6. Resolution #63-5-32A Purchasing Procedures – Authorize College Administration
7. Resolution #63-5-32A Procedure When Low Bid is Questioned
8. Resolution #63-5-32A Contract Awards per NYS OGS
9. Resolution #98-4-62 Authority to Enter into Cooperative Bidding
10. Resolution #09-8-127 Travel Policy
11. Resolution #09-9-141 Petty Cash
12. Resolution #09 -9-142 Credit Card Policy
13. Resolution #10-6-73 Capital Asset Policy & Procedures

SCHEDULE C

ULSTER COUNTY COMMUNITY COLLEGE STANDARD CONTRACT INSURANCE REQUIREMENTS

(for all contracts EXCEPT hazardous waste and other specialties)

WORKERS' COMPENSATION AND DISABILITY INSURANCE:

The FIRM shall take out and maintain during the life of this Agreement, Workers' Compensation (WC) Insurance and Disability Benefits (DB) Insurance, for all of its employees employed at the site of the project, and shall provide to the Dean of Administration's Office of Ulster County Community College Certificates of Insurance evidencing this coverage. If FIRM is not required to carry such insurance, The FIRM must submit form CE-200 attesting to the fact that it is not required to do so.

WORKERS' COMPENSATION REQUIREMENTS: To assist the State and municipal entities in enforcing WCL Section 57, FIRMS seeking to enter into contracts with municipalities MUST provide ONE of the following forms to the government entity entering into a contract:

- **IF FIRM IS REQUIRED TO CARRY COVERAGE & HAS AN OUTSIDE CARRIER**, submit Form C-105.2, "Certificate of Workers' Compensation Insurance" (the FIRM'S insurance carrier will send this form to the government entity at the FIRM'S request). **(PLEASE NOTE:** The State Insurance Fund provides its own version of this form, the U-26.3)
- **IF FIRM IS REQUIRED TO CARRY COVERAGE & IS SELF INSURED**, submit Form SI-12, "Certificate of Workers' Compensation Self-Insurance" (the FIRM'S Group Self-Insurance Administrator will send this form to the government entity at the FIRM'S request).
- **IF FIRM IS NOT REQUIRED TO CARRY COVERAGE**, submit Form CE-200, "Affidavit For New York Entities With No Employees And Certain Out of State Entities, That New York State Workers' Compensation and/or Disability Benefits Insurance Coverage is Not Required" (this form and the instructions for completing it are available from the link below).

DISABILITY BENEFITS REQUIREMENTS: To assist the State and municipal entities in enforcing WCL Section 220(8), FIRMS seeking to enter into contract with municipalities MUST provide ONE of the following forms to the government entity entering into a contract:

- **IF FIRM IS REQUIRED TO CARRY COVERAGE & HAS AN OUTSIDE CARRIER**, submit Form DB-120.1, "Certificate of Disability Benefits Insurance" (the FIRM'S insurance carrier will send this form to the government entity at FIRM'S request).

- **IF FIRM IS REQUIRED TO CARRY COVERAGE & IS SELF INSURED,** submit Form DB-155, “Certificate of Disability Self-insurance” (the FIRM must call the Workers Comp. Board's Self-Insurance Office at 518-402-0247).
- **IF FIRM IS NOT REQUIRED TO CARRY COVERAGE,** submit Form CE-200, “Affidavit For New York Entities With No Employees And Certain Out of State Entities, That New York State Workers' Compensation and/or Disability Benefits Insurance Coverage is Not Required” (this form and the instructions for completing it are available from the link below).

Please note that ACORD forms are NOT acceptable proof of New York State Workers' Compensation or Disability Benefits insurance coverage.

Form CE-200 and the instructions for completing the application and obtaining the form are available on the Board's website, www.wcb.state.ny.us, under the heading "Common Forms." FIRMS without access to a computer may obtain a paper application for the CE-200 by writing or visiting the Customer Service Center at any District Office of the Workers' Compensation Board. However, FIRMS using the manual process may wait up to four weeks before receiving a CE-200. **Employees of the Workers' Compensation Board cannot assist FIRMS in answering question about this form. Please contact an attorney if you have any questions regarding Form CE-200. However, If you have questions regarding workers' compensation coverage requirements, please call the Bureau of Compliance at (866) 546-9322.**

COMMERCIAL GENERAL LIABILITY INSURANCE:

The FIRM shall take out and maintain during the life of the Agreement, such bodily injury liability and property damage liability insurance as shall protect it and the COLLEGE from claims for damages for bodily injury including accidental death, as well as from claims for property damage that may arise from operations under this Agreement, whether such operations be by the FIRM, by any subcontractor, or by anyone directly or indirectly employed by either of them. It shall be the responsibility of the FIRM to maintain such insurance in amounts sufficient to fully protect itself and the COLLEGE, but in no instance shall amounts be less than those set forth below. The amounts set forth below establish the minimum acceptable levels of coverage.

Bodily injury liability insurance in an amount not less than ONE MILLION AND NO/100 (\$1,000,000.00) DOLLARS for each occurrence and in an amount not less than ONE MILLION AND NO/100 (\$1,000,000.00) DOLLARS general aggregate.

Property damage liability insurance in an amount not less than ONE MILLION AND NO/100 (\$1,000,000.00) DOLLARS for each occurrence and in an amount of not less than ONE MILLION AND NO/100 (\$1,000,000.00) DOLLARS general aggregate.

OTHER CONDITIONS OF COMMERCIAL GENERAL LIABILITY INSURANCE:

1. Coverage shall be written on Commercial General Liability form.
2. Coverage shall include:
 - A. Contractual Liability
 - B. Independent Contractors
 - C. Products and Completed Operations
3. Ulster County Community College, PO Box 557, Stone Ridge, NY 12484 shall be added to the Commercial General Liability policy as “Additional Insured” and this insurance is primary and non-contributory with any other valid and collectable insurance.

AUTOMOBILE LIABILITY INSURANCE:

Automobile bodily injury liability and property damage liability insurance shall be provided by the FIRM with a minimum Combined Single Limit (CSL) of ONE MILLION AND NO/100(\$1,000,000.00) DOLLARS.

OTHER CONDITIONS OF AUTOMOBILE LIABILITY INSURANCE:

1. Coverage Shall Include:
 - A. All owned vehicles
 - B. Hired car and non-ownership liability coverage
 - C. Statutory No-Fault coverage

PROFESSIONAL LIABILITY INSURANCE (e.g. MALPRACTICE INSURANCE)

Professional liability insurance in the amount of no less than ONE MILLION AND NO/100 (\$1,000,000.00) DOLLARS

ADDITIONAL CONDITIONS OF INSURANCE:

1. FIRM shall submit copies of any or all required insurance policies as and when requested by the COLLEGE.
2. If any of the FIRM'S policies of insurance are canceled or not renewed during the life of this Agreement, immediate notice of cancellation or non-renewal shall be delivered to the COLLEGE no less

than ten (10)
days prior to the effective date and time of cancellation or non-renewal.

CERTIFICATE OF INSURANCE:

The FIRM shall file with the Dean of Administration's Office of Ulster County Community College, prior to commencing work under this Agreement, a certificate of insurance.

1. Certificate of insurance shall include:

- A. Name and address of Insured
- B. Issue date of certificate
- C. Insurance company name
- D. Type of coverage in effect
- E. Policy number
- F. Inception and expiration dates of policies included on the certificate
- G. Limits of liability for all policies included on the certificate
- H. "Certificate Holder" shall be Ulster County Community College, P.O. Box 557, Stone Ridge, NY 12484.

2. If the FIRM'S insurance policies should be non-renewed or canceled, or should expire during the life of this Agreement, the COLLEGE shall be provided with a new certificate indicating the replacement policy information as requested above. The COLLEGE requires thirty (30) days prior written notice of cancellation.

INDEMNIFICATION BY THE FIRM:

The FIRM agrees to protect, defend, indemnify and hold Ulster County Community College and its employees free and harmless from and against any and all losses, claims, liens, demands and causes of action of every kind or character, including claims, liens, debts, personal injuries, death (including claims or losses by or death of employees of Ulster County Community College or the FIRM), and without limitation by enumeration, all other claims or demands of every character occurring or in any wise incident to, in connection with, or arising, directly or indirectly, out of this Agreement. The FIRM agrees to investigate, handle, respond to, provide defense for, and defend any such claims, demands or suits at its sole expense and agrees to bear all other costs and expenses related thereto, even if such claims, demands or suits are groundless, false or fraudulent.

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