

SECTION 2: PURCHASING AUTHORITIES AND CODE OF CONDUCT

SUBJECT: STATUTORY AUTHORITY Procedure #2.2

POLICY:

The University of Washington has been granted statutory authority for procurement by the legislature through the Revised Code of Washington (RCW). [RCW 28B.20](#) Establishes the University of Washington and the powers and duties of the Board of Regents. The Board of Regents may delegate powers and duties to the president and designee. The Regents have adopted specific delegations governing Procurement transactions ([see Procedure 2.4](#)).

[RCW 28B.10](#) Provides the University of Washington with independent statutory procurement authority unrelated to the delegated authority provided by DES to other state agencies. Additionally, creates certain exemptions from the general requirements for procurement by state agencies, including the authority to engage in purchases of between \$10,000 and \$100,000 without formal, sealed-bid competition.

[RCW 39.26](#) Establishes the state procurement code. The procedural requirements of 39.26 RCW, such as reporting and posting solicitations in WEBS, generally apply to University of Washington procurements.

RCW 39.26 grants authority to institutions of higher education in several ways, including:

- a) Primary authority for the purchase of specialized equipment, and instructional and research material. (RCW 39.26.100(3)).
- b) The basis for conducting procurements other than by competitive solicitation (RCW 39.26.125), including:
 - i. purchases from legitimate sole sources
 - ii. purchases from non-profit cooperative hospital group purchasing organizations
 - iii. emergency purchases
 - iv. purchase of Washington-grown food, in certain circumstances

c) Emergency Purchases (RCW 39.26.130)

d) Authority for the purchase of insurance and bonds (RCW 39.26.100(6))

PROCEDURE:

All purchasing activities must be conducted in accordance with the relevant statutes and rules promulgated by regulatory authorities to protect individuals and the University of Washington from liability. Only necessary goods and services should be purchased. All relevant statutes (contained in the RCW), rules and regulations (contained in the WAC) and policies (available on agency websites) applicable to the University of Washington should be followed.

In the event of any doubt regarding the authority for or requirements surrounding a purchase, contact an appropriate individual within the University, Attorney General's office or appropriate state agency before proceeding with the purchase.