

DU BYLAWS
Financial Bylaws
Chapter 9: Contracts and Purchases

Article 35: Presentation of Contracts to the Legal Advisor:

All types of contracts resulting in a financial commitment by the University shall be presented to the University Legal Advisor to provide his/her legal opinion and write his/her initials on the presented document. The contracting party shall sign the contract in his/her presence to ensure the legal authenticity of the signatory.

Article 36: Signing of Contracts:

- 36.1** Apart from contracts of employment, which are signed by the VC, the contracts resulting in a financial commitment by the University shall be signed by the VC if the contract value ranges from five thousand (5000) OR to fifty thousand (50,000) OR, and shall be signed by the Assistant Deputy Vice Chancellor for Administrative and Financial Affairs if the contract value is equal or less than five thousand (5000) OR.
- 36.2** All contracts exceeding fifty thousand (50,000) OR in value shall be signed by the authorized members of the Board of Directors.

Article 37: Required Procedures for Purchases:

- 37.1** Department of Purchase handles the required procedures for purchasing all University needs and executes its actions in accordance with the provisions of these Bylaws. In particular, the Department shall undertake the following:
- 37.1.1** Record information in the register of contractors and suppliers who deal with the University in accordance with Article (38) of these Bylaws.
- 37.1.2** Receive requests for purchase or performance of services or procurement of store supplies from various departments and units in the University, and make necessary arrangements to process the requests after recording them in the register described in Article (39) of these Bylaws.
- 37.1.3** Prepare the terms and conditions for tender or practice in coordination with the requesting party which wishes to present its case to the University's Tender and Purchase Committee or Practice Committee in accordance with the provisions of these Bylaws. The parties involved may use the services of technicians, experts, or consultation bureaus if deemed necessary.
- 37.1.4** Announce tenders in accordance with the decisions of the Tender and Purchase Committee and the Bylaws herein.
- 37.1.5** Request price quotations from approved contractors and suppliers

regarding materials and work in case of a direct contractual agreement, and record the figures in the designated registers.

- 37.1.6 Make the necessary arrangements to issue purchase orders on the designated forms to the chosen supplier, manufacturer or contractor whose tender is approved and duly record it in the register of purchase orders as stated in Article (40) of these Bylaws.

Article 38: Register of Contractors and Suppliers:

A register shall be designated to contractors and suppliers dealing with the University. The register shall include their names and all necessary information about them to refer to when submitting a purchase or service request or when selecting suitable suppliers among others operating in the same business. In case there is no suitable one on the register, the University shall select others and list their names and related details in the register.

Article 39: Register of Purchase and Service Requests:

A register shall be designated to recording requests for purchase or services along with all pertinent information. The register shall include the request's serial number, date, requesting party, requested items or services, and the date of sending the request for approval.

Article 40: Register of Purchase Orders:

A register shall be designated to recording purchase orders and all pertinent information including: serial number of the order, date, supplier's name, requested items, their respective cost, time validity of the purchase order, voucher number in the encumbrance register, the sending date of the order to the supplier, and the number and date of the acknowledged receipt of the order.

Article 41: Encumbrance Register:

The Department of Finance shall prepare a register to monitor encumbrances. On this register, the purchase order cost shall be recorded in one column labeled 'amount', and the corresponding item in another column. The cost shall be deducted from the budget fund allocated to the item; the balance shall be listed in a column for budget balance. It should be noted whether or not the budget allocations for the given items are sufficient prior to approving any purchase.

Article 42: Prohibition of Purchase or Contract without Sufficient Allocations:

Purchases and contracts shall not be permitted if the budget allocations are not sufficient.

Article 43: Purchase and Service System:

- 43.1** The system of purchasing all needed items and services for the University shall be pursued in accordance with the following methods:
- 43.1.1 Public Tender.
 - 43.1.2 Contract practice.
 - 43.1.3 Direct order.

Article 44: Public Tender:

- 44.1** All types of goods or services which cost over five thousand (5000) OR shall be purchased by way of a public tender undertaken by the Tender and Purchase Committee formed by the VC. The Committee shall be chaired by the Assistant Deputy Vice Chancellor for Administrative and Financial Affairs and shall have as members the Director of Administrative Affairs, the Director of Finance, the Director of the Purchase Department, the Legal Advisor and any technician or specialist as seen fit by the VC.
- 44.2** The VC shall issue the rules and regulations that govern the work of the Tender Committee and the procedures of approval of tenders.

Article 45: Contract Practice:

- 45.1** The purchase of all University requirements or services needed, whose cost exceeds five thousand (5000) OR, shall be via a contract practice only in the following cases:
- 45.1.1 Manufactured and/or imported products under monopoly.
 - 45.1.2 Products available only at one source.
 - 45.1.3 Products whose specifications are difficult to define accurately.
 - 45.1.4 Technical services desired to be undertaken by particular specialists.
 - 45.1.5 Imported and/or transported items or services of urgent need or under unanticipated circumstances that preclude undertaking a tender.
 - 45.1.6 Items, the nature of which or the purpose for which they are purchased, necessitating their procurement from their place of production.
 - 45.1.7 Imported items or contractual work whose tender shows no price quotation or whose price quotation is deemed unacceptable and whose urgency is immediate and cannot wait for further tenders. The Board of Directors shall be entitled, after duly viewing and examining the offers of the public tenders, to convert the public tender into a contract practice if considered in the best interest of the University.
- 45.2** The Tender and Purchase Committee shall be in charge of the contract practice order.

Article 46: Contract by a Direct Order:

- 46.1** Needed goods or works which do not exceed five thousand (5000) OR shall be purchased or ordered from a vendor or contractor selected from among at least three (3) quotations, provided that the prices/charges be reasonable and the selection justified.
- 46.2** The Tender and Purchase Committee shall be responsible for the contract by direct order.

Article 47: Purchase of Products or Direct Work Order without being Bound by the Number of Quotations:

- 47.1** As an exception to the Article (46), the University may purchase items or order works directly without being bound by the minimum number of quotations as provided for in Article (46) in the following cases:
- 47.1.1 If the cost of the purchased items or ordered works does not exceed five hundred (500) OR.
- 47.1.2 If the minimum number of quotations as mentioned in Article (46) cannot be met in special circumstances or else if:
- Manufactured and/or imported products are under monopoly.
 - Supplies are available only at one source.
 - Technical services are desired to be undertaken by particular specialists.
 - Supplies or services are complementary parts to devices or equipment already existing in the University.
 - Supplies and services are provided by an official or governmental body in the country.
- 47.2** Exceptions in the above-mentioned cases shall not be entertained without the approval of the VC upon a memorandum from the Director of the Department of Purchase or another specialized technical Department upon a recommendation from the Assistant to the Vice Chancellor for Administrative and Financial Affairs and the approval of the VC.

Article 48: Cases for Drafting Contracts:

Contracts shall be drafted for purchases or services whose nature requires so, and whose value exceeds five thousand (5000) OR. The Legal Advisor may also request drafting a contract for transactions whose value is less than five thousand (5000) OR if deemed appropriate and in the best interest of the University.

Article 49: Monitoring and Maintenance of Furniture and Equipment:

The Technical Affairs Department, in coordination with other Departments in the University, shall be responsible for the monitoring and maintenance of the furniture and equipment and may outsource the work, if necessary, to ensure their maintenance. Should maintenance require contracting with external parties, this should be in coordination with the Purchase Department, which shall contact the provider or any other party specializing in maintenance.