

EXHIBIT 1 - Procurement Procedures

1.0 PROCEDURES PURPOSE

These procedures set forth the guidance for the Procurement of Goods, Services and Construction as required by the Procurement Policy. These procedures include general guidance regarding information gathering, method of Procurement, Competition requirements, cost price analysis, disputes and remedies, and vendor debarment.

The Director of Procurement and Contracting, in their sole discretion, may approve a request to waive the Procurement Procedures in special circumstances. A waiver request must provide evidence that:

- due diligence was/will be exercised in receiving the best deal for Mines; and
- the benefit to Mines is at least equal to the cost and risk of not following the procedures.

The Director of Procurement and Contracting must ensure that waiving the procedures will not allow for any unethical conduct or undue advantage to a specific vendor(s).

2.0 INFORMATION GATHERING

Mines may use one of the information gathering methods in this section when there is not adequate information to develop a scope of work/Specifications for a Procurement or to identify potential vendors that may be qualified to provide the Goods, Services or Construction needed. Information gathering may be utilized at any time to determine appropriate Goods, Services Construction, or vendors that meet a particular need of Mines. All potential vendors should be given an equal opportunity to provide the requested information.

2.1 Request for Information (RFI). An RFI may be used to obtain preliminary information about the type of Goods, Services or Construction that are available in the market. The information gathered from an RFI may be used to develop an adequate scope of work/Specifications for a Procurement or to determine the budget required based on pricing information provided. An RFI must be publicly advertised in the same manner as a Solicitation, for a period of time that allows adequate information gathering at the discretion of Procurement and Contracting. The RFI shall clearly state that no Award will result from any response.

2.2 Request for Qualifications (RFQ). An RFQ is a qualifications-based selection process to ensure potential vendors can meet the requirements of a pending Procurement. An RFQ alone will not result in an Award. An RFQ may be used as a first step in any Solicitation process. The qualifications information (e.g., past completion of similar work, references, etc.) gathered from an RFQ may be used to determine if a

vendor should be allowed to respond to a future Solicitation. An RFQ must be publicly advertised in the same manner as a Solicitation, for a period of time that allows adequate information gathering at the discretion of Procurement and Contracting. The RFQ shall clearly state that no Award will result from any response, though some vendors may be selected to participate in a Solicitation.

2.3 Vendor Shows. A vendor show is a product demonstration or exhibit held on campus, to which a vendor markets Goods, Services or Construction to at least one Mines department and is open for attendance to the Mines community. Vendor shows include open houses, product exhibits, or product demonstrations. All vendor shows must be approved in advance by the Director of Procurement and Contracting.

The sponsoring Mines department shall notify the Director of Procurement and Contracting as far in advance as possible but at least ten (10) business days prior to the vendor show. A product or equipment demonstration that is not open to the Mines community is not a vendor show and is not allowed. The Director of Procurement and Contracting has the final authority to determine what constitutes a vendor show.

2.4 Demonstrations or Samples. Equipment requested by Mines departments from vendors, or offered by vendors to Mines departments, on a trial, loan, demonstration or evaluation basis does not constitute a commitment to purchase said equipment. Mines departments must advise the vendor that, any Procurement resulting from a demonstration or sample must adhere to the Mines Procurement Policy and Procedures. If a Procurement results from the vendor who loaned the equipment, new equipment must be supplied unless otherwise specified.

All moving, handling, transportation and applicable installation costs associated with equipment of this nature are the sole responsibility of the vendor unless otherwise specified. Mines will not incur any costs associated with equipment that is on trial, loaned, demonstrated, tested or evaluated unless otherwise specified.

Any agreement, which is required by the vendor, shall be executed by Procurement and Contracting, regardless of dollar value of the equipment.

3.0 STANDARD PROCUREMENT METHODS

All Procurements are subject to the requirement that prices paid be fair and reasonable and a price cost analysis is required in all Procurements, even when Competition is not possible or not required. A fair and reasonable price is considered "Acceptable." Competition requirements are in place at various thresholds to help ensure fair and reasonable prices. Competition is not required for all thresholds.