

Contact: Andrea Anania

REVISIONS TO THE BOARD OF REGENTS POLICY MANUAL – CHAPTER 7

Recommended Action: Consider, as a first reading, the proposed revisions to §7.06 of the Board of Regents Policy Manual to define “emergency purchases”.

Executive Summary: Emergency purchases had been defined in Iowa Administrative Code (IAC) §681 - 8.9. At its October 2010 meeting, the Board approved amending IAC §681 - 8.9 to reflect current Iowa Code §68B3 and §68B4. The amendment removed the definition of emergency purchases. (http://www.regents.iowa.gov/Meetings/DocketMemos/10Memos/October2010/1010_ITEM06n.pdf).

Board Policy Manual §7.06(B)(12)(c) authorizes the Executive Director to approve emergency purchases that exceed \$1,000,000 to be followed by Board ratification and references the definition in IAC §681 - 8.9, which was removed.

Board approval is scheduled for June. The proposed changes will:

- ▶ Define emergency purchases in the Board’s Policy Manual as had been defined in the IAC and expand the definition to include those purchases that are time sensitive; and
- ▶ Require that emergency purchases be approved by certain institutional personnel prior to submission to the Executive Director.

B. ORGANIZATION AND RESPONSIBILITIES

12. DEFINITIONS

- c. The Executive Director may approve emergency purchases which exceed \$1,000,000 to be followed by Board ratification.

Emergency purchases are defined in ~~681 IAC 8.9(4)~~ as “Purchases from such individuals that are critical to sustaining patient care or human life, maintaining critical research equipment, or similar instances. Emergency purchases may also be defined as those purchases that are time sensitive.

- d. Before submission to the Executive Director for approval, emergency purchase requests must be approved by the vice president for business and finance, superintendent, or equivalent title, or their designees, with subsequent ratification by the Board of Regents at the next scheduled meeting.

- de. Any request submitted to the Board Office for approval pursuant to sections 12(bc) and 12(ed) of this policy will include the following information regarding the equipment to be purchased:

E. COMPETITIVE CONDITIONS

4. EMERGENCY PURCHASES. The Regents recognize that in some emergency situations the taking of competitive bids or quotations is not feasible or possible. In such situations the requirements to do so may be waived. Emergency purchases are defined in ~~681 IAC 8.9(4)~~ Policy Manual §7.06B(12)(c).

Background:

Board Policy Manual §7.06

<http://www.regents.iowa.gov/Policies/Chapter%207/chapter7.06.htm>

Iowa Administrative Code §681 - 8.9 (Prohibited Interest in Public Contracts)

<https://www.legis.iowa.gov/DOCS/ACO/IAC/LINC/02-06-2013.Agency.681.pdf>

Iowa Code §68B3 (When Public Bids Required—Disclosure of Income from Other Sales)

Iowa Code §68B4 (Sales or Leases by Regulatory Agency Officials and Employees.)

<https://www.legis.iowa.gov/DOCS/ACO/IC/LINC/Chapter.68B.pdf>