

Vendors

Vendor and Partner Definitions

This section provides definitions for terms related to vendors and partners of UNT System used throughout this Procurement Guide.

Preferred Vendor

See **Strategic Sourcing Partner**.

Strategic Sourcing Partner

A preferred vendor that has entered into a UNT System negotiated contract or is a cooperative, and offers special pricing and/or services that maximize financial effectiveness and/or greater operational efficiencies for UNT System institutions.

Strategic Partner

An organization that has entered into a collaborative relationship with UNT System or one or more of its institutions with the intent of developing and implementing solutions.

Vendor Guidelines

Sales representatives from companies and individuals doing business with the UNT System may contact you or other staff members in your department. These representatives can be a helpful source of information. They are expected to secure appointments and to conduct themselves in such a way as not to interfere with the operation of the UNT System component. If you receive unsolicited calls or visits from outside salespersons, please refer the individual to **Procurement Services**.

Occasionally, vendors will utilize unethical tactics by attempting to solicit business by phone, stating that they can offer you a great deal on overstocked or over-shipped merchandise. They will take minimal information as a commitment to buy and will ship merchandise after a conversation with someone in the department. Should such a company contact you, refer them to **Procurement Services** for handling.

Authority to Commit

Commitments to purchase products or services must be made through **Procurement Services**. Do not commit yourself, your department, or the UNT System with comments, or by signing any agreements or contracts. Submit any price quotes provided by sales representatives with your requisition electronically in ePro.

Equipment left by sales representatives on a "demonstrator" basis does not constitute a commitment to buy this equipment. Departments must notify **Procurement Services** via email of any equipment left on campus by a vendor. See **Vendor Product Demonstrations**.

Nondisclosure of Price Quotes

When obtaining quotes from multiple vendors on the same type of equipment, it is unethical to discuss prices offered by other vendors. A price quote is not public information. After a bid is awarded, Procurement Services can provide the bid tab results.

Vendors may not use campus facilities, including bulletin boards or inter-campus mail, to advertise their products or services.

Equal Opportunity

Vendors that do business with the UNT System are expected to be in full compliance with the Civil Rights Act of 1964 and the Americans with Disabilities Act Amendments of 2008, whereby, a contractor will not discriminate against any employee or applicant for employment because of race, color, religion, sex (including pregnancy), age, national origin, disability, veteran status or genetic information.

Vendor Payee Identification Numbers

If you are using a vendor that does not have a valid state payee number, the requisition will route to Supplier Management for vendor setup in EIS. The requisition must be submitted with the vendor's W-9.

Vendor Payment Inquiries

If vendors call your department with payment inquiries, please transfer them to **Procurement Services** at 940-369-5500 or toll free at 1-855-868-4357.

Vendor Performance

Mandatory Performance Reporting

The Texas Comptroller of Public Accounts (CPA) administers a Vendor Performance Program for use by all ordering entities. This program relies on the ordering entity's participation to gather information on vendor performance. Consequently, they have requested agencies to provide input that will allow them to make reasonable judgments as to a vendor's ability to perform.

Optional Performance Reporting

The UNT System is encouraged to report vendor performance for purchases under \$25,000. Exemplary vendor performance is also an important matter for that vendor's file. Departments are encouraged to provide input regarding exemplary performance to Procurement Services in writing and it will be submitted to the CPA, and ensure the information becomes part of that vendor's file.

Reporting Unsatisfactory Performance

Should you become dissatisfied with the services of a local contract vendor, document the problems and attempt to resolve the issue with the vendor. The vendor must be given the opportunity to correct the problems. If unable to come to a consensus, notify **Procurement Services** in writing as soon as possible. Once **Procurement Services** has been notified, the vendor will be notified in writing. In most cases, the letter from Procurement Services will detail the problems, list which department(s) is experiencing the problems, and include a copy of the complaint memo from the department. Usually, the vendor will be required to contact the department to discuss possible solutions, and they will be given a date by which the **Procurement Services** area must have received a written response with proposed solutions. The vendor will also receive a specific date by which problems related to the contract must be corrected. Should the vendor fail to respond within the allotted time or problems and complaints continue, Procurement Services may cancel the contract, and re-award the balance of the contract or re-advertise the service or blanket order for materials.

Procurement contracts governed by Texas Education Code Chapter 51 are exempt from this process.

Vendor Product Demonstrations

Vendor representatives may provide demonstrator equipment for exploration/examination. This is done entirely at the option of the vendor, and with no commitment by the UNT System. Departments wanting such displays and demonstrations should notify **Procurement Services** via email, and the appropriate Buyer will help coordinate plans with the vendor. Items held on a "demonstrator" basis do not constitute a valid sale. Demonstrator equipment cannot be accepted if the UNT System advertises to purchase new equipment.

Note: Standard terms and conditions for bid documents require new equipment. Vendors must remove the demonstrator equipment left on campus, and provide new equipment.

Individuals as Vendors

All requisitions to individuals for services are routed to the UNT System Tax Accountant for Ad Hoc approval. They review the requisitions to determine independent contractor/employee status and employment status.

By general common law definition, an independent contractor controls the means and methods by which a job is performed. If an individual who is not already employed by the UNT System is performing a service that does not meet the criteria for independent contractor status, he/she must be paid through the payroll system.

UNT System employees who perform additional service must be paid through the payroll system regardless of the funds used and even if the nature of the service is separate from the individual's employment with the UNT System component. If the individual is determined to be a current employee or an individual who has been employed by UNT System during the past 12 months, he/she must be paid through the payroll system.

In summary, payments to individuals servicing the UNT System are only payable through purchase order if the UNT System Tax Accountant determines the individual is an independent contractor under IRS definitions, and is not a UNT System employee.

Texas Multiple Award Schedules

The TXMAS (Texas Multiple Award Schedule) Program adapts existing competitively awarded government contracts to the procurements needs of the State of Texas. To be considered for the TXMAS Program, an existing contract must be

- awarded by the federal government or any other governmental entity in any state,
- awarded using a competitive process, and
- adaptable to the laws of the State of Texas.

Each TXMAS contractor is required to produce a TXMAS vendor catalog. Vendor catalogs contain the information needed to place an order including item specifications, ordering procedures, invoicing procedures, and contact information.

Information regarding the TXMAS contracts is available on the [Texas CPA website](#).

Vendors Receiving Payment for Preparation of SOW or Competitive Solicitation

State agencies may not accept a bid or award a contract including proposed financial participation by a person who was compensated for by the agency to participate in preparing the specifications or competitive solicitation on which the bid or contract is based. Meaning, a consultant or vendor, paid to help prepare requirements or specifications for a job, may not compete or be awarded a contract when the requirement is bid.