

Procurement Policies

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0. Introduction

Overview:

These policies show in detail the objectives, rules and provisions of the procurement carried out through the Department of Procurement and Tenders, as well as the management of the relationship with Providers, and the disposal of purchased assets and materials.

Scope of application:

These policies cover all procurement undertaken by the University, and the role of the Department of Procurement and Tenders.

Objectives:

The objectives of this Policy are to define the role of the Department of Procurement and Tenders; to set out the regulations and legislation that govern all aspects related to the University's procurement; and to set the bases and framework through which the procurement operations are performed, from the procurement planning until the execution of the required procurement operations. Procurement should be performed with satisfactory quality and quantity, with appropriate timeframes and suitable pricing.

0.1 Glossary/Definitions:

Words and expressions stated in these Rules shall have the following meanings, unless the context dictates otherwise:

1. **Country:** United Arab Emirates.
2. **University:** United Arab Emirates University.
3. **Unit:** the University's organisational units in all divisions, colleges, departments, centres or offices.
4. **Direct Supervisor:** the person to whom employees report to in respect of work directives, attendance and management performance purposes.
5. **Direct Contracting:** the process of entering an agreement or purchase order with one Sole Source, without following competitive processes.
6. **Procurement Officer:** the employee in charge of procurement operations in the Unit.
7. **Direct Procurement:** a competitive process calling Providers to submit their bids in order to compare between them and accept the best offer.
8. **Provider(s):** a commercial company, establishment or a governmental entity, a hotel, an airline company, a Unit, or any other entity participating in bids or Pricing Agreements, offered by the University or such entities, providing goods or services or performing work for the University.
9. **Purchase Order/ Agreement:** a legal commercial document issued by the University to enter into contracts with Providers to deliver goods, or perform services. Purchase orders are issued only for procurement of goods priced from AED 500, but without exceeding AED 100,000, whereas agreements are issued for procurement in excess of AED 100,000.
10. **Pricing Agreement:** a contractual obligation with a specific Provider for providing specific goods and services, at a specified price, through contractually agreed terms

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11. **Single Source:** The single provider with whom the University enters an agreement for providing goods or services despite the availability of a number of potential providers in the market.
12. **Sole Source:** the Provider, as distinguished by its exclusive nature from other Providers, for the supply of goods or services; competitive bids cannot be obtained due to technical reasons, or those relating to design or patents which make this Provider the only appropriate source.
13. **Bid Bond:** the bidder's commitment to fulfil the bid procedures; it can be in the form of a bank guarantee, a bank certified cheque, an amount deposited in the University's account, or through seizing the amount from the provider's dues.
14. **Final Guarantee (Performance Bond):** the winning bidder commitment guaranteeing the performance of the contract; it can be in the form of a bank guarantee, a bank certified cheque, a deposit in the University account, or through seizing the amount from the provider's dues.
15. **Specialised Goods and Services (Decentralised):** The specialised goods and services required by the University's organisational Units to accomplish works related to its approved initiatives and activities, as specified by the Department of Procurement and Tenders, and approved by the University's Tenders Committee.
16. **Non Specialised Goods, Services and Works (Centralised):** The goods, services and works, which are considered general by their nature, and are not included within the requirements of the University's organisational Units activity, as specified by the Department of Procurement and Tenders, and approved by the University's Tenders Committee.

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0.2 Role of Procurement and Tenders Department:

The main role of the Department of Procurement and Tenders is to meet the needs of the University and to provide high standard services in a framework of transparency, efficiency and effectiveness.

The main role of the Procurement and Tenders Department includes:

1. access to the latest developments in the field of procurement, pricing and market conditions;
2. providing all centralised goods, materials, services and work (non- specialised) required centrally by the University;
3. supervising the procurement operations of specialised goods and services, carried out by the intermediary of the University's Units in a decentralised manner; and providing specialised goods and services when the Procurement and Tenders Department's authority exceeds that of the authority granted to the Units;
4. using the best practises and procurement methods to guarantee appropriate prices of goods and services provided to the University;
5. ensuring that the University's Units are informed about the policies and procedures that control the procurement of goods and services for the University, as well as the revisions and modifications that occur to these policies and procedures, if necessary,
6. selecting lists of goods, materials, services and works which are specialised and non-specialised (centralised and decentralised) according to the annual procurement plans and projects, and circulating them among all Organisational Units at the University;
7. submitting reports to the Secretary General with clear and concise approved standards relating to the strategies, and the University procurement plan;
8. building long-term business relationships with Providers that deal with the University;
9. implementing the University annual procurement plan in accordance with the Units' plans, following up its implementation and revision, if necessary, and identifying the sources for appropriate procurement;
10. rotating job duties among the Procurement and Tenders Department's employees, training the Units Procurement Officers and supervising them to enable employees to acquire experience and knowledge of various aspects of the procurement operations;
11. preparing and updating all of the procurement documents in accordance with the Procurement Policies and procedures;
12. supervising and following up procurement operations to ensure that Procurement Officers and all of the University's employees involved in procurement operations are adhering to the Procurement Policies and procedures. Procurement Officers and all of the University's employees must also obtain approvals in accordance with the signing authorities as well as certifying the documents and ensuring that all procurement operations are subject to supervision, and subject to the separation of powers and duties, in order to avoid control by individuals in procurement operations; and
13. the Procurement and Tenders Department's Director is responsible for informing the Secretary General if any of the Procurement Officers or the Units University's employees do not comply with the Procurement Policies.

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0.3 Policies Objectives:

The objectives of the Procurement Policies are as follows:

1. defining legislation and regulations that govern all aspects of the University's procurement operations;
2. protecting the University's interests and maintaining its assets through clear policies and procedures that must be observed when executing procurement operations;
3. providing the grounds necessary for internal and external audit to evaluate the extent of commitment and compliance to the University's procurement policies and procedures;
4. setting up a system to strengthen the purchasing culture, effectively and efficiently, based on the University's procurement policies and procedures; and
5. placing emphasis on excellent adherence and the best practices to implement the activities of the Procurement and Tenders Department, and, complying with the policies and instructions in force which contribute to support the University's capacities. Full adherence of the University's employees must be achieved in relation to this, as well as, realising the importance of the Procurement and Tenders Department's strategy as one of the most important supporting departments at the University.

0.4 Use of the policies:

1. The Secretary General is the point of reference in respect of these Policies.
2. The Procurement Policies apply to all procurement at the University, with the exception of goods or services that are purchased through petty cash, purchasing tickets, hotel reservations and rental of buildings used for the University's work and the University's employees housing which are subject to the policies and procedures of the relevant Units.
3. The Table of Authorities for Awarding Operations of Materials Supply, Services and Works and the Table of Authorities for Approval and Signature of Purchase Orders, Agreements and Variation Orders ("Tables of Authorities") attached to these policies clarify the signing authorities in relation to the University's procurement activities.
4. Any user of these policies may request their update, (by addition/deletion /amendment) provided that the request is submitted to the Department of Procurement and Tenders by a formal written request through the Head of the Unit, describing their suggestion and the reasons for the update.
5. When the requested update concerns the policies, The Procurement and Tenders Department shall review the request and submit the relevant recommendations to the Secretary General.
6. The Secretary General reviews the updated request and submits his recommendations to the Vice Chancellor, for review. The Vice Chancellor shall then review the request and submit it along with his recommendations to the Chancellor for approval.
7. The Vice-Chancellor issues all procedures relating to the execution of the Procurement Policies and their updates.
8. The Policies and their updates shall be posted on the University's website.

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1. Code of Ethics and Conflict of Interest

Overview:

This Policy shows in detail the Code of Ethics, and defines potential and actual Conflicts of Interest, pertaining to procurement, and provides solutions to overcome them.

Scope:

This Policy is applicable to all of the University's employees and Units.

Objective:

The objectives of this Policy are to ensure that the performance of all procurement activities are in accordance with the Code of Ethics, to prevent Conflicts of Interest and to ensure that the procurement activities at the University are not affected by any individuals who are suspected to be in conflict with University's interests.

Policy:

1. The Secretary General is responsible for issuing, defining and updating the Code of Ethics and Conflict of Interest rules related to the procurement, upon the consideration of the recommendations submitted by the Department of Procurement and Tenders.
2. All of the University's employees shall comply with the Code of Ethics pertaining to the procurement and the Rules of Conflict of Interest in addition to other codes of conduct of the University.
3. New employees, upon joining the University, or current employees upon renewing their contracts, shall read and sign the Code of Ethics and Conflict of Interest rules, pertaining to the procurement.
4. All of the University's employees shall endeavour to ensure that the University shall not be affected by any conflict resulting from a conflict of personal interests and the University's interests.
5. The University's employees are not permitted to submit bids in the tenders offered by the University. They are also not permitted to be assigned to execute works or purchase any items from them, whether directly or through companies in which they share ownership, or companies they represent or, in which they serve as members of their Board of Directors. This prohibition applies to members of the Bid Opening Panel deciding on bidding.
6. The declaration of a Conflict of Interest shall not be considered a violation of professionalism, and shall not affect, in any way, the other tasks of the employee(s) at the University, including their status at the University.
7. Any violation to the Procurement Policies, Code of Ethics and Conflict of Interests Rules pertaining to the procurement are subject to the disciplinary policies and procedures stipulated in the Human Resources Policy of the University.
8. The Secretary General may approve the continuation of the procurement operation by a concerned employee, upon the declaration of a Conflict of Interest, if necessary and if serving in the University's interest.

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2. Social and Environmental Impacts

Overview:

This Policy summarises the impact related to the social and environmental aspect of University's procurement and shows the University's commitment to minimise any social and environmental impact.

Scope:

This Policy is applicable to all of the University's Units.

Objective:

The aim of this Policy is to prevent any negative impact upon the community and the environment that may result from the University procurement.

Policy:

1. The Secretary General is responsible for setting and updating regulations in relation to the prevention of any negative impact caused by the University procurement.
2. All University employees involved in the performance of the procurement and storage operations are responsible for preventing the negative social and environmental impact caused by the procurement.
3. All procurement operations at the University shall confirm the Providers' compliance, prior to contracting and during the agreement period, to all social and environmental laws and regulations.

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3. External Complaints

Overview:

This Policy shows the guidelines and regulations which concern handling external complaints relating to the University's procurement, and how to solve them.

Scope:

This Policy covers all external Providers' of goods and services, and manufactures of goods dealing with University.

Objective:

The aim of this Policy is to deal with all external complaints with transparency, justice and efficiency.

Policy:

1. All external complaints related to a procurement operation or to procurement decisions shall be addressed to the Secretary General.
2. All University Units shall commit themselves to providing the aggrieved party with the opportunity to submit complaints regarding procurement operations.
3. The Secretary General is responsible for acknowledging receipt of external complaints, guaranteeing an accurate investigation of them, and having authority to give a final decision on the issue.
4. In case the aggrieved party does not accept the Secretary General's decision, the Vice Chancellor will have the authority to make a final decision regarding external complaints.
5. Confidentiality and documentation of the external complaints shall be maintained.

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4. Procurement Planning

Overview:

This Policy describes the method and process applied in the procurement planning in order to determine all of the University's Units and needs related to the procurement of goods and services.

Scope:

This Policy is applicable to all of the University's Units.

Objective:

The aim of this Policy is to determine the provisions, regulations and principles to be followed for effective and efficient planning of all of the University's annual procurements requirements.

Policy:

1. All University Units shall prepare a procurement plan for goods and services, according to the instructions of the Procurement and Tenders Department. The procurement plan shall comply with each Unit budget plan and pertain to the Unit initiatives and activities.
2. The University Tenders Committee is responsible for reviewing all procurement plans for goods and services, and their amendments, and for approving centralised and decentralised goods and services (specialised and non specialised) and related Pricing Agreements that may be entered into.
3. The University's Chancellor shall approve the projects plan, any of its amendments, the total cost of the projects and its allocated budget.

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5. Procurement Methods, Committees and Authorities:

Overview:

This Policy describes the procurement methods, procurement committees and related authorities that must be adhered to by the University.

Scope:

This Policy covers all procurement operations of the University.

Objective:

The objective of this Policy is to determine the methods and authorities involved in performing procurement operations, ensuring that appropriate methods are used for procurement operations, performance of services and projects in a highly effective and efficient manner.

Policy:

5.1 Procurement Methods:

1. Direct Contracting;
2. Direct Procurement;
3. Procurement by Limited Tender; and
4. Procurement by Public Tender.

5.2 Procurement Committees:

1. The respective Procurement Committees in the University are as follows:
 - a. the University's Centralised Direct Procurement Committee which undertakes the performance of all centralised procurement operations in its area of speciality;
 - b. the Direct Procurement Committees within the colleges which undertake the performance of each of the college's specialised procurement operations, as included in the college approved budget under the specialised procurement clause, and within its area of speciality; and
 - c. the University's Tenders Committee which undertakes the performance of all centralised procurement operations within its area of speciality.
2. These Committees manage the procurement operations according to the specified procurement methods, and award bids in accordance with the defined financial authorities of each committee.
3. The respective University's Procurement Committees are formed by the Chancellor's decree which shall define the chairperson, members, duties, specialities and authorities of each committee. The Bids Technical Committee and Commercial Assessment Committee are formed by the decision of the Secretary General.

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5.3 Procurement Authorities:

1. The University's Organisational Unit Heads shall be granted authority to perform procurement, by Direct Procurement, using competitive procedures to provide specialised or non specialised goods, materials or services. These must be carried out in accordance with the budget allocated for each Unit and, in relation to their initiative and approved activities, for an amount not exceeding AED 25,000 and not requiring any of the Procurement Committees' approval, provided that the specialised procurement is included within the list of specialised procurement, approved by the University's Tenders Committee. The Procurement and Tenders Department Head shall be granted the same authority in relation to providing centralised or decentralised goods, materials or services.
2. Direct Procurement Committees in Colleges shall be granted authority to perform procurement by Direct Procurement using competitive methods for providing decentralised and specialised goods, materials, or services as approved by the University's Tenders Committee for an amount starting from AED 25,000 and not exceeding AED 500,000, and through Direct Contracting for an amount not exceeding AED 500,000, included within the approved college budget, and in relation to its initiative and approved activities.
3. The University Centralised Direct Procurement Committee shall be granted authority to perform procurement by Direct Procurement using competitive procedures to provide centralised goods, materials or services for an amount starting from AED 25,000, and not exceeding AED 500,000, and by Direct Contracting up to AED 500,000
4. The University's Tenders Committees shall be granted authority to perform procurement by Limited or Public Tenders using competitive procedures or by Direct Contracting to provide all goods, materials, services or works (centralised and decentralised) for an amount exceeding AED 500, 000.
5. Procurement operations shall be performed in accordance with the Table of Authorities for Awarding the Operations of Supply Materials, Services and Works. Procurement operations from Pricing Agreements shall be performed in accordance with the Table of Authorities for Approval and Signature of Purchase Requests, Purchase Orders, Agreements and Variation Orders by issuance of purchase orders directly to the Provider; and the Procurement Committee's approval shall not be required.

5.4 Direct Contracting:

1. Direct Contracting is the process of entering into an agreement or purchase order with a Single Source, or a Sole Source, chosen without following the competitive procedures. It must be carried out in accordance with the Table of Authorities for Awarding the Operations of Supply Materials, Services and Works. The University has recourse for this method in the following cases:
 - a. Procurement from internal Units at the University;
 - b. Procurement from governmental departments;
 - c. Procurement subject to compulsory or fixed price; and
 - d. Procurement from a Sole Source.
2. In other cases, Direct Contracting may be executed with the Single Source in case of meeting the requirements of research results, or the conditions of sponsors awarding scholarships, or donations or for accomplishment of the current infrastructure of the University.
3. Direct Contracting may be carried out without referring to the concerned committees in the following cases:
 - a. urgent cases assessed by the Vice Chancellor, if the amount does not exceed AED 1,000,000; or

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- b. Procurement approved by the Chancellor.

5.5 Direct Procurement:

1. The Direct Procurement method is used to select Providers by using competitive procedures for providing goods and services for an amount not exceeding AED 25,000; the Procurement Committee's approval is not required
2. The Direct Procurement method shall be used via the Direct Procurement Committees in order to select Providers by using competitive procedures for providing centralised or decentralised (specialised and non specialised) goods or services approved by the Tenders Committee, in accordance with the Table of Authorities for Awarding the Operations of Supply Materials, Services and Works.
3. Bids which do not exceed AED 25,000 can be received either in one unsealed envelope, or by fax or by email.
4. Bids which do not exceed AED 100,000 are excluded from paying document purchase fees, submitting a Bid Bond and submitting bids in two sealed envelopes. Bids may also be reviewed by the respective technical and financial body; the Technical and Commercial Committees' review is not required.

5.6 Limited Tender and Public Tender:

1. Limited Tender or Public Tender methods are used to provide centralised or decentralised goods and services through the University's Tenders Committee in accordance with the method, as defined by the Committee, and in accordance with the Table of Authorities for Awarding the Operations of Supply Materials, Services and Works.
2. All Public Tenders shall be published in any of the various advertising means, and on the University's internet website page.

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5.7 Procurement Methods Used:

Table of Authorities for Awarding Operations of Materials, Supply, Services and Works

Materials and Services supply and performance of non specialised (centralised) works					
Maximum Limit of Transaction in AED	Procurement Method		Director, Procurement and Tenders Department	Centralised Direct Purchasing Committee at University	Tenders Committee at University
Up to 25,000	Direct Procurement		x		
More than 25,000 Up to 500,000	Direct Contracting	Direct Procurement		x	
More than 500,000		Public / Limited Tender			x
Materials and Services supply and performance of specialised (non centralised) works					
Maximum Limit of Transaction in AED	Procurement Method		Deans and Heads of Organisational Units	Direct Procurement Committees at Colleges	Tenders Committee at University
Up to 25,000	Direct Procurement		x		
More than 25,000 Up to 500,000	Direct Contracting	Direct Procurement		x	
More than 500,000		Public / Limited Tender			x

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5.8 General Conditions

The following conditions shall be applied on all transactions conducted by the University for all procurement methods except procurement offered by the Direct Contracting method which shall follow specific terms in accordance with the following procedures.

First:

The transactions' financial allocations shall be approved in accordance with the Table of Authorities for Approval and Signature of Purchase Requests, Purchase Orders, Agreements and Variation Orders

Second:

1. The Booklet of Conditions shall contain specific goals, technical and commercial objective assessment standards, which can be executed in assessing the bids, as well as clear and direct instructions for Providers which concern the place and time of the bids submission, specific duration of the submission, the method of submission and the place for delivering the goods, or executing the services or works.
2. Dividing procurements in order to get released from regulations and procedures stipulated in the procurement policies is prohibited.
3. The Booklet of Conditions shall not include the commercial names or models / type or trademark of any goods or services except in the following cases which shall be approved by the Head of the Unit requesting:
 - a. availability of technical justifications;
 - b. availability of legal justifications and compliance to the law; and
 - c. cases where the requirements of research results, or the conditions of sponsors awarding scholarships, or donations or the current infrastructure of the University requirements are met, such as: (Accomplishment of providing equipment and furniture or performance of works / IT programs / maintenance services and spare parts of equipments).
4. Prices mentioned in bids shall include all costs of supply, assembly, operation or execution (to or in the place mentioned in the offering documents) in addition to customs, taxes and costs of transportation and loading.
5. Bids should be submitted in two sealed envelopes, one including the technical offer, and the other the financial offer. All Providers participating in the bids should receive the same data and information relevant to the application.
6. Bids are considered valid during the period of bids as specified in the offering documents. A Provider shall not be permitted to revoke any bid submitted in that period, or the Bid Bond shall be confiscated. Nevertheless, this period may be extended, based on the Provider's approval.
7. The value of the Bid Bonds for Providers participating in the bids are determined between 2% to 5% of the bid value, or shall be of a fixed amount in case of inability of defining the bid value, and, upon the approval of the Secretary General.
8. The Secretary General shall set the fees for the approved Bid Booklet of Conditions, or he may provide an exemption of these fees. Fees shall be paid by Providers prior to receiving The Booklet of Conditions, and, upon the verification of their legal licence validity.
9. All correspondence concerning amendments in relation to scope of work and all Providers' inquiries related to the offered transactions, shall be made in writing. Once received, the responses shall be sent in writing by

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the Department of Procurement and Tenders. These responses shall be sent to all Providers participating in the bids.

10. All local Providers shall submit their bid prices in local currency, while external Providers or free zone Providers, are permitted to submit their bids prices in foreign currencies.
11. Amendments offered by the Providers during the submission of bids shall not be accepted unless the University requests to amend the specifications, or the scope of work.
12. Bids must be received from at least three specialised Providers and a fair, competitive method must be followed to effectuate a comparison between them.
13. Providers shall submit their bids in the place and at the time specified in the offering documents. Bids submitted after the specified closing time shall not be accepted.
14. The bids envelopes shall be opened by the respective Procurement Committee which shall ensure that bids have met the required submission conditions; this shall be recorded in the Committee minutes of meeting.
15. If revealed during the stages of opening, evaluation or awarding of the bids, that the bid value must be referred to a higher authority than the authority assigned to take action, these bids shall be referred to the necessary authority.
16. To guarantee impartiality in the selection process, the bids technical evaluation processes shall be conducted, in a fair manner based on the evaluation criteria as previously prepared.
17. A commercial evaluation of the bids shall be conducted in order to technically meet the required specifications. In some justified cases, and as defined by the respective Procurement Committee, a commercial and technical evaluation may be conducted in one stage.
18. In cases where there is only one bid received, or if it appears that during the bids evaluation process that there is only one Provider who is capable of providing the goods or performing the services, the transaction can be cancelled and reoffered. It may be possible to proceed if there is an urgent need, and reoffering is useless, according to the decision of the respective Procurement Committee.
19. On the basis of the commercial and technical reports, the respective Procurement Committee may conduct negotiations in relation to the scope of work, the duration of supply or performance, the cost of goods / services and works, and take the decision of accepting the appropriate Provider.
20. Performance Bonds of 10% of the total contract value, or of a defined fixed value for contracts where the values cannot be determined precisely, shall be submitted in accordance with a decision of the Secretary General.
21. An agreement may be entered into with the winning Provider subject to meeting the legal contracting requirements.
22. The electronic Procurement System is utilised in the procurement operations along with the system used in the procurement processes at the University, according to the electronic procurement method set by Department of Procurement and Tenders. Thereafter, the paper documents can be replaced by electronic documents to follow the Procurement Policies and procedures upon the implementation of the electronic procurement system.

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6. Pricing Agreements:

This Policy explains the rules that regulate Pricing Agreements and procurement operations through these agreements.

Scope:

This Policy covers all procurement, services and works that may be executed through these agreements.

Objective:

The objective of this Policy is to ensure that there is a consistent method used to enter into a Pricing Agreement with Providers to supply goods and perform services for a specific period of time in order to facilitate the procurement procedures.

Policy:

1. The University Tenders Committee is the competent authority for determining goods and services requiring Pricing Agreements.
2. Providers qualified for signing these agreements shall be chosen in accordance with any of the appropriate purchase procurement methods, which shall be approved by the University's Procurement Committee.
3. Pricing Agreements shall be issued and may be reviewed (by amendment/renewal or cancellation) as determined by the University Procurement Committee, and after obtaining the recommendation of the Procurement and Tenders Department.
4. Pricing Agreements entered into with Providers shall include the goods and services specifications, the Unit price, and the delivery period or execution period.
5. The University may sign agreements with preferred Providers to supply goods or perform services and works without determining the pricing on the basis of contractual terms, setting out the type of goods and services, or works contracted.
6. All of the University's Units shall procure goods and services through existing and valid Pricing Agreements, The University's Tenders Committee's approval through the Procurement and Tenders Department, shall be required if procurement is carried out of the scope of a Pricing Agreement, or with an entity other than a preferred Provider.
7. Pricing Agreements shall be signed by the Vice Chancellor, whereas preferred Providers' agreements shall be signed by the Secretary General.

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7. Management of the relationship with Providers

7.1 Registration of Providers:

Overview:

This Policy covers the policies related to the registration of the Providers in the University.

Scope:

This Policy is applicable to all of the University's customers.

Objective:

This Policy aims to guarantee the registration and renewal thereof, of all Providers contracting with the University, and their identification through an appropriate system.

Policy:

1. The Tenders and Procurement Department is responsible of the Providers' registration and renewal process.
2. The University's Secretary General shall define the registration fees or any exemptions thereof in the Providers' record.
3. All Providers wishing to deal with the University must be registered in the Providers' record. The registration will be renewed annually in order to remain effective. Registration shall not be considered a guarantee for receiving any business or purchases from the University.
4. Local Providers shall be registered in accordance with their permits granted by the competent authority in the country. They must abide by the legislation, governmental laws and University policies. External Providers may be registered in accordance with the information they provide.
5. The system used in the University for execution of procurement and registration of Providers shall be used for registration of the Providers and the renewal of their registration as an official record.
6. Providers who are not registered in the record of Providers, or those banned, are not qualified to contract with the University unless they register, or the ban is lifted.

7.2 Management of agreements, purchases orders and variations orders:

Overview:

This Policy clarifies the rules and regulations related to the management of the purchase orders issued by the University, or contracts/ agreements entered into between the University and the Providers, in addition to the rules to be followed in case of any change in the contracts, purchase orders and agreements.

Scope:

This Policy covers all University Units, the documents required from the Providers during the contracting period, variation orders, and the initial terms and conditions for the required variations.

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Objective:

This Policy aims at ensuring the availability of all documents and legal requirements prior to entering into contracts or variation orders with Providers, and to register purchase orders, contracts, agreements or variation orders in the system used by the University to execute procurement operations.

Policy:

1. Prior to entering into contracts or variation orders, the validity of documents pertaining to the Providers' legal authorisation and the Providers' proper authorisation shall be verified.
2. The Procurement and Tender Department shall handle the responsibility of preparing and managing contracts, agreements, purchase orders or variation orders provided that they are complying with all with legal requirements.
3. Contracts or agreement forms shall be issued for procurement of goods, services or works of an amount exceeding AED 100,000, whereas approved purchase orders shall be issued for procurement of goods, services or works with an amount above AED 500 but not exceeding AED 100,000.
4. The prior written consent from the competent legal authority shall be obtained for any change in purchase orders, contracts, agreements, variation, orders forms, or in case the Providers contracts, agreements or variation orders are used or the Providers contractual terms and conditions.
5. The University's procurement system for procurement operations reflects the data related to registering purchase orders, contracts, agreements and variation orders in the University; its official record is under consideration.
6. Purchase orders, contracts, agreements or variation orders related to goods, services and works shall be signed in accordance with the Table of Authorities for Approval and Signature of Purchase Orders, Agreements and Variation Orders.
7. Sale of goods and used material contracts, building sites, asset leases and contracts shall be signed in accordance with the Table of Authorities for Approval and Signature of Purchase Orders, Agreements and Variation Orders.
8. The value of the Performance Guarantee shall be determined at the rate of 10% of the total value of the contract or agreement, or by a fixed amount for contracts or agreements that can not be valued precisely in accordance with a decision of the Secretary General; it shall be valid for a period of 90 days after the expiry of the delivery, or the performance period, or for supply and services contracts, and after the final delivery of works for works contracts. The Secretary General may exempt Providers from submitting the guarantee provided that both parties to the contract agree on the payment terms.
9. The University has the right to amend the number of clauses, or scope of work, or services indicated in the contracts, agreements or purchase orders by increasing or deleting their price subject to the amendment being within 30% of their value during their validity period. However, if changes exceed 30%, the Providers consent shall be required. Amendments may include additional clauses, or works or services that were not included in the contracts but are related, in which case, approval for Direct Contracting and associated variation orders with the Provider shall be obtained, in accordance with the Table of Authorities for Awarding Operations of Materials Supply, Services and Works.

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7.3 Providers Evaluation:

Overview:

This Policy summarises the method used to evaluate Providers who deliver items and perform services and works for the University.

Scope:

This Policy covers the Providers' evaluation process during the delivery of goods operations and performance of services and works for the University.

Objective:

This Policy aims at guaranteeing the efficiency of the Providers' performance evaluation in order to assist in defining the basis on which to deal with the University.

Policy:

1. The Tenders and Procurement Department is responsible for setting and developing standards and procedures related to the evaluation process and data evaluation management.
2. The concerned receiving committee or the Unit shall be responsible for evaluating the Providers' performance during the delivery process or after performance of the services or works, in comparison with the predefined standards, and for notifying The Tenders and Procurement Department.
3. The University's Tenders Committee may, in accordance with a recommendation from the Tenders and Procurement Department, either prohibit dealing with Providers, or cancel such prohibition based on the evaluation results.

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8. Receiving of Goods, Services and Works

Overview:

This Policy summarises goods, services, and works receiving rules.

Scope:

This Policy is applicable on the receiving processes of all goods, services, and works in the University Units.

Objective:

This Policy aims at guaranteeing receipt of all goods, services and works in accordance with the University rules.

Policy:

1. All goods, services and works shall be deemed to be preliminarily received on the basis of a purchase order or contract, and an Initial Taking Over shall be issued. The Initial Taking Over shall include all goods, services, works received or accomplished, the delivery/execution date and the quantity of all goods received, or services and works executed.
2. The University's financial procedures and policies shall be applied to the management of the University's assets and property.
3. The prior approval of the concerned Procurement Committee shall be required to accept receiving goods or performing the services 10 working days after the agreed date of the goods delivery/ performance of services has elapsed.
4. All goods and services shall be inspected by the concerned Receiving Committee within 10 working days from the Initial Taking Over date /execution date, to ensure compliance of quantities/ specifications, and non existence of differences or discrepancies, after which a Final Taking Over document shall be issued.
5. If the purchase order value of the goods or services does not exceed AED 10,000, the goods and services may be received by the Unit concerned with the procurement.
6. If the Provider fails to deliver goods or to perform the services at the time agreed in the contract/purchase order, the relevant Procurement Committee may grant the Provider an additional period of time upon his request. Approval will be limited to a period not exceeding six weeks; in addition penalties will be applied of not more than 1% of the value of the delayed goods and services for the first week of delay or part of it, and an additional 2% for each week or, a part of it thereafter, up to a maximum of 10%.
7. If the Provider fails to supply all of the goods, or to perform all of the services, the Tenders Committee shall cancel the purchase order or contract, and a failure penalty of 10% of the value of the contract/purchase order shall be imposed. An additional penalty of 10% may be imposed on the Provider in respect of administrative expenses and goods to be purchased, or services to be performed on the Provider's account. In addition, price differences may be applied as another supplementary penalty, or, if necessary, dealings with the Provider may be terminated.
8. If similar items are delivered by the Provider having almost the same specifications as the original specifications, or superior specifications, the items may be accepted either at the same price or at a lower price, according to the decision of the concerned Procurement Committee.
9. If the University rejects the goods or services, the Provider shall be notified in writing by the regulatory Unit to withdraw the rejected goods, and to replace them within 5 working days from the notification date and the new supply date shall be added on the receipt to prove the receipt of the replaced goods or services.

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10. If the Provider refuses to withdraw the rejected goods within 5 working days of the notification date, a penalty of 2.5% of the value of the rejected goods shall be imposed as storing fees for each week of delay or part of it, up to a maximum of 4 weeks, without exceeding 10%. The University shall then have the right to sell these goods at any price in order to cover its expenses, and return the remaining amount to the Provider without providing any prior warning to the Provider, or taking any legal action against him.
11. The Works Receiving Committee shall, at the request of the University's project supervisory Unit, and in the presence of the consulting engineer and the supervisory Unit, initially receive the executed works along with the initial Taking Over. Proceedings relating to the Taking Over shall be completed within 15 working days as from the application date submitted by the University's supervisory Unit at the end of execution date, or it shall refuse to receive the project if the works do not comply with the contractual conditions, and necessary penalties shall also be imposed by the University Tender Committee.
12. If works have not commenced after 15 working days of the date of delivering the site, the project supervisory unit shall inform the concerned University Procurement Committee to take the necessary action in relation to extending execution period, and imposing delay penalties.
13. If works are not accomplished at the contract expiry date, the project supervisory Unit shall inform the concerned University Procurement Committee to take the necessary action towards extending the execution period, and imposing delay penalties.
14. In case reservations on certain executed works are issued by the Works Receiving Committee during the Initial Taking Over or if there is a request to complete some deficiencies on the project, the Committee shall state the period required to complete the works by the original Provider. Approval of the concerned procurement committee shall be obtained and delay penalties shall be applied.
15. If the works contract includes any machines or equipments supply, the Works Receiving Committee shall count, receive, and follow all financial procedures and policies related to the University Property and Assets Department.
16. The Provider is fully responsible for guaranteeing and maintaining the executed project for a period of 1 year starting from the Initial Taking Over. During this period he is liable to fixing any damage that has occurred due to poor execution, in addition to paying all related expenses. The Provider shall be responsible for a period of 10 years, for any main deficiency appeared in the constructions, or for the poor execution without disclaiming the technical authority responsibility as well as the consulting engineer.
17. After the expiry of the guarantee and maintenance period, the final Works shall be carried out for the Works Receiving Committee in the presence of the consulting engineer and the project supervisory unit, within 15 working days of the project supervisory Unit's request to be issued at the guarantee and maintenance period expiry date, to ensure that the Provider has fulfilled all of his commitments in accordance with the contract, and the Final Taking Over shall be issued, and the relevant department of the University shall be informed in order to take the necessary action.
18. If the Providers fail to complete the works as scheduled, a delay penalty of 1% of the total contract value shall be imposed for the first week or part of it, and an additional 2% for each week or part of it up to a maximum of 10% of the total contract value, and the Provider shall bear the supervision fees during the delay period. If the penalty exceeds that percentage and the works have not been completed, the issue shall be referred to the Tender Committee.
19. If the works have not started at the agreed time, or if the works have not been completed after the end of the extension period, determined by the concerned Procurement Committee, the University's project supervisory Unit shall notify the University Tenders Committee to take necessary action in order to cancel the contract and impose a failure penalty at the rate of 10%. Furthermore, an additional penalty of 10% may be imposed as administrative expenses, or for executing works on the Provider's account, in addition to bearing price differences as a supplementary penalty or, if necessary dealings with the Provider may be terminated.
20. The University Tenders Committee may exempt the Provider from paying the penalty, if it is proven by the supporting document, that the delay in delivering the goods, or the performing of services, or completing the

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works on time, or the non delivery, or execution, and completion have occurred due to circumstances out of his control or if it is the fault of the University.

21. The Receiving Committee or Committees shall be informed by decision of the University's Vice Chancellor, on the basis of the Secretary General's recommendation.

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9. Issuance of Goods

Overview:

This Policy shows provisions and regulations related to the provision of goods in the University.

Scope:

This Policy covers provisions and regulations related to issuance of goods in the University to users and Units.

Objective:

This Policy aims at setting provisions and regulations for receiving goods from the University's warehouses in a suitable manner.

Policy:

1. Goods or items received shall be issued on the basis of an application request, applied by the end user, through a good issuance note indicating the quantity of goods to be issued; this shall be also signed by the end user acknowledging a goods receipt of the quantity of goods or items issued.
2. An inventory of issued goods or items received shall be recorded, indicating the quantity of goods and items issued and the balance of goods or remaining items. All financial procedures and policies of fixed assets shall be followed.

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10. Disposal of Assets and Materials

Overview:

This Policy deals with the disposal process of goods, assets, and new and used materials belonging to the University.

Scope:

This Policy covers methods of handling the University's goods, assets, and new and used materials that are disposed of by the University's Units.

Objective:

This Policy aims at setting defined rules for disposing goods, assets, and used materials in an effective way, as well as rules for distributing gifts to the university students, staff and visitors.

Policy:

1. Any goods no longer needed or suited to their function, or damaged or those that cannot be repaired from an economic perspective, will be considered surplus, and procedures to dispose of such goods will be initiated.
2. Disposal of the University's assets, used materials, and surplus shall be conducted in accordance with the regulations set by the University Council.
3. The University Tenders Committee shall define the disposal methods for any goods/ assets/ surplus or damaged materials owned by the University, through the following:
 - a. Trash;
 - b. Trade in (Exchange);
 - c. Donation;
 - d. Sale; and
 - e. Lease / Rent.
4. The University's Vice Chancellor shall form the Auction Committee or Committees based on the Secretary General recommendation.
5. Assets and materials personally used by the University employees/ students may be sold to them, at reasonable prices after obtaining the approval of the University Tenders Committee, or may be sold in auction; assets and other used materials may be sold in auctions to the University's students or to buyers outside the University.
6. The University's Vice Chancellor shall set the provisions and regulations to donate assets and new materials to the University's students, staff or visitors.
7. The University Tenders Committee is responsible for all procedures concerning rent of the University buildings, sites and assets, as well as auctions, procedures and contracts awarded with an estimated value of above AED 25,000, whereas the Auctions Committee is responsible for all auctions procedures and contracts awarded with value not exceeding AED 25,000.
8. All participants to the auction tender shall provide a Bid Bond of between 2% and 5% of the total tender price, or of a fixed as amount, as approved by the Secretary General.

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9. The winning bidder shall pay the tender value within 5 working days of being notified, unless the University Tenders Committee or Auctions Committee approves the extension of that period. Otherwise, the University will seize the bid bond, and the auction shall be awarded to the next highest bid.
10. The winning bidder shall collect the assets or materials after paying their value within the agreed period, and subject to a failure, a penalty of 2.5% of the assets or materials value shall be imposed for each week or part of it, and up to 4 weeks at a maximum of 10% to be paid as storing fees. The University shall then have the right to sell assets or materials at any price without the auctioneer's objection.
11. The University's Secretary General shall form the Assets, Materials and Goods Disposal Committee or Committees, whose duty it shall be to implement assets and materials scrapping procedures, and to deliver assets and materials to be sold or donated to the concerned parties.

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Signing Authority Table:

Subject:		Signing Authority					
Sr No.		Director, Tender and Procurement Department	University Procurement Committee	Secretary General	Vice Chancellor	Chancellor	University Council
1	Addition/ deletion/ amendment of policies					X	X
2	Issuance of procurement procedures				X		
3	Projects plan and its amendments					X	
4	The approval of the procurement plan, its amendments, centralised and decentralised goods and services that need pricing agreement.		X				
5	Formation of Procurement Committees					X	
6	Formation of Technical and Commercial Evaluation Committees			X			
7	Formation of Receiving Committees				X		
8	Formation of Auctions Committees				X		
9	Formation of Assets, Materials and Goods Disposal Committees			X			
10	Renting /Leasing university' buildings, sites and assets.		X				
11	Purchasing from outside pricing agreements/ preferred Providers		X				
12	Exception from submitting guarantee (Performance Bond)			X			
13	Defining , updating and issuing procurement code of ethics and conflict of interests			X			
14	Defining registration fees in Providers record, Booklet of Conditions fees and exemptions.			X			
15	Selling assets and materials that were used personally by the university employees/ students to them		X				
16	Giving the employee permission to continue purchasing process after declaration of conflict of interests			X			

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Subject:		Signing Authority					
Sr No.		Director, Tender and Procurement Department	University Procurement Committee	Secretary General	Vice Chancellor	Chancellor	University Council
17	Setting and updating rules to limit the negative impacts of the university procurement			X			
18	Approval of the disposal rules for assets, used and surplus materials at the university						X
19	Handling external complaints that are related to the procurement processes.			X*	X		
20	Defining goods disposal methods (Trash/ trade-in "Exchange"/ Selling)		X				
21	Signing contracts for selling goods and materials up to AED 25,000	X					
22	Signing contracts for selling goods and materials above AED 25,000 and up to AED 100,000			X			
23	Signing contracts for selling goods and materials above AED 100,000				X		
24	Signing contracts for leasing buildings sites and asset up to AED 100,000				X		
25	Signing contracts for leasing buildings sites and asset above AED 100,000					X	
26	Signing of pricing Agreements				X		
27	Signing of preferred Providers agreements			X			
28	Defining the value of the bid bond and final deposit guarantee fixed amount			X			
29	Setting provisions and regulations to donate assets and new materials for university students, staff or visitors				X		
x* means approval that need to be resumed							

Table of Authorities for Approval and Signature of Purchase Requests, Purchase Orders, Agreements and Variation Orders

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The maximum amount for a transaction in dirham	Deans, and Units heads	Deputy Vice Chancellors/ Secretary General	Vice Chancellor	Chancellor
up to 100,000	X			
up to 500,000		X		
up to 1,000,000			X	
Open				X