

Sam Houston State University
A Member of The Texas State University System

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AIDS TO EVALUATION

The WRITTEN DATA RULE applies as follows:

1. The purchaser may request written data in order to evaluate bids. A bid invitation that expressly requires the submission of written data with the bid must include the following statement or its substantial equivalent. A bid may be disqualified if data is not submitted with the bid. "Failure to provide the required information with the bid response may disqualify the bid from consideration for award in connection with this transaction."
2. When evaluating bids, primary consideration will be given to the written data already held out to the public.

The following are options when considering an award:

AWARD

A bidder is selected which meets all the specifications of the bid with the lowest price. **Note:** The bidder which meets all the specifications of the bid with the lowest price has the option to lower his price.

NO AWARD

A no award is based on (1) no bidders responded to bid request; (2) no bidders met the specifications of the bid; or (3) agency decides it does not wish to make an award due to (a) budgetary constraints or (b) change in agency requirements.

RE-AWARD

An award may be made to the next lowest bidder meeting the specifications if the original vendor cannot meet the conditions of the purchase order, or written permission is granted by the vendor to cancel the purchase order.

FRANCHISE TAXES

Prior to making an award, the purchaser must verify that the company has paid their franchise taxes and is in "good standing" with the state of Texas. This requirement can be met by accessing the Comptroller website at <https://mycpa.cpa.state.tx.us/coa/> Follow on-screen instructions from there.

PREFERENCES

Source Preferences – The following source preference is used when applicable goods or services can be supplied by these entities:

Products by Persons with Disabilities – A preference shall be given to manufactured products of workshops, organizations, or corporations whose primary purpose is training and employing persons with mental or physical disabilities, if the products or services meet state specifications as to quantity, quality and price. Competitive bids are not required for purchases of blind-made goods or services offered as a result of efforts by **The Texas Council for Purchasing from People with Disabilities –WorkQuest**. When employing treasury funds, and the purchase(s) or service(s) can be provided by WorkQuest, they will be purchased through WorkQuest or justify in writing the reason for the rejection and attach the rejection letter to the requisition in BearKatBuy.

TIE-BID PREFERENCES

The following five preferences listed below are used in breaking tie bids. Priority is given in the sequence they are listed below. To claim a preference, a bidder must state the preference they are claiming when submitting their bid, if not a preference will not be granted.

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decision to the vendor making the request. In the event the Executive Director of Procurement and Business Services discovers any significant deviation from the rules, the award may be changed at the discretion of the Executive Director of Procurement and Business Services. A vendor who does not agree with the decision of the Executive Director of Procurement and Business Services may request a meeting with the Executive Director of Procurement and Business Services. Following the testimonies of all parties, the Executive Director will render a decision and report the decision to the CFO and Sr. Vice President for Operations. If the vendor does not agree with the decision of the Executive Director of Procurement and Business Services, the vendor may follow this appeal channel. Purchases made may be appealed to the President of Sam Houston State University through the CFO and Sr. Vice President for Operations. The decision of the President will be final.

Reviewed by: Tessy Rappé, AVP Finance & Operations
 Reneé Starns, Exec. Director Procurement & Business Services

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