



## Procurement Guidelines

WI 4437

*All guidelines are intended to give further details to information contained in a particular piece of legislation, policy, code, agreement or procedure and must therefore be read in conjunction with them.*

### INTRODUCTION

The Charles Darwin University Procurement Guidelines are vested in the Chief Financial Officer. The Chief Financial Officer delegates them to the Manager Strategic Procurement Services.

The Office of Strategic Procurement Services encompasses the whole process of acquiring property or services. It includes the purchase, hire, lease, rental or exchange or any other commercial transaction involving the outlay of funds in return for the provision of supplies or services. Procurement includes the process of risk assessment, seeking and evaluating alternate solutions, contract award, delivery of and payment for the property or service and consideration of options related to the contract.

The University has de-centralised purchasing guidelines based on Purchasing Thresholds and Delegations, detailed in Section 2, and other guidelines contained within this document.

The University purchasing guidelines are based on the following fundamental procurement principles:

**'Best value for money'** ensures competition by wherever practical seeking competitive tenders and quotations

This does not imply that the lowest quotation be always selected.

**'Open and effective competition'** All processes are to be transparent, subject to the highest levels of probity and are subject to internal and external audit.

**'Enhancing where possible the capabilities of local business and industry'** All potential local providers of goods and services are given the opportunity to participate in the quotation and tender process.

**'Environmental protection'** Adopting practices to promote and protect the environment and minimise environmental harm. This includes paying due consideration to energy efficiency and sustainability.

**'Ethical Behaviour and Fair Dealing'** All dealings are undertaken with impartiality, fairness, independence, openness, integrity and professionalism.

### INTENT

The intent of this document is to guide the activities related to the procurement of goods and services across the University.

### RELEVANT DEFINITIONS

**In the context of this document:**

**GST** means Goods and Services Tax, the University seeks a tax credit for all goods and services purchased under the Tax Act, a New Tax System (Goods and Services Tax) Act 1999 and any related Tax Imposition Act

**Stamp Duty Exemption** the University is exempt from stamp duty in the Northern Territory under the provisions of Item 37 of Schedule 2 (Exemptions from Stamp Duty) NT Stamp Duty Act 2006. The University is not exempt from Stamp Duty imposed on rental or lease transactions.

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## 2. PURCHASING THRESHOLDS

- 2.1 Part of the University's processes on purchasing, seeking quotations for goods and services or tender is based on purchasing thresholds. These thresholds are where the estimated value of supplies is:

**\$0 but less than \$1,000**

*At least one verbal quotation is to be obtained.*

**\$1,000 but less than \$5,000**

*At least one quotation in writing must be obtained.*

**\$5,000 but less than \$10,000**

*A minimum of two quotations in writing must be obtained.*

**\$10,000 but less than \$100,000**

*A minimum of three quotations in writing must be obtained. Should the minimum number of quotations not be obtained, the associated documentation must detail the reasons why and a Certificate of Exemption may be required (see Section 8).*

**\$100,000 and above**

*Must be by formal tender.*

Note there are no threshold restrictions on Procurement if the intention is to seek tenders publicly and where the estimated value of goods or services is less than \$100,000.

Orders should not be split to avoid the competitive processes.

- 2.2 The Delegations register is maintained by the Office of Strategic Services and Governance. The delegations hierarchy provide the framework for the execution and release of purchase orders in Oracle and the approval of contracts for operational and capital expenditure.

All staff involved in purchasing goods or services for the University must undergo formal training before being given access to the CDU Finance System.

## 3. PURCHASING AUTHORITY

The University uses the Oracle Financials eBusiness Suite's iProcurement module to process and record all procurement for the University. The system assigns four different roles for processing Requisitions (requests for goods or services) into Purchase Orders (contracts for the supply of goods or services). The differing roles serve as a control on the procurement process. The Requisition Approver and the Purchase Order Approver must be separate employees, and neither shall be the beneficiary, either directly or indirectly of the transaction.

The **Requestor** is responsible for determining needs, checking fund availability and obtaining any necessary quotations prior to initiating the procurement process in the finance system by generating a requisition for the goods or services.

The **Requisitioner** generates a requisition within the Finance System, based on the information provided by the Requestor and forwards it to the cost centre Requisition Approver.

The **Requisition Approver** is the cost centre financial delegate in a hierarchical position above the Requisitioner, and who has the authority to commit the University's funds for the purpose of the Requisition. The Requisition Approver must **not** approve the purchase of any good or services for their own use.

Once the requisition has been approved it will be forwarded to the Buyer to convert into an official University Purchase Order which is a contract between the supplier of the goods or services, and the University.

The **Buyer** within the finance system converts approved requisitions into Purchase Orders. The Buyer confirms that the Procurement Policy have been adhered to and manages the procurement process following the generation of the Purchase Order.

The **Requisitioner** is responsible for the receipting of invoices for the goods and services, the Requisitioner may request the buyer to receipt goods and services from time to time. Goods delivered to stores will be receipted by the delegated officer.

For all Travel Advances, and purchase of Capital Equipment the Buyer should be a staff member of the Office of Strategic Procurement Services.

The **Purchase Order Approver** is a financial delegate whose delegation level should be sufficient for the amount of the expenditure.

The duly authorised purchase order forms part of the University's binding contract with the supplier. The purchase order details:

- Full description of goods and/or services required;
- Supply Terms and Conditions;
- Shipping location;
- Date of order and authorised delegate and Buyer;
- Required by date;
- Freight terms and conditions;
- Bill (Invoice) to location and the terms for payment; and
- Provides the University's Australian Business Number (ABN) **54 093 513 649**.

Purchase Orders must support each and every transaction with the University and must be quoted on all Invoices to ensure prompt payment.

The Manager Strategic Procurement and staff in the Office of Strategic Procurement Services are responsible for the procurement of all capital equipment, IT equipment and all equipment leases.

All purchases in foreign currencies greater than AUD100,000 equivalent should be notified to the Office of Strategic Procurement Services. Section 27 Mitigating Foreign Exchange Risk outlines the requirements in relation to purchases in foreign currencies.

When the initial purchase is not made through the finance system, for example with a credit card purchase, the individual making the purchase must have approval from a Financial Delegate prior to purchasing.

## 4. PURCHASES OF GOODS AND SERVICES

The procurement of all goods and services should be done by the use of an official University **Purchase Order**, with the following exceptions:

- When petty cash is used;
- For credit card purchases; or
- For standing and fixed contracts arranged by the Office of Strategic Procurement Services.

### Credit Card Purchases

The use of Corporate Purchasing Credit Cards is the recommended method of procurement of consumable goods and services where the individual value of those goods or service is less than \$1,000. Corporate credit cards may be issued to University staff to facilitate the purchase and payment of goods and services. The Charles Darwin [University Corporate Purchasing Credit Card Policy](#) is available as a separate document.

Purchases over \$1,000 may be made using a corporate purchasing card in the following instances:

- the purchase is being made from a preferred supplier; or
- the purchase relates to a standard “off the shelf” item.

The Cardholder may need authorisation for the purchase from the appropriate Financial Delegate for the cost centre.

### Purchase of Goods or Services without Official Purchase Order or Authority

In the event that goods and/or services are obtained without a Purchase Order or Authority the matter will be referred to Senior Management for further action. This could include one, or a combination of the following:

- Seek payment for the goods and/or services from the staff member who undertook the acquisition;
- If appropriate confirm action and provide approval for the payment of the goods and/or services;
- Provide approval for payment of the goods and services followed by a written reprimand to the staff member concerned;
- Provide approval for the payment of goods and/or services followed by the commencement of disciplinary procedures; and
- In those instances where the goods/services have been obtained for personal use refer the case to the police for further action.

## 5. CODE OF ETHICS

All Charles Darwin University staff that are authorised to conduct purchasing activities, which includes seeking quotations and quotation assessment, are to adhere to the highest degree of ethical standards.

No University staff member shall engage in or permit any illegal or improper purchasing practice.

Staff who may have knowledge of any questionable practices shall immediately report this knowledge to the Manager Strategic Procurement.

Engaging in or permitting unethical practice or illegal conduct constitutes grounds for disciplinary action.

## 6. CONFLICT OF INTERESTS

No Charles Darwin University staff may use his or her purchasing authority for personal gain.

Staff engaged in any aspect of the purchasing process is required to be free of interests or relationships in any aspects of the purchasing process which are actually or potentially detrimental to the best interests of the University.

Prior to any situation arising with a potential for a conflict of interest, complete disclosure shall be made to the Manager Strategic Procurement to allow sufficient time for full review.

## 7. GUIDELINES FOR TENDERING & REQUESTS FOR QUOTATION GUIDELINES

Charles Darwin University [Tendering and Request for Quotations Guidelines](#) are available as a separate document.

## 8. EXEMPTIONS FROM SEEKING QUOTATIONS

Under certain circumstances there is provision to dispense with the requirement to seek quotations and or public tenders and confine enquiries to one or a selective number of suppliers.

A Certificate of Exemption may be appropriate for requirements >\$10,000 in circumstances where the observance of the request for quotation and or public tender process is impractical or inappropriate for all or some of the following reasons:

- a) The Supply of Goods or Services is via a government or statutory body and not subject to competitive quotes;
- b) The Supply of Goods or Services has been the subject of a prior determination;
- c) Licence or subscription renewal;
- d) The supply of Goods or Services is the result of an existing Contract or Agreement and cannot be amended;
- e) The supply of Goods or Services are deemed to have a negative financial impact on CDU by delay or cost by adhering to the Procurement Guidelines;
- f) The purchase or lease of real property and market conditions do not allow for effective competition;
- g) There is an emergency for the requirement for safety and security reasons;
- h) Relates to obtaining goods or services that cannot be evaluated objectively in the open market eg high specialised equipment or services where a sole provider is available;
- i) Unforeseen minor variation to a contract e.g. small scope change on a project.

Applications for a Certificate of Exemption from the requirements to obtain three written quotations for goods and services to the value of \$100,000 can be reviewed and approved by the Manager Strategic Procurement and subsequently noted by the Tender Committee.

Applications for a Certificate of Exemption from Public Tenders **\$100,000 and above** and for exemptions from the requirements to obtain three written quotations for goods and services valued >\$100,000, will be reviewed by and approved by the Tender Committee.

Evidence of the claim for seeking exemptions must be provided. No action to commence procurement of the goods or services should be commenced prior to obtaining an approved Certificate of Exemption.

## 9. STANDING EXEMPTIONS FROM SEEKING QUOTATIONS

In the general course of business there is provision to dispense with the requirement to seek quotations and or public tenders for goods and services that contain a minimal risk to the University.

A Standing Exemption may be appropriate for requirements >\$10,000 in circumstances where the requirement is covered under an agreement or has previously been aligned to our procurement principles.

Standing Exemptions require approval by the Tender Committee before their addition to the list below:

### SUPPLIES EXEMPTED FROM QUOTATION/TENDER REQUIREMENTS

1. **Library Subscription Services**  
Where those materials are available only from sole suppliers or via affiliation relationships.
2. **Works of Art**  
Covers permanent acquisitions such as paintings, prints, sculpture, carvings, pottery, craft work or literature as approved by the CDU Cultural Collections Advisory Board, or ephemeral activity such as specific exhibitions, performances, films and special events etc.
3. **Membership to Professional Organisations or Associations and National Peak Bodies**  
Covers where membership is required in conjunction with a School Division's core business.
4. **Curriculum materials**  
Where those materials are available only from sole suppliers or licensors.
5. **Legal Practitioners and Expert Witnesses**  
Where such is required to provide legal advice and expertise in their relevant fields and appear before courts and tribunals.
6. **Cattle and buffalo for research or breeding purposes**  
Where purchases are made through stock and station agents.
7. **Purchase of Fleet Vehicles under NT Fleet and Commonwealth Government agreements**  
Covers acquisitions conducted by CDU Fleet utilising preferred purchasing price provided the Work Instruction Vehicle Procurement and Disposal is completed.

- (i) This exemption is valid when the intended function, resale value, environmental sustainability, occupational health and safety and durability of the vehicle chosen are clearly documented.

#### 8. **Renewal of ongoing software maintenance and licensing agreements**

Covers requirements for existing business critical information systems operated by ITMS.

This exemption is valid provided the original acquisition of the software or licence was conducted under the standard Procurement Guidelines ie Tender or Quotation.

### 10. **PROCUREMENT OF CAPITAL EQUIPMENT (ASSETS)**

An asset is any item of property (furniture, equipment, motor vehicles) of the Charles Darwin University that has a value at time of purchase of \$10,000 or more, having a separate identity and have an anticipated life of one (1) year or more.

The Procurement Principle and Guidelines contained in this document apply to the purchases of assets.

### 11. **PROCUREMENT OF INFORMATION TECHNOLOGY EQUIPMENT (COMPUTERS, NETWORKED EQUIPMENT AND WIRELESS DEVICES)**

All new requests for IT Equipment are required to have the specifications of the equipment checked and approved by Information Technology Management and Support (ITMS), to ensure compatibility with existing equipment and supportability, prior to entering into the procurement process.

Wireless IT devices such as iPads and tablet style devices designed primarily for personal use and only **require network connectivity** do not require approval from ITMS. These devices should only be sourced via the Office of Strategic Procurement Services.

Any **non-networked tablet** (i.g. iPads, Microsoft Surfaces etc) and related accessories with an individual value of under \$1000 can be purchased on a Corporate Purchasing Card. Bulk purchases should be referred to Procurement.

**NOTE:** if the use of a mobile data network is required for the device, connectivity (such as a sim card) this should be arranged through ITMS as per [CDU Communications Policy](#).

University staff are required to purchase and or lease desktop, laptop computers and wireless devices through any preferred supplier contract which the University's Office of Strategic Procurement Services has negotiated for Information Technology Equipment.

Non-standard devices such as specialised workstations need to be approved by ITMS before purchasing to ensure connectivity to the CDU network and that support for the device is available either via the vendor or ITMS.

### 12. **PROCUREMENT OF MULTI-FUNCTION DEVICES/PHOTOCOPIERS/ PRINTING DEVICES**

*The University has invested in a full capacity printing, photocopying and binding service (UniPrint) and any purchase orders for machines providing duplicated services/products will require support of the Manager UniPrint.*

All Multi-Function devices, photocopiers and printers are to be purchased and or leased by the Office of Strategic Procurement Services. The majority of devices are leased and covered under maintenance agreements.

The Manager Strategic Procurement may authorise, in special circumstances, other cost centre managers to procure assets.

Such authorisation is to be in writing and is to detail the limitations of such purchases.

Approval must be obtained from the Manager UniPrint for the procurement of multi-function devices, photocopiers and desktop printing devices with a capacity higher than 35 copies per minute and/or 15,000 copies per month or any binding capability other than single stapling.

The purpose of this approval is to:

- Utilise equipment, resources and expertise at UniPrint who also ensures the integrity of CDU Branding guidelines;
- Support environmental sustainability initiatives by reducing the number of printing devices at CDU;
- Reduce the cost of consumables by using more efficient printing devices.

### 13. TRAVEL

The information for travel is detailed in the following documents [Travel on University Business Procedures](#) and the [Travel Policy](#).

### 14. PROCUREMENT OF STATIONERY

Stationery is to be procured at the most economic price. The Office of Strategic Procurement Services is authorised to enter into contracts with suppliers of stationery for common use scheduled items.

University staff are required to purchase stationery and other office requisites from the preferred supplier which the University has nominated.

### 15. PROCUREMENT OF FURNITURE

All furniture must meet the following standards:

- Must be ergonomically designed to meet Australian standards (AS 3590 parts 1-3) and or a stipulated Quality System Standard;
- Is *NOT* manufactured from untreated chip board;
- The furniture meets or exceeds the standards of design set by the University's Safety Health and Risk Management Office;
- The furniture does not contain any Ozone Depleting Substances or Hazardous Substances.

### 16. FREIGHT OF GOODS – RECEIPT OF GOODS – PAYMENT TO CREDITORS

#### Freight

University goods are normally freighted into Darwin based campuses or Alice Springs campus on 'free into store' basis. Delivery to other regional sites may incur a freight cost.

Where goods, including mail, are to move at University cost, they should, where possible, be freighted under existing University contracts or agreements. Special freight concessions are available under these conditions.

These contracts and agreements are established and/or managed by the Office of Strategic Procurement Services.

The Central Receiving Store of the Office of Strategic Procurement Services may arrange the consignment of freight for University business purposes.

### **Receipt of Goods**

All goods purchased by and consigned to the University should be physically checked by an authorised staff member and receipted in the finance system. Particular attention is required to ensure a proper physical check of the goods received is conducted and only what has been received is actually recorded in the finance system. There may be occasions when the goods received require further detailed and operational checking by the end user / client before recorded as 'received ' in the finance system. Any further checking of goods by the end user must be conducted promptly and should not unduly delay the payment process.

This does not include goods or services that are procured using a University Credit Card.

Goods that are either leased and have a capital value over \$10,000 are to be recorded with an asset number at the point of receipt. See separate guidelines for capitalisation of goods.

### **Payment to creditors**

The payment of creditors is strictly controlled in the finance system by Accounts Payable. Goods and services in the first instance must be receipted in the finance system to enable the payment process to proceed.

The standard Charles Darwin University payment terms and conditions are 30 days from receipt of a tax invoice or goods, whichever is the latter.

## **18. STANDING OFFERS, CONTRACTS AND AGREEMENTS**

The University accesses state and federal government agencies contracts and agreements on a diverse range of goods and services. These range from supply of consumables e.g. stationery, gases, furniture, photocopiers, and vehicles to a range of services. In addition to these contracts the University enters into its own contracts and agreements with suppliers of goods and services.

University staff should always check with the Office of Strategic Procurement Services as to whether their purchasing requirements can be met from existing Contracts and Agreements.

The Office of Strategic Procurement Services is solely responsible for initiating and arranging of all supply and service contracts, agreements and standing offers for the University. The management of contracts and agreement are the direct responsibility of the Representative as stated in each contract and agreement.

Records and Archives are responsible for the safe custody of original copies of all contracts, agreements and standing offers that the University enters into.

When common use goods contract arrangements are set up between Suppliers and the University they are to be used.

## 19. PREPAYMENT OF ORDERS

In certain circumstances it may be necessary to make part or full prepayment against an order for goods and services.

In such cases full details of the requirement and the amount and the method of payment must be provided to the Office of Strategic Procurement Services and Accounts Payable of University Finance.

## 20. USE OF CORPORATE PURCHASING CREDIT CARD (P-CARD) FOR UNIVERSITY BUSINESS

The use of Corporate Purchasing Credit Cards is the recommended method of procurement of consumable goods and services where the individual value of those goods is less than \$1,000. The Charles Darwin University [Corporate Purchasing Credit Card Policy](#) is available as a separate document.

## 21. LEASE AND RENT OF EQUIPMENT

The University utilises the options of rent and lease for procurement and financing of equipment, including maintenance and services.

The Manager Strategic Procurement Services is responsible for all negotiations and contractual arrangement of rental and leasing agreements.

The Chief Financial Officer has the authority to approve master rental and lease agreements. Other senior officers of University Finance who are identified by the Chief Financial Officer and whose signatures are recorded with the relevant leasing company are authorised to approve addenda to these agreements.

Records and Archives are responsible for the safe custody of original copies of all lease and rental agreements that the University enters into. University Finance in conjunction with Records and Archives are to maintain all files associated with all lease and rental agreements.

Finance to cover the rental and lease payments and the details and authorisation of the order and agreement will be formalised by the Office of Strategic Procurement Services.

## 22. MAINTENANCE AGREEMENTS – EQUIPMENT

Maintenance agreements for certain categories of equipment are normally arranged at the time of procurement. These generally cover the 'life of type' of period of equipment is expected to be retained.

These agreements generally cover the following types of equipment:

- Photocopiers;
- Facsimile machines;
- Electronic office equipment;
- Printers;
- Telecommunication equipment; and
- Computing equipment.

The Office of Strategic Procurement Services:

- Will arrange maintenance agreements for all leased or rented equipment detailed above; and

- Will renew, or terminate agreement on direct advice from the equipment owner or cost centre manager.

## 24. DOCUMENTATION OF SUPPLY AND SERVICE CONTRACTS AND AGREEMENTS

Authorised delegates approved by University Council are the only authorities to sign any document required to be executed or affix the Common Seal of the Charles Darwin University on behalf of the University. This authority is provided under the auspices of the [Charles Darwin University Act 2007](#) and [Charles Darwin University By law Common Seal](#).

University Finance is required to establish on behalf of, and in conjunction with, University clients all supply and service contracts and agreements. Records and Archives are to maintain a register of all associated documents.

University Finance is to process all supply and service contract and agreement documents and variations to the authorised approving delegate for execution and or Common Seal.

Records and Archives are responsible for the safe custody of original copies of all contracts and agreements that the University enters into. University Finance in conjunction with Records and Archives are to maintain all files associated with all contracts and agreements.

### Security Caveats and Levels

All contracts and agreements as defined above have security caveats and levels applied. The caveats and levels are:

- Legal in Confidence - Protected or Highly Protected;
- Commercial in Confidence – in Confidence;
- Research in Confidence - in Confidence or Protected;
- Tender in Confidence – in Confidence.

**Process for new Contract and Agreements** *Supply and Service Contracts and Agreements*. All of these agreements are the result of detailed tender processes and are conducted and negotiated by the Office of Strategic Procurement Services in conjunction with University stakeholders.

*Master lease agreements*. These agreements are established by the Office of Strategic Procurement Services staff with approval of the Chief Financial Officer.

The following steps are to be followed when establishing contracts and agreements:

Step	Action	Responsibility / Authority
1	<p><b>Tender process (where required)</b></p> <p>Establish the terms and conditions of the requirement and statement of works. Where necessary enter a tender process.</p> <p>Establish the requirement with University stakeholders and clients.</p>	<p>Contract Manager, Strategic Procurement University stakeholders and clients</p> <p>Manager Strategic Procurement</p>
2	<p><b>Negotiation / Deliberations</b></p> <p>Identify if any current or similar arrangements are in place. Avoid any potential conflicts of interest or duplication of existing contracts.</p>	<p>University clients / stakeholders</p> <p>Manager Strategic Procurement and Contract Manager Strategic</p>

Master Document located at W:\fas\Quality Management System\Quality Management System\01 Quality System\02 WORK INSTRUCTIONS\4400-4499 Procurement\4437ProcurementGuidelines.docx



Step	Action	Responsibility / Authority
	(d) Price variations; (e) Performance monitoring.	
10	<p><b>Contract Variations and Extensions</b></p> <p>All variations and extensions to existing contracts and agreements are conducted by the Manager Strategic Procurement Services in consultation with the Superintendent or Superintendent's Representative.</p> <p>Copies of variations are to be distributed as detailed in serial 7.</p>	<p>Contract Manager, Strategic Procurement in conjunction with relevant authorised delegate Superintendent or Superintendent Representative Records &amp; Archives</p>
11	<p><b>Reports to University Council or Audit and Risk Committee</b></p> <p>A summary report detailing all current contracts and agreements is to be provided to the Finance Committee. This requirement is on an 'on call basis'.</p>	<p>Chief Financial Officer  Manager Strategic Procurement</p>

The control and registration of all Supply and Service Contracts and Agreements is an essential part of the sound financial management and retention of corporate memory and information of the University.

Non-compliance with these guidelines places the University at legal and financial risk.