



MARSHALL UNIVERSITY INFORMATION TECHNOLOGY

TECHNOLOGY PURCHASING CHECKLIST

1. Does your purchase align with the Marshall University (Marshall) [Purchasing Handbook](#)?
 - a. Ensure competitive bidding is not required (i.e., purchase must be less than \$25K)
 - b. If the purchase is between \$25K & \$50K, do you have three competitive bids?
 - c. If the purchase is greater than \$50K, have you publicly advertised through the RFP process?
 - d. If sole/single source, have you completed the [documentation](#)?
2. Have you completed a [Technology Review Request](#) and has this been approved by the IT review team?
3. Quote – is this quote signed and dated by the vendor?
4. Contract Terms
 - a. Do you have the vendor's terms of service/contract?
 - b. Do you have a copy of any terms that are linked in the main contract included?
 - c. Will the vendor sign the [WV-96](#) as an addendum to the contract? If so, ensure that it is signed and attached to the quote.
 - d. If the vendor will not sign the WV-96, please ensure the following contract terms are modified in the agreement to align with State law.
 - i. Section 3 of the WV-96 Fiscal Year Funding of a State Entity
 - ii. Remove any "Hold harmless" or "waive liability" language, as a state entity, Marshall cannot hold harmless any third party.
 - iii. Remove any "defend" or "indemnification" language for the vendor, as a state entity, Marshall cannot agree to defend or indemnify.
 - iv. Remove any language of automatic renewal of contracts, as a state entity, we cannot automatically renew.
 - e. Ensure the limitation of liability is sufficient to protect the University – what would the cost to the University be if there was a data breach of this system? Note: If there is a limitation of liability issue, please schedule a meeting with Legal, IT and Purchasing to discuss.
 - f. Include a brief description of the product and its purpose.
 - g. If a new vendor to the university, [the vendor registration form](#) and W-9 will need completed/uploaded.
 - h. If required, have vendor complete the [Cloud Computing Addendum](#).
 - i. If the technology stores or transmits PHI/HIPAA-protected data, a [Business Associate Agreement](#) needs executed with the vendor.
5. Once contract terms have been addressed, send contract terms and signed/dated quote to your respective Procurement representative who will then forward for university legal review and AG approval.
6. Once the contract is approved by the AG, the requesting unit should enter the requisition into Banner with a signed and dated quote and notify their respective Procurement representative.
7. Procurement will generate the PO to the vendor.
8. Once an invoice is received, your respective unit should process the invoice according to the PO in Banner.