

1. Title

Purchaser and Certain Contract Negotiator Training and Certification

2. Policy

Sec. 1 Purpose. The purpose of this Policy is to provide guidelines for the development and implementation of a training and certification plan to ensure that The University of Texas System Administration and each institution are staffed with qualified purchasing and Information Resources Technologies contracting professionals.

Sec. 2 Requirements. System Administration and each institution must establish a training and certification plan that:

- 2.1 requires all personnel who process procurements of goods or services on behalf of System Administration or an institution to obtain appropriate training;
- 2.2 requires all personnel who process competitive procurements of goods or services in an amount over \$50,000 to attain nationally recognized and/or State of Texas buyer certification;
- 2.3 requires personnel directly involved in contract negotiations for the purchase of Information Resources Technologies to complete DIR training related to effective negotiation of contracts for Information Resources Technologies; and
- 2.4 conforms to the guidelines established in this policy.

Sec. 3 Plan Development.

- 3.1 Responsible Officer. The primary procurement officer of System Administration and each institution shall be responsible for the establishment, implementation, modification, or change of a training and certification plan at his or her institution.
- 3.2 Approvals. The plan may be implemented, modified, or changed only after review and approval of the institution's chief legal officer and the institution's chief business officer.
- 3.3 Content. At a minimum, the plan must contain the following:
 - (a) identification of personnel who are required to obtain purchasing, contract negotiation training and/or certification. Purchasing personnel training and certification levels shall be classified by the type of purchase (e.g., formal bids,

informal quotes, small dollar procurements) and level of commitment authority;

(b) training requirements for the identified personnel classifications. Purchaser training requirements shall identify the subject matter and the minimum hours of training required; and

(c) certification requirements for the identified personnel classifications.

3.4 Refer to Item 5, Relevant System Policies, Procedures, and Forms, for a sample training and certification plan.

Sec. 4 Core Training Curriculum. At a minimum, purchaser training must include the following areas:

4.1 ethics;

4.2 supplier relations;

4.3 U. T. System Historically Underutilized Business (HUB) program;

4.4 applicable laws, rules, and regulations;

4.5 the role of the buyer and the buyer's fiduciary responsibility;

4.6 documentation and records management;

4.7 applicable policies and procedures;

4.8 contract administration; and

4.9 principles of "best value" procurement.

Sec. 5 Certification Programs. Only the certifications listed below are approved for inclusion in a training and certification plan.

5.1 Institute for Supply Management

(a) Accredited Purchasing Practitioner (A.P.P)

(b) Certified in Supply Management (C.S.M.)

(c) Certified Purchasing Manager (C.P.M.)

(d) Certified Professional in Supply Management (C.P.S.M.)

- 5.2 National Institute of Government Purchasing
 - (a) Certified Public Purchasing Officer (C.P.P.O.)
 - (b) Certified Public Purchasing Buyer (C.P.P.B.)
- 5.3 State of Texas (administered by Texas Procurement and Support Services Division of the Texas Comptroller's Office)
 - (a) Certified Texas Purchaser (C.T.P.)
 - (b) Certified Texas Purchasing Manager (C.T.P.M.)
- 5.4 DIR training related to effective negotiation of contracts for Information Resources Technologies.
- Sec. 6 Deadlines and Submittal Requirements for Plan.
 - 6.1 Maintenance. The primary procurement officer at each institution is responsible for maintaining a current training and certification plan that has been approved by the institution's chief legal officer and the institution's chief business officer.
 - 6.2 Submission. The primary procurement officer shall submit proposed substantive modifications or changes to an institution's plan to the institution's chief business officer after approval by the institution's chief legal officer.
- Sec. 7 Personnel Requirements.
 - 7.1 Certification Deadline. Any newly hired individual who is required to be certified under his or her institution's plan must be certified within 18 months of his or her date of hire.
 - 7.2 Job Descriptions. Job descriptions for each personnel classification shall incorporate the training and certification requirements applicable to that classification in the job description.
 - 7.3 List of Certified Personnel. By January 15 of each fiscal year, the primary procurement officer at each institution and System Administration must submit to the institution's chief business officer a list of all personnel who are certified. The list must include each employee's name, job title, and certification type.
 - 7.4 Training/Certification. If an individual fails to obtain training and/or certification for a particular personnel classification in accordance with the requirements set forth in his or her

institution's training and certification plan, the individual may not make purchases or negotiate contracts on behalf of the institution that are permitted for that personnel classification. At the sole discretion of the institution, however, the individual may continue to make purchases and negotiate contracts on behalf of the institution at those levels for which the individual has attained the requisite training and/or certification.

3. Definitions

DIR - Texas Department of Information Resources.

Information Resources Technologies - data processing and telecommunications hardware, software, services, supplies, personnel, facility resources, maintenance, and training.

4. Relevant Federal and State Statutes

[Section 51.9335, Texas Education Code](#)

[Section 51.9337, Texas Education Code](#)

[Section 73.115, Texas Education Code](#)

[Section 74.008, Texas Education Code](#)

[Section 656.050, Texas Government Code](#) **[Link will be added when available.]**

[Section 2054.003, Texas Government Code](#)

5. Relevant System Policies, Procedures, and Forms

[Rule 10501: Delegation to Act on Behalf of the Board](#)

[UTS103, Unrelated Business Income Tax](#)

[UTS108, Affiliation Agreement Policy](#)

[UTS115, Records and Information Management](#)

[UTS118, Dishonest or Fraudulent Activities](#)

[UTS119, Compliance Programs](#)

[UTS122, Guidelines for Web Site Solicitations](#)

[UTS124, Criminal Background Checks](#)

[UTS125, Guidance for Negotiating Research Agreements with Sponsors and Processing Research and Intellectual Property Agreements](#)

[UTS126, Processing of Space Lease Agreements](#)

[UTS130, Vending Machine Contracts](#)

[UTS134, Code of Ethics for Financial Officers and Employees](#)

[UTS137, Historically Underutilized Business \(HUB\) Program](#)

[UTS138, Gift Acceptance Procedures](#)

[UTS139, Compliance with the Texas Public Information Act](#)

[UTS140, Enhancing Major Software Projects](#)

[UTS141, Employee Discount Programs](#)

[UTS142.3, Policy on Capital Leases vs. Operating Leases for Lessees](#)

[UTS142.4, Policy for Construction in Progress](#)

[UTS145, Processing of Contracts](#)

[UTS147, Processing of Sales and Leases of Real Property \(UT as Seller or Landlord\)](#)

[UTS148, Protest Procedures Related to Procurements of Goods and Services](#)

[UTS150, Access by Persons with Disabilities to Electronic and Information Resources Procured or Developed by The University of Texas System Administration and The University of Texas System Institutions](#)

[UTS159, Purchasing](#)

[UTS161, Environmental Review for Acquisition of Real Property](#)

[UTS162, Disposal of Unclaimed Property](#)

[UTS165, Information Resources Use and Security Policy](#)

[UTS166, Cash Management and Cash Handling Policy](#)

[UTS167, Banking Services Policy](#)

[UTS168, Capital Expenditure Policy](#)

[UTS169, Sustainability Practices](#)

[UTS171, Student Financial Aid Code of Conduct](#)

[UTS173, Export Controls](#)

[UTS180, Conflicts of Interest, Conflicts of Commitment, and Outside Activities](#)

[UTS145 Contract Processing Flowchart](#)

[Summary of Contracts Requiring Board Approval](#)

[Office of Business Affairs Contract Processing Checklist](#)

[Office of General Counsel \(OGC\) Contract Review Procedures](#)

[Standard Contracts](#)

[Special Procedure Contracts](#)

[Sample Training and Certification Program](#)

6. System Administration Office(s) Responsible for Policy

Office of Business Affairs

7. Dates Approved or Amended

March 27, 2002

July 10, 2009

October 25, 2011

August 17, 2017

September 21, 2017