

Uniform Guidance (“UG”) is a set of regulations (located at 2 CFR 200) that consolidates federal guidelines impacting research administration. Per the OMB website, this guidance “supersedes and streamlines requirements from OMB Circulars A-21, A-87, A-110, and A-122 (which have been placed in 2 C.F.R. Parts 220, 225, 215, and 230); Circulars A-89, A-102, and A-133; and the guidance in Circular A-50 on Single Audit Act follow-up.”

Link to the CFR (Code of Federal Regulations) [Uniform Guidance 200.320 Methods of procurement to be followed](#).

In order to keep policies for managing sponsored projects consistent, Lehigh University implemented the Uniform Guidance Procurement Standards for all sponsored projects as of July 1, 2018.

Goals of Uniform Guidance

UG significantly reforms federal grant making to focus resources on improving performance and outcomes. The intent is to reduce administrative burdens for grant applicants and recipients and reduce the risk of waste, fraud, and abuse.

Procurement guidance is specifically located in sections 200.317-200.326. This guidance focuses on increased competition and transparency in the procurement process.

There are five general procurement standards that cover the purchase of property, supplies and services under the Uniform Guidance:

1. The organization must maintain written policies and procedures for procurement covering the methods available under these regulations.
2. Costs must be reasonable and necessary
3. Must provide for full and open competition
4. The organization must maintain written standards of conduct covering internal and external conflicts of interest
5. The organization must maintain documentation addressing cost and price analysis and vendor selections where applicable based on the method of procurement used.

There are 5 available methods of procurement for each purchase which are summarized below:

Micro-purchases: up to \$10,000*

- The University must distribute micro-purchases equitably among qualified suppliers.
- Micro-purchases may be awarded without soliciting competitive quotations.

Small purchases: Between \$10,001 and \$250,000

- Rate quotes must be obtained from an “adequate” number of qualified sources. Three sources will be considered to have met this requirement.
- Quotes can be obtained from suppliers or from public websites and included as backup documentation for the purchase.

Sealed bids: \$250,001 and above

- Preferred method for procuring construction
- Two or more qualified bidders
- Bids are publicly solicited from an “adequate” number of known suppliers
- Lowest responsive and responsible bidder for the fixed price contract should be awarded the contract

Competitive proposals: \$250,001 and above

- Used for either a fixed price or cost reimbursement contract and sealed bids are not appropriate
- Requests for proposals must be publicized and identify all evaluation factors and their relative importance
- Proposals must be solicited from an adequate number of qualified sources
- Written policy for conducting technical evaluations of reviewing proposals and selecting the recipient
- Most advantageous bid wins, price and other factors considered

Sole source: For Procurement by noncompetitive proposals - any amount, must meet **one** of the following four requirements:

- The item is available only from a single source;
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity (ORSP should route such a request to the federal agency and will manage as an Agency “prior approval” request); or
- After solicitation of a number of sources, competition is determined inadequate

Additionally, every sole source will require a price/cost justification. Examples of methods of providing this documentation include:

- documenting cost analysis efforts
- documenting market research
- including screenshots, emails, and/or catalog prices
- documenting pricing information obtained from colleagues at peer institutions who have purchased the same or similar items
- documenting prices of similar items

Methodology	Dollar Threshold	Requirements
Micro-purchase	Not to exceed micro-purchase threshold: \$0 – \$10,000	<ul style="list-style-type: none"> No bid or quote required if price is reasonable. Reasonableness could be determined by comparing the price to past purchases or other published prices and/or requesting prices from more than one vendor. Distributed equitably among a range of qualified vendors when practical
Small purchase procedure	Greater than micro-purchase, not to exceed the simplified acquisition threshold: \$10,001 – \$250,000	<ul style="list-style-type: none"> Price or rate quotes must be obtained at least 3 vendors Can be via web search quotes All quotes must be documented and kept on file Price does not need to be deciding factor, but all quotes need to be kept in procurement records
Sealed bid	Greater than the simplified acquisition threshold: \$250,001 and greater	<ul style="list-style-type: none"> Selection of successful bidder can be made principally on the basis of price Bids must be solicited from an adequate number of known suppliers, providing sufficient response time Invitation for bids must define the items or services in order for bidders to properly respond All bids will be opened at time and place prescribed in invitation. Firm fixed price contract made in writing to the lowest responsible bidder Any or all bids may be rejected if there is a sound documented reason
Competitive proposal	Greater than the simplified acquisition threshold: \$250,001 and greater	<ul style="list-style-type: none"> Must be publicized and identify all evaluation factors and their relative importance Must be solicited from an adequate number of qualified sources Must have a written method for conducting technical evaluations of the proposals and selecting recipients Contracts must be awarded to the responsible vendor whose proposal is most advantageous, with price and other factors considered
Non-competitive proposal (sole source)	Greater than micro-purchase threshold: \$10,000 and greater	<ul style="list-style-type: none"> May be used only when the item is available only from a single source, the public exigency or emergency will not permit a delay resulting from competitive solicitation, federal awarding agency or pass-through entity expressly authorizes its use in response to a written request, or after solicitation of a number of sources competition is determined inadequate Justification of the use of noncompetitive proposal must be documented Any research on availability from multiple sources must be documented Documentation of authorization must be retained Any initial solicitations from multiple sources which are concluded to be inadequate, and such reasoning, must be documented