



University of Connecticut Health Center

POLICY NUMBER 2006-24

June 23, 2006

POLICY: PURCHASING A-9D: DISQUALIFICATION FROM BIDDING

PURPOSE:

This policy establishes guidelines for contractors/vendors who may be disqualified from bidding.

SCOPE:

Applies to all University of Connecticut Health Center (UCHC) workforce, contractors/vendors:

POLICY STATEMENT:

A contractor/vendor may be disqualified from bidding for up to two years pursuant to the procedures described in [Chapter 58, Sec 4a-52a](#).

Definition:

1. "Bidder" means a person, firm or corporation submitting a competitive bid in response to a solicitation.
2. Contractor/Vendor means any person or entity bidding on, submitting a proposal for, applying for or participating as a subcontractor for, a transaction, procurement or contract described in [State of Connecticut Executive Order 7b](#)., including, but not limited a small contractor, minority business enterprise, organization providing products and services by persons with disabilities, as described in [Vol. 6, Title 17b Social Services, Chapter 319mm, Section 17b-656](#) and as an individual with a disability, as defined in [Vol. 1, Chapter 58, Section 4a-60g](#) of the State of Connecticut General Statutes.
3. Disqualified Bidder is a vendor who may not bid on any University of Connecticut Health Center's:
 - a. Request of Proposal (RFP) or;
 - b. Request for Quotation (RFQ).
4. Assistant Director of Purchasing oversees the Purchasing Department and reports directly to the Director of Purchasing.
5. Business Owner (BO): Person or department that is requesting the merchandise or service. The BO shall be responsible for providing an authorized Purchase Requisition if the merchandise or service cannot be obtained through an Internal Service Department.

Responsibilities:

1. Director of Purchasing is responsible for ensuring compliance to the policy and identifying and notifying any disqualified bidders.
2. Assistant Director of Purchasing is responsible for reviewing all Purchase Requisitions to identify disqualified and suspended vendors; to notify the Director of Purchasing and the Business Owner, and the maintenance of the *Disqualified Vendors Log*.
3. Contractor/Vendor is responsible to comply with Connecticut General Statutes and Executive Orders.
4. Business Owner (BO) is responsible for requesting the merchandise or service. The BO shall
 - Contact the Internal Service Department to determine if they can provide the merchandise or service (i.e. Reprographics-copying).
 - If the Internal Service Department cannot provide the merchandise or service the Business Owner shall provide an authorized Purchase Requisition to the Purchasing Department and notify the Director or Assistant Director of Purchasing of any potential conflict of interest.

Procedures:

1. The Attorney General must be consulted since disqualification is a legal action.
2. The bidder must be given an opportunity to be heard in a public hearing prior to any disqualification.
3. A written decision stating the reasons for the disqualification and the period of disqualification must be issued within 90 days of the public meeting date. If probable cause can be shown, a bidder could be suspended for up to three months before the public meeting.
4. Notification of **suspension** must be sent by certified mail, return receipt requested, to such person, firm or corporation.
5. The decision regarding **disqualification** must also be sent by certified mail, return receipt requested, to such person, firm or corporation. A copy of the letter of disqualification shall be sent by the Director of Purchasing to the Assistant Director of Purchasing.
6. The Assistant Director of Purchasing shall notify the Purchasing staff and post on the *Disqualified/Suspended Vendors Log*.

Causes for disqualification or suspension from bidding on contracts:

1. Conviction or entry of a plea of guilty for commission of a criminal offense as an incident to obtaining or attempting to obtain a public or private contract or subcontract, or in the performance of such contract or subcontract;
2. Conviction or entry of a plea of guilty under state or federal law for embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property or any other offense indicating a lack of business integrity or business honesty which affects responsibility as a state contractor;
3. Conviction or entry of a plea of guilty under state or federal antitrust, collusion or conspiracy statutes arising out of the submission of bids or proposals;
4. Noncompliance with contract provisions, of a character regarded by the chief executive

officer to be of such gravity as to indicate a lack of responsibility to perform as a contractor, including deliberate failure, without good cause, to perform in accordance with specifications or time limits provided in a contract;

5. A recent record of failure to perform or of unsatisfactory performance in accordance with the terms of one or more contracts, unless such failure to perform or unsatisfactory performance was caused by acts beyond the control of the contractor or supplier; or
6. Any other cause the Director of Purchasing determines to be so serious or compelling as to affect responsibility as a contractor, including disqualification by another government entity, having caused financial loss to the state or having caused a serious delay or inability of state officials to carry out their duties on a past contract.

[Link to Purchasing A-9d](#)

Robert W. Murphy (signed)

10/26/06

Director of Purchasing

Date

Peter Deckers, MD (signed)

10/26/06

Executive Vice President

Date

NEW POLICY: June 23, 2006