

Texas A&M University-San Antonio

07.01.99.00.01 Purchasing Authorities' Standards of Conduct

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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 Texas A&M University System (System) Policy [07.01 Ethics](#) and ethical procurement practices.

Official Procedure

1. GENERAL

- 1.1 In discharging purchasing responsibilities, all employees of Texas A&M University-San Antonio (A&M-San Antonio), to whom purchasing authority has been delegated, must maintain a standard of conduct in accordance with System Policy [07.01 Ethics](#). 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:

- 2.1 Become familiar with and abide by System Regulation [15.01.02 Federal Procurement Integrity Act](#) and A&M-San Antonio Procedure 15.01.02.O0.01 *Federal Procurement Integrity Act*.
- 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 University needs; the vendor's past performance with the University; impact on the ability of A&M-San Antonio 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 A&M-San Antonio 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 resolve any major disagreements through the dispute resolution process established by [Texas Government Code § 2260](#).
- 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 A&M-San Antonio 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](#).
- 3.2 A&M-San Antonio employees may accept items having a value of less than \$50; examples include: coffee mugs, pens, plaques and similar recognition awards.
- 3.3 For A&M-San Antonio employees who accept an item or multiple like items, at one time, with a market value exceeding \$50 must follow this Procedure:
 - 3.3.1 A&M-San Antonio employee who is accepting the gifts must complete a Gift Acquisition Record Form.
 - 3.3.2 A&M-San Antonio employee is responsible for the equitable distribution of the gifts.
 - 3.3.3 Individuals accepting gifts (student worker, appointed university representatives,

staff and faculty members) must sign on Gift Log Form acknowledging receipt of Gift from A&M-San Antonio.

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

Related Statutes, Policies, or Requirements

[System Policy 07.01 Ethics](#)

[System Policy 07.04 Benefits, Gifts and Honoraria](#)

[Dispute Resolution, Chapter 2260, Texas Govt. Code](#)

Forms

[Gift Log Form](#)

[Gift Acquisition Record Form](#)

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.

Contact Office

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