07.01.99.O0.01 Purchasing Authorities’ Standards of Conduct

Approved: September 15, 2011
Reviewed: September, 2012
Next Scheduled Review: September, 2014

Procedure Statement

This procedure outlines a standard of conduct for all employees to whom purchasing authority has been delegated. The standard is tied to the System Ethics Policy and ethical procurement practices.

Definitions

**Benefit** – anything reasonably regarded as pecuniary gain or pecuniary advantage, including benefit to any other person in whose welfare an employee has a direct and substantial interest.

**Gift** – any item that is given to a state employee, to include, but not limited to physical gifts, money, gift cards, gratuities and entertainment vouchers/tickets.

**Value Added Item** – value added items are gifts given in connection with procurement of products or services. Value added items are treated as gifts.

Process

1. **GENERAL**

   In discharging purchasing responsibilities, all employees of Texas A&M University-San Antonio (TAMU-SA), to whom purchasing authority has been delegated, must maintain a standard of conduct in accordance with the System Ethics Policy. Employees whose behavior violates these standards of conduct will be subject to disciplinary action, including discharge if warranted by the seriousness of the offense.

2. **PURCHASING** Standards of Conduct

   Texas A&M University-San Antonio subscribes to the following purchasing standards of conduct:

   [Continuation of document content...]

   [Additional sections and paragraphs...]

   [Conclusion of document content...]

   [Signature and dated review notation...]

   Reviewed: September, 2012
   Next Scheduled Review: September, 2014
2.1 Become familiar with and abide by System procurement/purchasing policies and regulations and TAMU-SA procurement/purchasing rules/procedures/guidelines.

2.2 Strive to obtain the best value for the products or services being procured. Best value shall be determined through the consideration of purchase price; reputation of the vendor and of the vendor’s goods or services; quality of the vendor’s goods or services; extent to which the goods or services meet TAMU-SA’s needs; the vendor’s past performance with TAMU-SA; impact on the ability of TAMU-SA to comply with laws and rules relating to Historically Underutilized Businesses (HUB) and to the procurement of goods and services from persons with disabilities; total cost of ownership to TAMU-SA of acquiring vendor’s goods and services, and any other relevant factor that a private business entity would consider in selecting a vendor. Texas Educational Code 51.9335 outlines best value.

2.3 Grant all competitive vendors equal consideration insofar as state or federal statute and institutional policies permit.

2.4 Conduct business with potential and current vendors in an open atmosphere of good faith, devoid of intentional misrepresentation or preferential treatment.

2.5 Demand honesty in supplier representations whether offered through the medium of a verbal or written statement, an advertisement, or a sample of the product.

2.6 Receive consent of originator of proprietary ideas and designs before using them for competitive purchasing purposes.

2.7 Make every reasonable effort to negotiate an equitable and mutually agreeable settlement of any controversy, discrepancy, or disagreement with a vendor; and/or be willing to submit any major disagreements to arbitration or other third party review, insofar as the established System policies and State law allow.

2.8 Give prompt and courteous reception to supplier inquiries.

2.9 Cooperate with trade, industrial and professional associations, and with governmental and private agencies for the purposes of promoting and developing sound business practices.

2.10 Foster fair, ethical, and legal trade practices.

3 Benefits and Gifts

3.1 TAMU-SA employees may not accept benefits or gifts or offer certain benefits or gifts except in accordance with System Policy 07.04 Benefits, Gifts and Honoraria this policy.
3.2 TAMU-SA employees may accept items having a value of less than $50; examples include: coffee mugs, pens, plaques and similar recognition awards.

3.3 For TAMU-SA employees who accept an item or multiple like items, at one time, with a market value exceeding $50 must follow these procedures:

3.3.1 TAMU-SA employee who is accepting the gifts must complete a Gift Acquisition Record Form.

3.3.2 TAMU-SA employee is responsible for the equitable distribution of the gifts.

3.3.3 Individuals accepting gifts (students, staff and faculty members) must sign on Gift Log Form acknowledging receipt of Gift from TAMU-SA.

3.3.4 These forms must be provided to the University’s Director of Compliance within five business days of receipt or distribution of any gift(s) with a value or total value in excess of $50.

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**Forms**

- Gift Log Form
- Gift Acquisition Record Form

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**Related Policies**

- System Policy 07.01 Ethics
- System Policy 07.04 Benefits, Gifts and Honoraria

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**Contact Office**

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