

SOUTHWEST TENNESSEE COMMUNITY COLLEGE**SUBJECT:** Purchasing Policies and Procedures**EFFECTIVE DATE:** July 1, 2000; Revised September 15, 2024**Purpose**

The purpose of this policy is to establish the requirement that representatives of Southwest Tennessee Community College (“Southwest” or “the College”) must comply with all procurement regulations of the Tennessee Board of Regents (TBR).

Policy

- I. Pursuant to TBR policy [4.02.10.00](#) Purchasing Policy, the College shall maintain a procurement policy that sets forth the procedures necessary to comply with the referenced TBR purchasing policy.

TBR policy [4.02.10.00](#) was implemented to ensure efficiency, fairness, transparency, and the maximum level of competition in the procurement of goods and services for the College. It includes criteria and processes for procurement. The TBR policy is not intended to cover all possible issues that might arise in the procurement process, rather, it is intended to give College representatives a general process for how to address procurement issues.

In addition to the TBR policies implemented to guide procurement, the Southwest Purchasing Procedures Manual has been adopted by the College. The manuals are available in the College’s [Purchasing](#) department.

On the College’s webpage dedicated to the [Purchasing](#) department is information regarding:

- Purchasing methods, including small dollar purchases
- Informational Solicitations
- Formal Solicitations
- Reverse auctions
- Procurements under another state entity’s bid process
- General Services Administration (GSA) contracts
- State Manufactured goods and services
- Procurements under cooperatives
- Emergency purchases
- Competitive negotiation/alternative competitive procurement method
- Special Purchase categories
- Gifts
- Outsourcing

The Purchasing department webpage also provides information regarding:

- Paper requisitions

- Electronic Requisitions
- Travel
- Contracts
- Dual Services Agreement procedures

Southwest's Purchasing [forms and documents](#) are also available on the department's [webpage](#).

- II. All employees who performing procurement tasks for the College must abide by the regulations in the set forth by TBR, College's Purchasing Procedures Manual, and information provided on the Purchasing department's webpage.

Attached at the end of this policy is the [TBR Code of Ethics in Procurement and Contracting](#) that must be followed by all Southwest employees. Also note that the College's Conflict of Interest policy, [1:02:03:10/11](#) is cited as a related policy.

Responsible

Source of Policy: Business and Finance

Administrator: Chief Financial Officer

TBR Guideline Reference: G-030

Related Policy: 1:02:03:10/11

TBR Policy Reference: 1.03.02.10
4.02.10.00; 4.02.01.00

Approved: _____
President

Date: September 15, 2024

**TENNESSEE BOARD OF REGENTS
CODE OF ETHICS IN PROCUREMENT AND CONTRACTING**

- I. The code of ethics was developed by the TBR Council of Buyers, approved by the Chancellor, and shall be applicable to all employees in the Tennessee Board of Regents System who are primarily responsible for the purchase of goods or services for any institution in the System.
- A. Statement of Policy
1. Employees must discharge their duties and responsibilities fairly and impartially.
 2. They also should maintain a standard of conduct that will inspire public confidence in the integrity of the institutions.
- B. General Standards of Ethical Conduct
1. Any attempt to realize personal gain through public employment, inconsistent with the responsible discharge of that public employment, is a breach of public trust.
 2. Employees shall base all purchases on the principle of competitive bidding consistent with policies of the Board and the institution.
 3. Employees shall grant all competitive bidders equal consideration, regard each transaction on its own merits, and foster and promote fair, ethical and legal trade practices.
 4. Employees shall avoid misrepresentation and sharp practices, and demand honesty in sales representations whether offered through the medium of a verbal or written statement, an advertisement, or a sample of a product.
 5. Employees shall be receptive to competent counsel from colleagues, and be willing to submit any major controversy through the appropriate appeals processes.
 6. Employees shall accord prompt and courteous reception insofar as conditions permit to all who call on legitimate business missions.
 7. Employees shall not use without consent the original designs developed by a vendor for competitive purposes.
- C. Conflict of Interest
1. It shall be a breach of ethical standards for any employee, in the performance of his or her official duties, to participate directly or indirectly in any proceeding or application, request for ruling or other determination, claim or controversy, or other particular matter pertaining to any contract, or subcontract, and any solicitation or proposal thereof, in which to his or her knowledge:
 - a. he or she or any member of his or her immediate family has a substantial financial

- b. interest; or
 - c. a business or organization in which he or she or any member of his or her immediate family has a substantial financial interest as an officer, director, trustee, partner or employee, is a party; or
 - d. any other person, business, or organization with whom he or she or a member of his or her immediate family is negotiating or has an agreement concerning prospective employment is a party.
- 2. The determination of whether a substantial financial interest exists shall be based upon the criteria identified in TBR Policy No. [1:02:03:10](#), Conflict of Interest.
 - 3. Direct or indirect participation shall include but not be limited to involvement through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or purchase standard, rendering of advice, investigation, auditing or in any other advisory capacity.

D. Gratuities

- 1. It shall be a breach of ethical standards for any employee or former employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment, in connection with any decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or purchase standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling or other determination, claim or controversy, or other particular matter, pertaining to any contract or subcontract and any solicitation or proposal thereof.

E. Contemporaneous Employment Prohibited

- 1. It shall be a breach of ethical standards for any employee who is involved in procurement to become or be, while such an employee, the employee of any party contracting with the particular governmental body by which the employee is employed.