	DIRECTIVE “ON PURCHASES”				
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## PART I: GENERAL PROVISIONS

### Article 1: Purpose

The purpose of this Directive is to define the powers, responsibilities and procedures regarding the purchase of all types of goods and services within or outside the country, renting and construction of facilities which are managed or are property of the University.

### Article 2: The scope

This Directive applies to all academic and administrative units of EPOKA University.

### Article 3: Legal Basis

This Directive is based on the Statute of EPOKA University.

### Article 4: Definitions

In this Directive, the following definitions refer to:

<b>University:</b>	EPOKA University;
<b>Rectorate:</b>	Rectorate of EPOKA University;
<b>Administrative Board:</b>	Administrative Board of EPOKA University;
<b>Administrator:</b>	Administrator of EPOKA University;
<b>Procurement and Logistics Office:</b>	Based on this Directive, the responsible and competent unit at EPOKA University for the realization of the purchase of different goods or services;
<b>Purchases Commission:</b>	The Purchases Commission established under the provisions of this Directive.

## PART II: PRINCIPLES OF APPLICATION

### Article 5: Request for Purchase, Budget and Control of the Purchases


All purchases are carried out within the approved budget line of the current academic year. The unit which has a request fills in the standard Material Request Form and submits this form to the Office of the Administrator in order to be approved. After the approval by the Administrator, the said request is conveyed to the Procurement and Logistics Office by the Office of the Administrator. Before approving the request for purchase, the Administrator verifies that the request is in compliance with the limits stipulated in the budget.

The Material Request Form is processed by the Procurement and Logistics Office only if the following hierarchical order is respected and the respective approval is taken:

**Administrative Units:** Applicant, Head of the Unit, Administrator;  
**Faculty:** Applicant, Faculty Administrator, Administrator;  
**Department and Research Center:** Applicant, Head of Department/Research Center, Administrator.

Authorization of routine purchases within the educational-research activities may be delegated by the Rectorate to the Administrator.

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## Article 6: Purchases

Decisions on purchases are taken in order to meet the needs of the University in the most effective way and necessary time by considering the real value of the goods or services, and the particularity of market conditions. Before taking the decision for the purchase, it shall be ensured that there is no stock in the inventory for the respective goods.

The management of the purchases in the University is carried out in three ways:

- a. After approval of the request by the competent authority, the purchase of goods or services is done by the Procurement and Logistics Office for goods and services amounting to up to 100.000 Albanian lek (ALL) or the equivalent amount in foreign currency;
- b. The purchase of goods or services amounting to more than 100.000 ALL or the equivalent amount in foreign currency is carried out by the Purchase Commission which is established by a decision of the Rectorate;
- c. After approval by the Administrative Board of the University.

After receiving the approval from the competent authority, the acquisition is performed by the Procurement and Logistics Office. Investments and purchase of goods and services for the university premises, for which the approval has been received in advance from the Administrative Board in the framework of approval of the annual institutional budget are conducted by the Procurement and Logistics Office. The delegation of powers due to this Directive is carried out by the decision of the Administrative Board.

Emergency expenses unforeseen in the budget must be approved by the Administrator. When deemed necessary, for extraordinary expenses, the approval of the Administrative Board is taken.

The Administrator may be authorized by the Administrative Board to perform activities costs such as car leasing, purchasing fuel, communication, representation and entertainment. For the abovementioned purchases, the filling in of the request form is not required. In this case, the higher authority in the hierarchy must be notified.


Materials needed for the daily routine activity of the unit are purchased after the submission of the Material Request Form. For ordinary purchases, after the conduct of the market research, the most suitable company is determined by giving priority to companies included in the approved List of Suppliers, the proposals are prepared and gathered, the assessment is carried out and at the end the agreement with the determined company is signed. Purchases required by filling in the “Material Request Form” are carried out only after the approval by the Administrator. Performing the purchases in accordance with the agreement is the responsibility of the Procurement and Logistics Office.

The List of Suppliers is updated annually by the Administrator and approved by the Administrative Board.

## Article 7: Powers of the requesting unit

The head of the requesting unit/the requesting person has the right to assist in delivering the goods and to inspect them. In necessary cases, a special commission can be assigned.

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The decision of the requesting unit is crucial for any issue related to the purchase of the service required by the unit and related to the management of the work process.

### **Article 8: The Purchase Commission and purchasing procedures**

The Rectorate establishes the Purchase Commission for the conduct of purchases and investments in buildings and facilities which exceed the amount of 100.000 ALL or the equivalent amount in foreign currency. The chairperson and members of the commission are appointed by the Rectorate. The Purchase Commission consists of at least three members and at most five members.

In order to approve the purchase, the Purchase Commission applies one or several of the following procedures:

- Receiving offers in sealed envelopes procedure;
- Open cutback procedure;
- Bargaining procedure.

### **Article 9: Technical Terms**

All the technical features of the goods or services to be purchased are defined in the technical terms. The technical terms are prepared by the unit which has submitted the request and after receiving approval from the Head of the unit, they are attached to the Material Request Form and submitted to the Office of the Administrator for approval, in order to be followed by the Procurement and Logistics Office. For the technical terms of goods or services required to be identified, drawings, samples, documents and references may be used as attachments.

### **Article 10: Administrative Terms**

The requesting unit together with the technical terms, in cooperation with the Procurement and Logistics Office, also stipulates the administrative terms. In the administrative terms, the following data should be shown:


1. Nature, type and amount of work to be performed or goods to be taken;
2. Competent person who follows the procedure of implementation, tender and work performance;
3. The applicable procedure, the date of delivery, place and form;
4. Conditions and place of payment;
5. In which way and who will pay the taxes, fees and other expenses;
6. If necessary, the estimated cost and amount of collateral;
7. Penalties applicable in case of delay or other violations;
8. Terms and documents required by the provider;
9. Any procedure that can be accomplished during the purchase;
10. Necessary documents on the provider;
11. Other necessary documents.

### **Article 11: Notification and Signing**

After determining which company shall provide the goods or service, the Purchase Commission, within the time specified, announces the winner of the tender at the company's legal address.

The provider, starting from the date of notification until the end of the period specified in it, is

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obliged to deposit guarantees if necessary and sign the agreement by applying to the Procurement and Logistics Office.

### **Article 12: Freedom of tenders of the University**

The University is subject to the provisions of private law and is not bound by the provisions of the Public Procurement legislation.

The University is free to determine whether to apply a tender or not, to realize that partially or completely. This provision is presented explicitly in all specifications.

### **Article 13: Persons and organizations that are not allowed to participate in the tendering procedure**

Persons or organizations from which purchases cannot be done directly or indirectly are as follows:

1. Entities temporarily or permanently forbidden to participate in tenders organized by public institutions;
2. Administrative Board members and staff of the University;
3. Rector, Deans, Administrator, Purchase Commission members and staff of the Procurement and Logistics Office.
4. Subjects who have a shorter time than two years from their termination of employment from the University.
5. Any individual or legal person which is deemed to have a conflict of interest with EPOKA University, its managing authorities as well as its staff members.

## **PART III: FINAL PROVISIONS**

### **Article 14: Entrance into force**

This directive shall enter into force on the date of the approval by the Administrative Board of the University.

### **Article 15: Implementation**

The implementation of this Directive is ensured by the Administrator of EPOKA University.

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