Rule:
This rule is applicable to all employees of West Virginia Northern Community College.

Authority to purchase and acquire materials, supplies, equipment, services and printing, entering into lease and lease-purchase agreements, and to dispose of surplus, obsolete and unusable materials, supplies and equipment is granted to the Chief Procurement Officer.

The Chief Procurement Officer shall have the duty and/or authority to:

- Delegate functions when and where appropriate to authorized personnel;
- Purchase and contract for the materials, supplies, equipment, services, construction and printing required by the institution;
- Establish institutional guidelines and procedures for purchases not exceeding $25,000;
- Establish institutional guidelines and procedures for receiving, inventorying and distributing materials, supplies, equipment, services and printing;
- Review specifications and descriptions before soliciting bids or proposals to ensure that they are competitive and fair and do not unfairly favor or discriminate against a particular brand or vendor;
- Advertise for bids on all purchases exceeding $25,000, and post or otherwise make available notices of all purchases for which competitive bids or proposals are being solicited by the institution's purchasing office;
- Maintain the institution's purchasing files;
- Accept or reject any and all bids in whole or in part;
- Waive minor irregularities in bids, bidding documents and/or specifications;
- Apply and enforce standard specifications;
- Manage the institution's inventory of materials, supplies and equipment, authorize transfers to or between institutions, and sells surplus, obsolete or unused materials, supplies, and equipment;
- Prescribe the amount of deposit or bond to be submitted with any bid or contract;
- Prescribe contract provisions for liquidated damages, remedies and/or other damages provisions in the event of vendor default;
- Exempt from competitive bidding purchases of materials, supplies, equipment, services and printing purchased from within state government, from West Virginia sheltered workshops, from cooperative buying groups and consortia, and from the federal government or federal government contracts when price, availability and quality are comparable to those on the open
market;

- Perform chemical and physical tests on samples submitted with bids and samples of deliveries to determine compliance with specifications, if deemed necessary and prudent;
- Hear and render opinions on vendor complaints and protests;
- Register vendors with the Purchasing Division of the Department of Administration in accordance with the West Virginia Code;
- Apply the preference for resident vendors required by the West Virginia Code;
- File contracts and purchase orders that exceed the dollar limit required for competitive sealed bidding with the State Auditor;
- Submit contracts and purchase orders to the Attorney General for approval or as may be required by law, administrative procedures and guidelines;
- Ensure that purchases exceeding the dollar amount for competitive sealed bidding are encumbered and entered into the State’s accounting system as required by West Virginia Code §18B-5-4(g) and §5A-2-1 et. seq.
- Apply and enforce other applicable provisions of state and federal laws pertaining to purchases, inventory management and disposal of surplus and obsolete materials, supplies, and equipment.
- Options that are available to the chief procurement officer when appropriate circumstances arise include:

  In the event that a vendor fails to honor any contractual term or condition, the chief procurement officer may cancel the contract and re-award the contract to the next lowest responsible and responsive bidder;

  Vendors failing to honor contractual obligations may be held responsible for all differences in cost;

- Declare a vendor or bid non-responsible or non-responsive and refuse to award a purchase order. All such instances shall be substantiated in writing giving the reason(s) thereof, and such documentation shall be considered a public document available for inspection at all reasonable times; and
- Suspend, for a period not to exceed one (1) year, the right of a vendor to bid on purchases when there is reason to believe that such vendor has violated any of the provisions of the terms and conditions of a contract, this rule and/or state law.

All non payment card purchases of goods or services are subject to the requirements as outlined in the WVNCC Purchasing Procedures in accordance with the rules as outlined in Series 30.