

# **Management Regulations of Shenzhen Institute of Advanced Technology, Chinese Academy of Sciences on Procurement of Instruments and Equipment, Articles and Materials**

## **Chapter 1 General**

**Article 1** To strengthen the procurement management of Shenzhen Institute of Advanced Technology, Chinese Academy of Sciences (SIAT) to the instruments and equipment, articles, and materials, standardize the procurement behaviors and improve the efficiency of fund use, according to the provisions of the *Government Procurement Law of the People's Republic of China*, the *Tendering and Bidding Law of the People's Republic of China*, and other laws and regulations, along with the actual situation of the SIAT, these Regulations are hereby formulated.

**Article 2** These Regulations apply to all economic business of instruments and equipment, articles and materials procurement in the name of the SIAT.

**Article 3** The SIAT may separately formulate corresponding management regulations of special fund for purchasing instruments and equipment, materials according to the particular requirements of different special funds.

**Article 4** The Office of Procurement under the Department of Science & Technology Development of the SIAT is the executive department with the legal representative authorization of the SIAT to organize and implement instruments and equipment, articles, and materials procurement.

## **Chapter 2 Approval and Demonstration of Instruments and Equipment, Articles, and Materials**

**Article 5** The procurement applicant of instruments and equipment, articles, and materials must be the formal employee of the unit, who can purchase above instruments and equipment, or articles belonging to asset class with a total amount of 1,000 yuan (exclusive); if the purchase amount is above 5,000 yuan (exclusive), the procurement applicant should submit the application in the AOP system, and implementing procurement after approval by principals at each level.

**Article 6** If the procurement unit price or the total amount of batch procurement is below 100,000 yuan, the purchase should be approved by the principle Investigator and the head of the center; if the figure is above 100,000 yuan (inclusive) and below 200,000 yuan, the purchase should be approved by the director; if the figure is above 200,000 yuan (inclusive) and below 300,000 yuan, the purchase should be approved by the Department of Science & Technology Development Director; if the figure is above 300,000 yuan (inclusive) and below 500,000 yuan (inclusive), the purchase should be approved by the deputy director in charge; if the figure is above 500,000 yuan, the purchase should be approved by the deputy director and the director in both.

If the procurement unit price or the total amount of batch procurement of the instruments and equipment is above 500,000 yuan (inclusive), the Department of Science & Technology Development and the Department of Public Service Platform for Science and Technology jointly organize the in-institute experts to make procurement demonstration and the former organizes the procurement after the demonstration is passed.

The Office of Procurement of the Department of Science & Technology Development is responsible for the unified procurement of the instruments and equipment, articles that are included into the centralized procurement scope of the government or the SIAT.

If it is really necessary for scientific research to purchase products with brands not in the list of commonly used office equipment supplied by government procurement agreements, horizontal funds can be used for such procurement.

### **Chapter 3 Procurement of Instruments and Equipment, Articles**

**Article 7** The procurement of instruments and equipment, articles, and materials can be divided into tendering procurement and non-tendering procurement according to whether it invites bids, and it can be divided into government centralized procurement, department centralized procurement, and unit separate procurement according to whether it is centralized procurement.

**Article 8** The Office of Procurement of the Department of Science & Technology Development is responsible for the unified tendering procurement of instruments and equipment, articles, and materials according to the regulations of the state, territorial management unit, and the SIAT.

**Article 9** Government centralized procurement

The procurement of equipment and articles that fall within the scope of the supply catalogue of the government centralized procurement agreement should be carried out according to the regulations of government centralized procurement.

#### **Article 10** Department centralized procurement

The procurement of instruments and equipment, articles within the scope of centralized procurement by the department should be carried out according to the procurement regulations of the superior competent department.

#### **Article 11** Unit separate procurement

The procurement of instruments and equipment, articles, and materials within the scope of separate procurement by the unit should be carried out according to the procurement regulations formulated by the SIAT. The Department of Science & Technology Development is responsible for the centralized procurement of biochemical reagents consumables, experimental animals, special gases, office stationery, furniture, electronic components, PCB boards, etc..

The procurement of the precious metals (see the management measures of the SIAT on precious metal types) should be reviewed by the Department of Public Service Platform for Science and Technology through the AOP system, the Office of Procurement of the Department of Science & Technology Development is responsible for centralized procurement and the Department of Public Service Platform for Science and Technology is responsible for claim and supervision.

### **Chapter 4 Procurement Contract of Instruments and Equipment, Articles, and Materials**

**Article 12** If the procurement unit price or the total batch procurement amount of instruments and equipment, articles, and materials is above 10,000 yuan (inclusive), a contract should be made as the legal basis and guarantee of both parties in principle. The negotiation of the contract should be carried out according to the requirements of the Department of Science & Technology Development for the organization methods of procurement. The procurement contract of instruments and equipment, articles, and materials is only valid after it is signed and confirmed by the contract negotiators and stamped with the official seal or contract seal of the buyer and the seller. The technical agreement and the supplementary contract should be executed equivalently to the contract as the attachments to the contract.

**Article 13** The contents of the contract should be agreed upon by both parties, including the following terms: Name and address of the units of both parties; Names of instruments and equipment, articles, and materials; Quantity; Price; Technical index\acceptance standards; Time, place and method of delivery; After-sales service terms; Liability for breach of contract; Methods of dispute resolution, etc.

**Article 14** With the entrusted procurement application signed and approved by principal leader at each levels through the AOP system, the Office of Procurement of the Department of Science & Technology Development can represent the SIAT to sign the instruments and equipment, articles, and materials procurement contracts, and is responsible for the contract supervision and implementation.

**Article 15** In case of the procurement contract with the procurement unit price or the total batch procurement amount above 10,000 yuan (inclusive), if the value is above 100,000 yuan (inclusive) and below 200,000 yuan (exclusive), price comparisons should be made with 3 or more companies offering the formal quotation; if the value is between 200,000 yuan and 500,000 yuan, the Office of Procurement of the Department of Science & Technology Development organizes in-institute tendering or bidding procurement; if the value is above 500,000 yuan (inclusive), the Office of Procurement of the Department of Science & Technology Development organizes public tendering procurement. For procurement of special form, the procurement applicant should provide corresponding description, and signed and approved by the principal of the application department. If necessary. the leader of the institute should sign and approve the application.

**Article 16** If the financial funds appropriating unit has special requirements for the use of its allocated funds to purchase instruments and equipment, articles, and materials, it should carry out the procurement according to the relevant regulations.

**Article 17** If the long-term supply agreement has been signed by the Office of Procurement of the Department of Science & Technology Development, 3 quotation materials may no longer be provided.

**Article 18** Goods or services that meet any of the following conditions may be procured from a single source:

(1) Procurement can only be made from a unique supplier;

(2) Unforeseen emergencies occur and it is impossible to make procurement from other suppliers;

(3) It is necessary to ensure the consistency of the original procurement items or the requirements of supporting services to continuously make procurement from the original supplier, with the total amount of additional procurement fund not exceeding 10% of the original contract procurement amount.

## **Chapter 5 Acceptance of Instruments and Equipment, Articles, and Materials**

**Article 19** The acceptors of the instruments and equipment, articles, and materials are composed of the procurement applicant, institute personnel, fixed asset administrator of the unit, related personnel from the Department of Public Service Platform for Science and Technology and the Department of Finance and Assets (Department of Finance). Instruments and equipment, articles whose amount reaches the prescribed standard for fixed assets should be managed by the Department of Finance with the fixed assets label posted.

**Article 20** For the acceptance of the instrument, the installation, commissioning, and acceptance should be generally completed within one month after the arrival of the goods, with the period of about a week, and the period of large valuable instruments and equipment should be determined by the specific situation. In case of any problem due to the applicant's delay in acceptance of instruments and equipment, the user unit should be responsible for goods returning, claim for compensation and bearing economic losses. For details about acceptance, see the *Management Measure of Shenzhen Institute of Advanced Technology, Chinese Academy of Sciences on Instruments and Equipment Acceptance*.

## **Chapter 6 Advance and Reimbursement of Instruments and Equipment, Articles, and Materials**

**Article 21** For advance and reimbursement of instruments and equipment, articles, and materials, the procurement applicant of instruments and equipment, articles, and materials should fill out the advance request or reimbursement form through the AOP system and signed and reviewed by the relevant principals at each level.

**Article 22** For the advance and reimbursement of instruments and equipment, articles procurement dominated by the Department of Science & Technology Development or reagents and consumables or materials procured in centralized by the Department of Science & Technology Development, the Office of Procurement of the Department of Science & Technology Development may initiate the corresponding process on behalf of the applicant and the applicant can acquire payment of advance and reimbursement after approval by related principals at each level.

**Article 23** The reimbursement for the procurement of instruments and equipment, articles, and materials should be implemented through the AOP system of the SIAT according to the relevant reimbursement system of the Department of Finance with the procurement contract, formal invoices and other relevant information and documents after the acceptance.

## **Chapter 7 Procurement Supervision of Instruments and Equipment, Articles, and Materials**

**Article 24** The procurement of instruments and equipment, articles, and materials should be subject to the supervision of discipline inspection and supervision, auditing departments.

**Article 25** Relevant personnel must strictly observe discipline, implement prescribed procedures and systems, and voluntarily accept supervision and inspection by relevant departments.

**Article 26** Any unit or individual has the right to report any illegal acts in procurement to the supervision department of the SIAT.

## **Chapter 8 Bylaw**

**Article 27** These Measures are interpreted by the Department of Science & Technology Development of the SIAT.

**Article 28** These Measure should be implemented from date of promulgation, the original Management Regulations of Shenzhen Institute of Advanced Technology, Chinese Academy of Sciences on Procurement of Instruments and Equipment, Articles and Materials (SYK ZI (2020) No. 74) should be repealed simultaneously.