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April 18, 2023

SUSAN D. COCHRAN, Chair
Academic Council

RE: Proposed Presidential Policy BFB-BUS-43 - Purchases of Goods and Services; Supply Chain Management

Dear Susan,

The Santa Cruz Division of the Academic Senate has completed its review of the proposed Presidential Policy BFB-BUS-43 - Purchases of Goods and Services; Supply Chain Management, with the Committees on Research (COR) and Rules, Jurisdiction, and Elections (CRJE) providing comments. All references are to the untracked “clean” version of the policy.

CRJE wondered if environmental and ethical values should be included in the definition of “Best Value” (II. Definitions – Best Value, Page 2). They suggested that language could be included that allows Purchasers to account for environmental and other ethical factors in their decisions.

CRJE also recommended removing or replacing the adjective “total” in “total value” when total quantity is not specifically intended: i.e., “Such judgment considers total value to UC” (II. Definitions – Reasonable Price, page 5), “services that provide the highest total value to UC” (III. Policy Text – Part 1.A.1, Page 6). If “Best Value”, as defined on p. 2, is intended in both these places, then CRJE recommended that this term be used instead, potentially with a hyperlink to its definition.

Finally, CRJE found two minor grammatical issues on p. 2: the definition for Competitive Bidding begins with a stray comma (II. Definitions – Competitive Bidding, Page 2). In the definition for “Best Value”, the following phrase lacks a verb “. . . performance criteria that may include, but not limited to, price, features . . .” (II. Definitions – Best Value, Page 2). CRJE suggest that perhaps the phrase should read, “. . . performance criteria that may include, but not be limited to, price, features . . .”

COR was detailed in its response and provided a point by point commentary on the policy, as outlined below.

Chapter II: Definitions

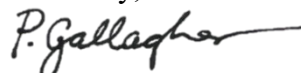
- Suggest defining “RFx” explicitly in Glossary. (RFx Event, Page 5).

Chapter III:

- Part 1:
 - Reasonable Price, Page 5: Is there a minimum number of responsive quotations that provide a successful market test?
 - D.1, Page 13: Who determines if goods/services are the sole source? Does the purchaser write a justification for review by procurement staff?
 - I.2, Page 19: Note that delegation must now be made in writing. A reasonable change that should be highlighted.
- Parts 2-3
 - Part 2.A.3 - Goods and Service Acceptability, Page 21: How is the quality of the strategically sourced material determined and, in the event that doing so requires specific expertise, how is the end user involved in the decision making process?
 - Part 3.A.3, Page 23: How is ‘small business’ and ‘diverse’ defined in the context of procurement? Who is the small business officer, is that a campus position?
 - Several minor typos noted.
- Parts 4-5
 - Part 4.A – Policy, Page 24: The definition of “personal property” is a bit vague. Are there minimum/maximum costs associated with it? An example or two would help.
 - Part 5.C. 2 a, Page 26: COR found this section to be vague and asked, if it is policy that “if the P/SCD (or designee) determines that the goods or services are not available from commercial sources or within UC”, then can UC enter into an agreement with any employee with an employee-supplier relationship, or only with an employee who has teaching or research responsibilities or with a student employee?
 - Part 5.D. 2.e. – Contents, Page 27: COR observed that the following was ambiguous and in need of further clarification: “Certify that no University time, material, equipment, or facilities have been or will be used in connection with any resulting procurement transaction.” What situation is the policy attempting to address?
- Part 6
 - C.2, Page 28: COR suggested that the phrase “. . . an Administrator oversee the local procurement card program” be edited to read “. . . an Administrator to oversee the local procurement card program.”
 - D – Specific Transactional Responsibilities and Separation of Duties, Page 29: COR wondered if there are requirements on who can be a reviewer? The “Separation of Duties” section specifies that a reviewer can’t be the person who holds the card, but can a subordinate of a cardholder be designated as a reviewer if they do not hold a card themselves? It would seem that this is allowed, but likely is not good practice.

On behalf of the Santa Cruz Division of the Academic Senate, I thank you for the opportunity to provide feedback on this proposed Presidential Policy.

Sincerely,



Patty Gallagher, Chair

Academic Senate, Santa Cruz Division

cc: Michael Hance, Chair, Committee on Research (COR)
Dard Neuman, Chair, Committee on Planning and Budget (CPB)
Eleonora Pasotti, Chair, Committee on Rules, Jurisdiction, and Elections (CRJE)
Matthew Mednick, Director, Academic Senate