



ADMINISTRATIVE REGULATION AND PROCEDURE

Title: CONSTRUCTION-RELATED PROCUREMENTS	Code: BB0801
	Revised: 5/8/2018

Policy Reference: B0801, Procurement of Equipment, Supplies, and Services

General Information for Procuring Construction Materials and Services

The Construction Services Department (CSD) is responsible for the orderly and economical procurement of construction-related goods and services for the MATC District. All construction procurements must be conducted in a manner, which will provide maximum free competition. The CSD is responsible for committing funds for goods and services from previously budgeted construction (Fund 3) accounts. Construction-related transactions without CSD approval will not be considered an obligation of MATC but that of the individual.

Budgeted funds must be available prior to the implementation of any project. Departments other than CSD are prohibited from using their budgeted funds in any manner, direct or indirect, for the procurement of construction. Specifically, maintenance, equipment, furniture, supplies, or similar budgeted funds of other departments may not be used to procure construction.

To maximize purchasing power, projects, materials, and services will be grouped on a district basis. Adequate lead-time should be allowed for the construction-related procurement.

Procurement of Construction

The responsibility of procurement of construction and related architectural/engineering services is vested in the CSD. The approval of the appropriate administrator is required before any request is processed. A construction procurement is the act of contracting for construction work, including obtaining related supplies, equipment, furniture, and services.

The State of Wisconsin TCS Administrative Procurement Policy, as set forth in TCS 6.05, the Financial Accounting Manual, and Wis. Stats., §§ 38.18 and 62.15 (1) to (11) and (14), are adopted as minimum standards for MATC effective February 1, 2002. (Copies are available in the MATC libraries and upon request from CSD via electronic resources.)

All procurements will be obtained from the lowest responsible bidder.



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Construction Procurement Compliance Requirements

- A. Responsibility
The following are responsible for administering the District Construction Procurement Policy: Vice President & General Counsel, Senior Director of Facilities Development, Operations and Construction and Director of Construction Services.
- B. Construction Procurements Procedure Scope
Construction procurement procedures are based on projects under \$15,000, projects over \$15,000, and emergency or investigative projects.
- C. Code of Conduct
CSD personnel abide by the MATC District Board Policy C0700, District Employee Code of Ethics. Specifically, personnel are prohibited from having a financial interest in any procurement, and from receiving any gratuity or financial gain from any contractor in exchange for favors.

It is the Construction Procurement policy to not discriminate against persons or firms supplying goods and services because of race, color, or national origin. Minority business enterprises are encouraged to become suppliers of goods and services.

- D. Competitive Bidding
All construction procurements that exceed \$15,000 must be bid unless negotiation is allowed pursuant to the Financial Accounting Manual. More than one construction procurement may be included in a single bid notice. The district may request that bids on a construction-related procurement be on a per-item basis, for the aggregate, or both.
- E. Documentation
All construction procurements less than \$15,000 must have phone quotations, catalog prices, or verbal quotations, with all documented and kept on file.
- F. Emergency Construction Procurements
When an emergency arises, budget clearance must be obtained by the Director of the CSD with approval of the Vice President & General Counsel or Senior Director of Facilities Development, Operations and Construction, who will notify the CSD of funding approval. Emergency procurements shall be evidenced by a written determination of the basis of the emergency and the selection of a particular contractor.



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G. Records

The CSD will keep copies of all records including requisitions, purchase orders, bid documents, written quotes, telephone quotes, contracts, and all other pertinent materials for seven years. Records shall include (1) rationale for the method of procurement, (2) contractor, and (3) the basis for cost or price.

H. Federally Funded Construction Procurements

All federally funded procurements shall be made in accordance with applicable federal regulations.

I. Construction Procurements Procedure

The following is the procurement procedure for projects with an estimated value up to \$15,000 as well as for projects over \$15,000. It consists of three phases: the project request phase, the project approval phase, and the project procurement phase.

1. The Project Request Phase

A manager, dean, or campus dean completes Form B04, Request for Construction or Remodeling Project. The completed form is submitted to the appropriate direct report of the college president for preliminary approval. The direct presidential report forwards the approved B04 form to the Senior Director of Facilities Development, Operations and Construction.

2. The Project Approval Phase

The CSD prepares a preliminary project investigation report and submits the findings back to the Vice President & General Counsel or Senior Director of Facilities Development, Operations and Construction. Projects are then reviewed by the President (and other administrators as designated by the President) and are selected for development based upon district needs and available funding. The selected projects are assigned to the Vice President & General Counsel and Senior Director of Facilities Development, Operations and Construction for implementation.

3. The Project Procurement Phase

Upon authorization by the Vice President and General Counsel or Senior Director of Facilities Development, Operations and Construction, the Facilities Planning & Development Department will prepare the necessary documents and obtain quotes or bids in accordance with the following guidelines (based on the estimated value of the procurement):



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Estimated Value

0 - \$10,000

\$10,000.01 -
\$15,000.00

Over
\$15,000.00

Procedure Summary

Buyer Discretion
Keep Records as Available

Requires One Telephone Quotation
Keep Records as Applicable

Formal Bid Procedure Required Per
Wisconsin Admin. Code TCS 6.05(2)
and Wis. Stats., § 38.18 and
62.15 (1)-(11) & (14)
Includes Formal Advertised Notices
And Bid Opening

The low recommended qualified bidder(s) is (are) submitted to the Vice President & General Counsel and/or Senior Director of Facilities Development, Operations and Construction for approval. Projects that require a formal written contract are submitted to MATC's Board of Directors for approval. All other projects are implemented upon the approval of the Vice President & General Counsel and/or Senior Director of Facilities Development, Operations and Construction. The procurement procedure for construction emergency procedure work or investigative work is as follows:

The CSD evaluates requests for emergency construction or investigative work based upon the need for immediate action to either safeguard the public from harm or to prevent damage to the physical plant.

When it has been determined that it is necessary to perform emergency or investigative work, the Director of the CSD will authorize department personnel to solicit verbal proposals from two contractors who have successfully completed projects for the District.

Both the hourly rate proposed and availability of contractor's personnel will be evaluated for selection of the contractor for emergency and investigative work.

The Director of the CSD and the Senior Director of Facilities Development, Operations and Construction will approve the emergency or investigative work and the contractor to be awarded the work. The Vice President & General Counsel will request that the Vice President, Finance establish a funding source and a purchase order so that work can be performed.



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4. Apprentice Participation Requirements

The specifications for any construction contract with an estimated cost (at the time of first bid advertisement) exceeding the appropriate threshold limit for a mandatory wage rate determination as established by the State of Wisconsin Department of Workforce Development, shall include the following clause:

“The contractor shall employ apprentices from each building trades craft involved if they are available and appropriate for the nature of the work as determined by the Construction Services Department. Such apprentices shall be properly indentured into a Joint Apprenticeship Training Program or other bona fide apprenticeship training program, registered and certified with the State of Wisconsin Department of Workforce Development, Bureau of Apprenticeship Standards.”

J. Audit and Oversight Procedure

All requisitions (B04 forms) for construction procurements will be approved by the supervisor, dean/department manager, and appropriate presidential report. The Business Office, Vice President, Finance, and Vice President & General Counsel or Senior Director of Facilities Development, Operations and Construction will verify funding of Board-approved procurements as appropriate.

Office of Responsibility: General Counsel, Finance Department