

Section: Business and Support Operations

Section Number: 3.7.4

Subject: Financial Transactions: Bids Opened and Sealed

Date of Present Issue: 07/01/89

Date of Previous Issues:
07/79

POLICY:

The Purchasing Department must issue informal bids for all single item purchases in the amount of \$1,000 or more, and sealed bids for items in excess of \$5,000. Exceptions to this rule are emergency items and items of a proprietary nature. All bids in excess of \$5,000 are subject to binding agreement by the bidder to comply with all published rules, regulations, directives, and orders of the Michigan Civil Rights Commission relevant to Section 4, Act. No. 251, Public Acts of 1955, as amended, with all provisions of Executive order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor. Copy of the non-discrimination clause of Lake Superior State University must be attached to each bid request in excess of \$5,000 (see Page 2).

PROCEDURE:

Informal bids may be solicited by letter or telephone. Notes of open bids are to be filed with the Purchase Order.

Sealed bids are solicited by mail on the University's standard bid form. The time allowed to the vendor to formulate a bid is in proportion to the complexity of the project, but at least 10 days are allowed from date of bid announcement until bid opening.

All sealed bids will be opened in the presence of a witness, the results tabulated, and the tabulation signed by the bid opener. This material will be placed in the file for future reference.

The Purchasing Department evaluates all bids and selects and informs the successful bidder. Approval by the President or the Executive Vice President must be obtained if the purchase is to be made from other than the low bidder. The rationale for such a decision must be written and filed with the bids.

LAKE SUPERIOR STATE UNIVERSITY

Non-Discrimination Clause for All LSSU Contracts

With the exception of:

1. Contracts for goods or services in an amount of less than \$5,000.
2. Contracts entered into with parties employing fewer than three employees.

The definition of "contractor" in this clause applies to: bidder, contractor, subcontractor, or vendor.

In connection with submission of bids, the performance of work, or sale of goods or services under this contract, the contractor agrees as follows:

1. The contractor will not discriminate against any employee or applicant for employment because of race, religion, color, national origin, age or sex. The contractor will take affirmative action to insure that applicants are employed, and that employees are treated during employment, upgrading, demotion or transfer; recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.
2. The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, religion, color, national origin, age or sex.
3. The contractor or his collective bargaining representative will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice advising the said labor union or workers' representative of the contractor's commitments under this section.
4. The contractor will comply with all published rules, regulations, directives, and orders of the Michigan Civil Rights Commission relevant to Section 4, Act No. 251, Public Acts of 1955, as amended, with all provisions, of Executive order 11246 of September 24, 1965, and of the rules, regulations, and relevant orders of the Secretary of Labor, which may be in effect prior to the taking of bids for any individual Lake Superior State University project, or Purchase Order.
5. The contractor will furnish all information and reports required by the Michigan Civil Rights Commission relevant to Section 4, Act No. 251, Public Acts of 1955, as amended, by Executive Order 11246 of September 24, 1965, and by the rules, regulations, and orders of the Secretary of Labor, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency, the Michigan Civil Rights Commission, and the Secretary of Labor for the purpose of investigation to ascertain compliance with such rules, regulations, and orders.

6. In the event of the contractor's noncompliance with the non-discrimination clause of this contract or with any such rules, regulations, or in part; the contract may be declared ineligible for further contracts in accordance with procedures authorized in Section 4, Act No. 251, Public Acts of 1955, as amended, in Executive Order 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor, or as otherwise provided by law.
7. The contractor will include, or incorporate by reference, the provisions of the foregoing paragraphs (1 through 6) in every subcontract or Purchase Order unless exempted by the rules, regulations or orders of the Michigan Civil Rights Commission, * and will provide in every subcontract or purchase order that said provisions will be binding upon each subcontractor or vendor.

*Except for those:

1. Subcontracts for goods or services in any amount of less than \$5,000.
2. Subcontracts entered into with parties employing fewer than three employees.