

## Policy Register

**Policy Details**

5 -12.3

**Administrative policy regarding purchasing, sales and disposal of property and inventory control**

- (A) Responsibilities of the procurement department. All procurement activities involving the university shall be coordinated through the procurement department. Specific purchasing procedures are available online at [www.procurement.kent.edu](http://www.procurement.kent.edu). The procurement department has been given the following primary responsibilities:
- (1) Coordinating the purchase of all equipment, supplies, printed materials, or related services required by the requisitioning department, as economically as possible and consistent with desired quality;
  - (2) Establishing primary vendor contracts where appropriate (e.g., contracting with a single vendor for the procurement of a commodity such as food products, paper products, etc.); participating in inter-university, state of Ohio term contracts, or other joint purchasing contracts, when it has been determined to be in the university's best interest;
  - (3) Contracting for all rented or leased equipment, whether for a definite or indefinite period of time, with review by university counsel or procurement prior to execution of contracts;
  - (4) Performing the procurement function in compliance with applicable laws and university regulations;
  - (5) Applying principles of value analysis to the purchase transaction;
  - (6) Recommending standard specifications for equipment and materials of common use throughout the university;
  - (7) Administering the sale and/or disposal of all surplus property.
- (B) Implementation and procedures.
- (1) Competitive bidding.
    - (a) The purchase or lease of any equipment, material, and supplies when the cost is twenty-five thousand dollars or greater, the procurement of services when the cost is fifty thousand dollars or greater, and construction contracts when the cost is fifty thousand dollars or greater shall be awarded to the lowest and/or most responsive bidder pursuant to competitive bidding procedures. Competitive quotations may also be solicited for procurements below the established limits, whenever it would best serve the interests of the university.
    - (b) Formal quotations for all purchases or leases will be obtained by the procurement department based on written descriptions or specifications.

Informal quotes below competitive bidding limits are encouraged and may be obtained by the requisitioning department.

- (c) Any purchase or lease of any material, equipment, supplies, or services in excess of minimum bidding limits will be advertised in a way that is most beneficial to the university. Possible methods could include but not be limited to electronic advertising through the procurement department website, advertising in newspapers or trade publications, or direct solicitation of bids from vendors. Any procurement falling below the minimum bidding limits may also be advertised in any way that is determined to be in the university's best interests.
- (2) Waiver of competitive bidding. Competitive bidding requirements may be waived for the purchase or lease of equipment, materials, supplies, and service in the following instances:
- (a) Whenever the board, the president, or the vice presidents have determined that an emergency situation exists requiring such action;
  - (b) Whenever, in the judgment of the responsible purchasing officer of the university, it is impossible or impractical to obtain more than one bid because the item is obtainable only from a single source, or for other sufficient economic reason; or
  - (c) Whenever existing federal, state, inter-university council, or Kent state university contracts are used as a source for establishing price.
- (3) Other procurement options. Responsible business principles require the purchase of any goods or services to include cost and value considerations prior to final selection.
- (a) Purchases requiring purchase orders. Any purchase of goods or supplies greater than two thousand five hundred dollars requires a purchase order to be requisitioned from and issued by the procurement department.
  - (b) Permissible payments via check request. Payment of any purchase totaling less than two thousand five hundred dollars that can not be accomplished via use of the procurement card may be accomplished via a check request.
  - (c) Payments via procurement card. Any purchase totaling less than two thousand five hundred dollars and not restricted by other policies may be transacted using the university's procurement card. Specific procedures applicable to obtaining and proper use of the procurement card are available on the procurement department website.
- (2) Personal purchases. No personal purchases are permitted to be made, either via purchase order, check request, or the university's procurement card. In addition, no employee may use the university's name or present him/herself as an agent of the university when making personal purchases.

- (3) Equal employment opportunity. Kent state university requires that a supplier, in bidding and/or filling a purchase order, agrees not to discriminate against any employee or applicant for employment, with respect to higher tenure, terms, conditions, or privileges of employment, or any matter directly or indirectly related to employment, because of race, color, religion, gender, sexual orientation, national origin, disability, or identity as a disabled veteran or veteran of the Vietnam era to the extent required by law. The supplier must further agree that every subcontract or order given for the supplying of this order will contain a provision requiring nondiscrimination in employment, as herein specified. This covenant is required pursuant to Executive Order 11246 and Executive Order 11357 and any breach thereof may be regarded as a material breach of the contract or purchase order.
  - (4) Minority business. Chapter 125.081 of the Ohio Revised Code stipulates that Kent state university shall attempt to set aside a specified percentage of the estimated value of all purchases per year for competition by certified minority business enterprises. The university promotes purchases from minority business enterprises, woman-owned enterprises, and from suppliers from economically disadvantaged groups through its supplier diversity initiative.
- (C) Inventory control and the sale or disposal of university equipment
- (1) Inventory control. Equipment purchased with university funds shall be subject to university inventory control procedures. All equipment with a value in excess of 2500 dollars with a life expectancy of more than one year must be tagged and assigned an inventory control number by university inventory control. Each department head is responsible for such equipment and shall perform a physical equipment inventory every two years in order for the university to maintain compliance with applicable federal and state regulations.
  - (2) The procurement department, working with receiving and distribution services, has the sole responsibility for the sale or disposal of property by one of the following methods:
    - (a) Redistribute onto other departments in the eight-campus system through listings on the procurement department website;
    - (b) An advertised public auction with the property being sold to the highest bidder;
    - (c) Pursuant to competitive bidding procedures with the award being made to the highest bidder;
    - (d) In advertised public sale with the property having a price assigned to each item and sold to the public at a stipulated time and place; or
    - (e) Surplus property of minimal (salvage) value may be disposed of in the way most economical for the university.
- (D) Ineligible bidders. No employee of the university who has participated in the determination to dispose of property, participated in the preparation of property for sale, participated in determining the method of sale, or acquired information not otherwise available to the general public regarding usage, condition, quality, or value

of property may bid on or purchase any property offered for sale by the university. To qualify as a purchaser of such property, an employee of the university must certify in writing that he/she has not participated in any of the activities or acquired information as specified herein above.

- (E) Buy Ohio. Chapter 125.11(B) of the Ohio Revised Code requires state agencies and universities give preference in their purchasing activities to products that are produced or mined in Ohio, and to bidders that qualify as having a significant Ohio economic presence. This requirement may be waived when compliance would result in the university paying an excessive price for the product or acquiring a disproportionately inferior product.
- (F) Buy America. Chapter 125.11(B) of the Ohio Revised Code stipulates that state agencies and universities give preference in their purchasing activities to products produced, mined, or manufactured in the United States. This requirement may be waived when a determination has been made that the products to be purchased are not mined, produced, or manufactured in the United States in sufficient and reasonably available commercial quantities and of a satisfactory quality.

**Effective:** August 22, 2008

**Prior Effective Dates:** 11/4/1977, 8/31/1979, 3/11/1982, 4/14/1989, 7/27/1990, 8/16/1991, 3/4/1994, 6/4/2003, 6/1/2007

**Related Forms:**

NSF

**Gustafson, Jo Ann**

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**From:** Cornell, Scott  
**Sent:** Thursday, November 12, 2009 10:56 AM  
**To:** BURCHARD, LORI  
**Subject:** RE: MRI Grant CHE 922848

Hi Lori,

The requisition (13470692) is for the two SPR's only. Requisition 13470692 will replace purchase order P0006993. P0006993 has been cancelled by Larry McWilliams in procurement.

Thanks

Scott

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**From:** BURCHARD, LORI  
**Sent:** Thursday, November 12, 2009 10:32 AM  
**To:** Cornell, Scott  
**Subject:** RE: MRI Grant CHE 922848

Hi Scott:

Does this cover the DLS, two SPRs, or both. Have all the necessary requisitions been placed now? Carol mentioned the PO for the SPR, but does that need to be replaced with a new PO for two of them? I just want to make sure we are on the same page.

Thanks, Lori

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**From:** Cornell, Scott  
**Sent:** Thursday, November 12, 2009 10:23 AM  
**To:** PAKISH, CAROL; BURCHARD, LORI  
**Cc:** GERICKE, ARNE; HEIMLICH, CHARLEE; Heini, Anna Lee; MCWILLIAMS, LAWRENCE; RICHARDS, MARY  
**Subject:** RE: MRI Grant CHE 922848

Requisition no 13470692 has been placed into workflow for approval.

Thanks

Scott

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**From:** PAKISH, CAROL  
**Sent:** Tuesday, November 10, 2009 3:10 PM  
**To:** BURCHARD, LORI  
**Cc:** GERICKE, ARNE; Cornell, Scott; HEIMLICH, CHARLEE  
**Subject:** RE: MRI Grant CHE 922848

There is one PO for a dual channel SPR already processed that appears as an encumbrance on the grant. Purchase requisitions are done online through flashcart and there is currently nothing out there for grants approval. If someone can provide a requisition number, I can look up where the second SPR and DSL are in the approval process.

# Exhibit 2

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Thanks for the clarification.

Carol L Pakish, Grants Accountant  
234 Schwartz Center  
Kent, OH 44242  
330-██████████  
██████████@kent.edu

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**From:** BURCHARD, LORI  
**Sent:** Tuesday, November 10, 2009 2:37 PM  
**To:** PAKISH, CAROL  
**Cc:** GERICKE, ARNE; Cornell, Scott; HEIMLICH, CHARLEE  
**Subject:** FWD: MRI Grant CHE 922848

Carol:

Following is approval for a change in the equipment to be purchased under Dr. Gericke's NSF MRI grant (KSU 448012). This should replace a previous P.O. for a single PSR with a new P.O. for a suite containing two PSRs. In addition there will be a separate P.O. for a DLS. I believe you may already have these requests and were waiting for approval of the change to process. Please let us know if you do not have them so Chemistry may forward the appropriate paperwork.

Thanks, Lori

Lori A. Burchard  
Assistant Director  
Sponsored Programs  
Kent State University  
330-██████████

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**From:** GERICKE, ARNE  
**Sent:** Tuesday, November 10, 2009 2:17 PM  
**To:** BURCHARD, LORI  
**Cc:** Cornell, Scott  
**Subject:** Fwd: MRI Grant CHE 922848

Lori,  
here is the answer from NSF.  
Arne  
Begin forwarded message:

**From:** "Murillo, Carlos A" <██████████@nsf.gov>  
**Date:** November 10, 2009 1:57:48 PM EST  
**To:** "GERICKE, ARNE" <██████████@kent.edu>  
**Subject:** RE: MRI Grant CHE 922848

The answer is Yes.

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**From:** GERICKE, ARNE [mailto:████████@kent.edu]  
**Sent:** Tuesday, November 10, 2009 1:54 PM  
**To:** Murillo, Carlos A  
**Subject:** Re: MRI Grant CHE 922848

Carlos,

grants accounting here would like to have also a specific answer to question 1 in the email below. Sorry for coming back to you with this.

Arne

On Nov 10, 2009, at 11:04 AM, Murillo, Carlos A wrote:

Dear Arne:

I am not particularly pleased with this request but I will approve the purchase of the DLS instrument as long if this acquisition will support the research provided in the proposal.

Sincerely,

Carlos A. Murillo

Program Director

Integrative Chemistry Activities/Instrumentation

Division of Chemistry

National Science Foundation

4201 Wilson. Blvd. Room 1055

Tel. (703) ████████

For information on Chemistry Research Instrumentation and Facilities (CRIF),

see: [http://www.nsf.gov/funding/pqm\\_summ.jsp?pims\\_id=13579&orq=CHE](http://www.nsf.gov/funding/pqm_summ.jsp?pims_id=13579&orq=CHE)

A new Major Research Instrumentation (MRI) Program solicitation has been posted. See: <http://www.nsf.gov/pubs/2009/nsf09561/nsf09561.pdf>

For the NSF Proposal & Award Policies & Procedures Guide (PAPP), NSF 09-1, see: [http://www.nsf.gov/pubs/policydocs/pappguide/nsf09\\_1/nsf091.pdf](http://www.nsf.gov/pubs/policydocs/pappguide/nsf09_1/nsf091.pdf)

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**From:** GERICKE, ARNE [mailto:████████@kent.edu]

**Sent:** Monday, November 09, 2009 7:03 PM

**To:** Murillo, Carlos A

**Subject:** MRI Grant CHE 922848

Dear Carlos,

I have a question regarding my MRI grant CHE 922848.

The grant provides funding for the acquisition of a surface plasmon resonance instrument that will be used in a multi user research facility as well as for teaching a Biophotonics course (the development of this course is currently funded through an NSF CCLI grant). The original budget asked for funds to acquire a Biacore X100 instrument. We have reviewed in the meantime SPR instruments from a variety of other vendors and found that an instrument from Reichert fit our needs best for the following reasons:

- (1) The long-term cost for instrument operation are lower than for the Biacore instrument due to significantly lower chip prices
- (2) The instrument uses standard HPLC parts for the delivery of solvents. If needed these parts (tubes, valves) can be easily exchanged by the user. One concern in a multi-user facility with significant use of the instrument by undergraduate students is contamination or even molding of the tubes and valves.

# Exhibit 2

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Reichert instrument is cheaper than the Biacore instrument. To increase throughput, Reichert offered us an extremely competitive package price with two core units (some aspects of the instrument suite will be shared, but the main experiments can be carried out independently). The advantage of acquiring such a suite for the execution of the grant would be twofold:

- (1) Having two core units will increase our throughput, allowing us to carry out proteomics type experiments and to serve more efficiently our large user group
- (2) One severe bottle neck for our advanced undergraduate biophotonics course is equipment availability. Having two core units will allow us to reduce group sizes for the SPR experiment giving students a better hands-on experience. In fact, for a class of 20 students we might not even be able due to time constraints to give all students an SPR experience if we had only one core instrument available to us.

Question 1: Are we allowed to buy such a Reichert SPR suite rather than a single instrument as proposed in the original budget.

The Reichert quote is so competitive that we have \$25k left in the budget. At the time of writing the proposal we had a functioning dynamic light scattering (DLS) instrument. This instrument is required to check the size distribution of unilamellar lipid vesicles prior to their immobilization on the SPR chip and it is very important for the execution of the grant that we have that instrument available to us. The current instrument appears to be beyond repair. Malvern offered us a replacement instrument, which we could purchase with the remaining funds in the MRI budget.

Question 2: Are we allowed to use \$25k (14% of the budget) to purchase the DLS instrument.

Please let me know what can be done in this case and whether we need to (or can) re-budget for any of the above questions.

Thank you  
Arne

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Dr. Arne Gericke  
Associate Professor  
Coordinator of Graduate Studies, Chemistry  
Chemistry Dept. & School of Biomedical Sciences  
Phone: 330 [REDACTED]  
Fax: 330 [REDACTED]

Mail Address:  
Kent State University  
Chemistry Department  
PO Box 5190  
Kent, OH 44240

\*\*\*\*\*

Dr. Arne Gericke  
Associate Professor

Coordinator of Graduate Studies, Chemistry  
Chemistry Dept. & School of Biomedical Sciences  
Phone: 330 [REDACTED]  
Fax: 330 [REDACTED]

Mail Address:  
Kent State University  
Chemistry Department  
PO Box 5190  
Kent, OH 44240

\*\*\*\*\*

Dr. Arne Gericke  
Associate Professor  
Coordinator of Graduate Studies, Chemistry  
Chemistry Dept. & School of Biomedical Sciences  
Phone: 330 [REDACTED]  
Fax: 330 [REDACTED]

Mail Address:  
Kent State University  
Chemistry Department  
PO Box 5190  
Kent, OH 44240

Fax



| Purchase Order           |                     |              |
|--------------------------|---------------------|--------------|
| Purchase Order Date      | PO/Reference No.    | Revision No. |
| <b>11/17/2009</b>        | <b>P0007181</b>     | <b>0</b>     |
| <b>Buyer Information</b> |                     |              |
| Contact                  | Scott Cornell       |              |
| Email                    | [REDACTED]@kent.edu |              |
| Phone                    | +1 (330) [REDACTED] |              |

| Supplier Information  | Delivery Information   | Shipping Instructions  |
|---|--|--|
| <b>Supplier Name</b> Reichert Inc<br><b>Address</b> 3362 Walden Ave<br>Depew, NY 14043 US<br><b>Phone</b> +1 (716) [REDACTED]<br><b>Fax</b> | <b>Delivery Address</b><br>Kent State University<br><b>Contact Name:</b> Arne Gericke 120 WMH<br><b>Phone:</b> +1 (330) [REDACTED]<br>KENT STATE UNIVERSITY<br>WILLIAMS HALL<br>KENT, OH 44242<br>United States<br><b>ShipTo Address</b> WMH<br><b>Code</b><br><b>Delivery Information</b><br><b>Req Delivery</b><br><b>Expedite</b> No<br><b>Ship Via</b> Best Carrier-Best Way | <b>Note to Supplier</b> Quote by Richert dated 10/30/09 attached<br><b>Attachments for supplier</b><br>Reichert 09Nov10.pdf (51k)<br>Reichert Sole Source... (490k)<br><b>Supplier Terms and Conditions</b> PURCHASE ORDER TERMS AND CONDITIONS SEPT 2012.pdf (215k) |

| Line No.  | Product Description  | Catalog No.      | Size / Packaging | Unit Price     | Quantity | Ext. Price            |
|---|--|------------------|------------------|----------------|----------|-----------------------|
| 1 of 2  | SR7000DC (Dual-Channel SPR Instrument and attachments suite. | 13307000         | 1/EA             | 150,240.00 USD | 1 EA     | 150,240.00 USD        |
| <b>ADDITIONAL INFO</b><br>Sole Source No<br>Sole Source Instructions If you selected "Yes" for Sole Source above, please attach below a sole source purchase justification, as well as a statement from the vendor/manufacture verifying their sole source status for the product in question.<br>Taxable No<br>Capital Expense No<br>Commodity Code 41100000 |  |                  |                  |                |          |                       |
| 2 of 2  | 4 day training session at Reichert (1,500/ per person)       | Training Choices | 1/EA             | 3,000.00 USD   | 1 EA     | 3,000.00 USD          |
| <b>ADDITIONAL INFO</b><br>Sole Source No<br>Sole Source Instructions If you selected "Yes" for Sole Source above, please attach below a sole source purchase justification, as well as a statement from the vendor/manufacture verifying their sole source status for the product in question.<br>Taxable No<br>Capital Expense No<br>Commodity Code 86101600 |  |                  |                  |                |          |                       |
| Shipping, Handling and Tax charges are calculated and charged by each supplier.   |  |                  |                  |                | Total    | <b>153,240.00 USD</b> |

# Exhibit 3

Page 2 of 6

Fax

Page 2 of 2

| Billing Information       |                 | Billing Address       |                     |
|---------------------------|-----------------|-----------------------|---------------------|
| Charge to PO Listed Above |                 | Kent State University |                     |
| Payment Terms             | 0% 0, Net 30    | Contact Name:         | Scott Cornell       |
| F.O.B.                    | N/A             | Phone:                | +1 (330) [REDACTED] |
| Contract                  | <i>no value</i> | KSU ACCOUNTS PAYABLE  |                     |
| Pricing Code              |                 | 237 SCHWARTZ CENTER   |                     |
| Account Code              |                 | KENT, OH 44242        |                     |
| Quote number              |                 | United States         |                     |
|                           |                 | BillTo Address Code   | AP                  |



Oct 30, 2009

Dr. Arne Gericke  
 Chemistry Dept.  
 Kent State University  
 Chemistry Dept. & School of Biomedical Sciences  
 PO Box 5190  
 Kent, OH 44242

Dear Dr. Gericke:

We are pleased to submit the following quotation for the Reichert SR7000DC Surface Plasmon Resonance Instrument Suite (valid to Nov 30, 2009) for enhanced throughput and flexibility. Sensor slides will be provided on a quarterly basis to ensure longest shelf life and allow for changes in specific type of slide needed.

**SPR Dual System Instrument Suite:**

|   |                 |
|---|-----------------|
| SR7000DC (Dual-Channel SPR Instruments) (Catalog No. 13307000) <sup>(1)</sup> | \$86,000.00     |
| Integrated Programmable Syringe Pumps (Catalog No. 13307500)                  | \$ 8,910.00     |
| Autosamplers (Catalog No. 13207120)   | \$50,000.00     |
| Sensor Surfaces (Catalog No. 13206061)  | \$20,000.00     |
| Semi-automatic Injector Assemblies (Catalog No. 13307300)                     | \$ 6,020.00     |
| Diverter Valves (Catalog No. 13307600)  | \$ 2,800.00     |
| Autosampler Maintenance Kits (Catalog No. 13207120-MISC)                      | \$ 3,800.00     |
| Fluidics Tubing (Catalog No. 13207000-425, 1320620US405)                      | \$ 210.00       |
| Academic Discount (System)  | (-\$ 18,900.00) |
| Special promotion   | (-\$ 8,600.00)  |

**Subtotal** **\$150,240.00**

**Shipping** no charge

**Training Choices<sup>(2)</sup>:**

4-day training session at Reichert (\$1,500/per person) \$ 3,000.00

**Total** **\$153,240.00**

**Included at no additional charge:**

Complete Fluidics Kit  
 Data acquisition/analysis software w/ upgrades for a period of 2 years from date of purchase  
 1 Flow Cell, 5 gaskets, 5 CM mSAM gold slides

Thank you for giving us the opportunity to provide this quotation for you. If you would like to discuss this quote further, please contact me (716-██████████ dbeahm@reichert.com). I look forward to hearing from you.

Sincerely,

Derek Beahm

cc:T. Ryan, P. Page

<sup>(1)</sup> 2 year warranty on the SR7000DC instrument (the warranty can be viewed at [www.reichertai.com/tos.html](http://www.reichertai.com/tos.html))

Items that are not manufactured by Reichert and added to the system are covered under the manufacturer's own warranty.

<sup>(2)</sup> Training prepares user to set up and use instrument.

All prices are in US \$, applicable taxes are additional.

FOB Depew, NY.

**Reichert, Inc., 3362 Walden Avenue, Depew, NY 14043**  
**Telephone: 716 686 4500 • Fax: 716 686 4545 • Email: ai@reichert.com**  
**[www.reichertai.com](http://www.reichertai.com) • ISO9001 Registered**



October 7, 2009

To: Procurement Department of Kent State University regarding purchase of a Reichert SR7000DC Surface Plasmon Resonance System.

Reichert has developed, manufactured and marketed precision analytical instruments since the late 1800's and diagnostic equipment for the last 50 years in its FDA approved and ISO certified manufacturing facility in Buffalo, NY. These instruments have been marketed under the Spencer Lens, American Optical, Cambridge Instruments, Leica and Reichert brands. One of our core competencies is the design and manufacturing of high quality optical instruments, including ophthalmic instruments to serve the eye care professionals, a full line of analytical refractometers and surface plasmon resonance instruments.

In addition to excellent kinetic and equilibrium constant ranges ( $k_a=10^3-10^7 \text{ M}^{-1}\text{s}^{-1}$ ,  $k_d=0.1-5 \cdot 10^{-6} \text{ s}^{-1}$ ,  $K_D=10^{-4}-10^{-12} \text{ M}$ ) and sensitivity (<200 Da), Reichert's SR7000DC surface plasmon resonance (SPR) system offers the following unique feature set that cannot be found with any other SPR vendor.

- The widest temperature range available to date for maximum flexibility and thermodynamic studies ( $10^\circ\text{C}$  below ambient to  $90^\circ\text{C}$ ,  $\pm 0.02^\circ\text{C}$ )
- The SR7000 DC is also the only instrument of its kind to use sapphire rather than glass or plastic for its prism material. The sapphire is nearly indestructible (especially resistant to scratching) and provides superior thermal conductivity to ensure the best temperature control
- Access to reflectivity data. In addition to standard real-time refractive index vs. time readout, reflectivity vs. angle data can be acquired and fit to Fresnel models to determine layer thickness and refractive index.
- The Reichert instrument has an extended refractive index range, from 1.33 to 1.42 on normal glass and up to 1.52 on high RI glass for maximum flexibility in usable solvents and surface coatings.
- The fully automated SR7000 DC includes integrated autosampling with flow rate control accommodating anything from single to multiple preprogrammed injections from 1 to 768 samples - protocol development friendly yet high throughput capable.

**Reichert, Inc., 3362 Walden Avenue, Depew, NY 14043**

**Telephone: 716 686 4500 • Fax: 716 686 4555 • Email: [lifesciences@reichert.com](mailto:lifesciences@reichert.com)**

**[www.reichertal.com](http://www.reichertal.com) • ISO9001 Registered**



- A unique selection of flow cells allows for standard biomolecular interaction studies, electrochemistry and electrodeposition studies, fluorescence and photochemistry studies (unique to Reichert), and large capture surfaces for direct transfer to mass spectrometers (unique to Reichert). The Sapphire prism access allows for custom design of any type of flow cell needed for specific applications.
- Reichert SPR Systems use off-the-shelf HPLC fluidic tubing/fittings for greater flexibility in handling different sample compositions, including particulate matter, and allows for easy maintenance and changeover of system fluidics by the user without requiring service contracts.
- Finally, Reichert provides for maximum slide/surface flexibility by not only providing a variety of surface types but by allowing users to purchase slides from other vendors or prepare surfaces in their own labs to guarantee reasonable pricing. Reichert offers planar carboxyl surfaces in a polyethylene glycol background for low non-specific binding, a planar streptavidin-modified surface for capturing biotinylated molecules, a nickel nitrilotriacetic acid surface (NiNTA) for capturing poly-histidine tagged proteins, and a hydrophobic planar alkyl surface for capturing hydrophobic molecules (e.g., lipids).

To the best of our knowledge, no other SPR system in the current marketplace can claim this combination of features to provide maximum performance and flexibility for diverse applications.

Sincerely,

A handwritten signature in black ink that reads "Robert Carey".

Robert Carey  
General Manager, Analytical Instruments

Reichert, Inc.

(716) [REDACTED]

(716) [REDACTED] FAX

[REDACTED]@reichert.com

Reichert, Inc., 3362 Walden Avenue, Depew, NY 14043

Telephone: 716 686 4500 • Fax: 716 686 4555 • Email: [lifesciences@reichert.com](mailto:lifesciences@reichert.com)

[www.reichertai.com](http://www.reichertai.com) • ISO9001 Registered



INTERDEPARTMENTAL CORRESPONDENCE

**PROCUREMENT DEPARTMENT**

**To:** Larry McWilliams  
**From:** John L. Flasco   
**Subject:** Request for Bid Waiver: Reichert Inc.  
**Date:** October 23, 2009

**C:**

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It is my understanding Dr. Arne Gericke from the Chemistry Department has requested a waiver of the bid requirement in the purchase of a surface Plasmon resonance system from Reichert Inc.

As justification for his request Dr. Gericke provided a written listing of seven (7) Unique features of the Reichert system that is critical to his work and is not offered in any other system. Other systems may provide a few of the features, but only the Reichert system offers all of the features.

Mr. Robert Carey, General Manager from Reichert Inc. also provided written confirmation that no other system in the marketplace provides a system with the combination of features available in their SR7000DC Surface Plasmon Resonance System.

Based on the information provided by Dr. Gericke and Mr. Carey, I agree that it is in the best interest of Kent State University to waive the bid requirement in this purchase.

**Summary - Requisition 13722187**

| General  | Shipping   | Billing  |
|--|--|--|
| <b>Status</b><br>✓ Completed<br>(12/9/2009 1:24 PM)<br><b>Submitted</b><br>12/1/2009 9:08 AM<br><b>Cart Name</b><br>2009-12-01 scornel2 01<br><b>Description</b><br>Normal<br><b>Priority</b><br>Normal<br><b>Prepared by</b><br>Scott Cornell | <b>Ship To</b><br>Contact Name: Gericke 120 WMH<br>Phone: +1 (330) [REDACTED]<br>KENT STATE UNIVERSITY<br>WILLIAMS HALL<br>KENT, OH 44242<br>United States<br><br><b>Delivery Options</b><br>Expedite <b>x</b><br>Ship Via Best Carrier-Best Way<br>Req Delivery | <b>Bill To</b><br>Contact Name: Scott Cornell<br>Phone: +1 (330) [REDACTED]<br>KSU ACCOUNTS PAYABLE<br>237 SCHWARTZ CENTER<br>KENT, OH 44242<br>United States<br><br><b>Credit Card Info</b><br>No credit card has been assigned.<br><br><b>Billing Options</b><br>Accounting Date |

| Accounting Codes           |  |                       |                     |   |                                      |
|----------------------------|--|-----------------------|---------------------|---|--------------------------------------|
| Chart                      | Index  | Fund                  | Organization        | Account                                       | Program                              |
| K<br>Kent State University | 448012<br>NSF 0922848<br>MRI:Aquisition of SPR I | 211123<br>NSF 0922848 | 100106<br>Chemistry | 78011<br>Equip/Furniture greater than \$2,500 | 2100<br>Separately Budgeted Research |

Accounting Codes values vary by line

| Internal Notes and Attachments  | External Notes and Attachments   |
|---|--|
| <b>Internal Note</b><br>Because this is a demonstration unit, bidding requirement is hereby waived. LWM, 12/09/09<br><br><b>Internal Attachments</b><br>FAMIS <i>no value</i> | Note to all Suppliers<br>Quote no 5052205 attached prepared by Scott Krane<br><br>Attachments for all suppliers<br>Malvern 09Oct28.pdf (69k) |

**Supplier / Line Item Details**

**Malvern Instruments**

Vendor Purchase Order 1  
 Enigma Business Park, Grovewood Rd, Malvern, WR14 1XZ GB

Contract *no value*  
 PO Number P0007295

| Product Description           | Catalog No | Size / Packaging | Unit Price    | Quantity | Ext. Price    |
|-------------------------------|------------|------------------|---------------|----------|---------------|
| 1 ✓ ZEN3600 (Demo) [REDACTED] | 10         | 1/EA             | 25,000.00 USD | 1 EA     | 25,000.00 USD |

Accounting Codes values have been overridden for this line

Taxable **x**  
 Commodity Code 41100000

Internal Note *no note*  
 Internal Attachments  
 External Note *no note*  
 Attachments for supplier

Supplier subtotal **25,000.00**  
 Shipping 0.00  
 Handling 0.00  
 Supplier total **25,000.00 USD**

Subtotal **25,000.00**

# Exhibit 4

Page 2 of 2

## Summary - Requisition 13722187

Page 2 of 2

Shipping, Handling, and Tax charges are calculated and charged by each supplier. The values shown here are for estimation purposes, budget checking, and workflow approvals.

|              |                      |
|--------------|----------------------|
| Shipping     | 0.00                 |
| Handling     | 0.00                 |
| <b>Total</b> | <b>25,000.00 USD</b> |

received

JUL 15 2011

Provost's Office



*Department of Chemistry and Biochemistry Correspondence*

**DATE:** July 14, 2011

**TO:** Timothy S. Moerland, Dean  
Robert Frank, Provost

**FROM:** Michael Tubergen, Professor and Chair  
Arne Gericke, Professor

**SUBJECT:** Transfer of Gericke laboratory equipment to WPI

Professor Arne Gericke in the Department of Chemistry and Biochemistry is voluntarily separating from Kent State University effective July 31, 2011. He will begin a new appointment as Professor and Department Head at Worcester Polytechnic Institute (WPI) in Worcester, MA on August 1, 2011. Professor Gericke wishes to transfer most of his research equipment to WPI to continue his research program at his new institution.

Some equipment was purchased entirely using funds from federal agencies, see Table 1. This equipment may be transferred under KSU policy 3-04.101 which states: "special purpose equipment purchased by the university with grant or contract funds with title vested in the university by a sponsor... may be transferred with the approval of the appropriate chair/director/regional campus dean to a principal investigator/project director's new institution upon his/her resignation, only if the department/school/regional campus has no use for the equipment (final approval for transfer rests with the provost or his/her designee)". The equipment items listed in Table 1 are highly specialized for Professor Gericke's research and are unlikely to be used by other faculty or students in the Department.

**Table 1: Gericke Laboratory Equipment Purchased entirely with federal funds**

| Item                                     | Tag #   |
|--|---------|
| Accuspin IR                              | 7002834 |
| HV Pump Varian                           | 7002805 |
| ThermoHaake K10 Waterbath                | 7002998 |
| Fischer Scientific Waterbath (LB Trough) |         |
| TMC vibration damped table (LB Trough)   | 7002946 |
| NIMA Trough (Small)                      | 7002793 |
| LB Trough                                | 7002956 |
| Hammatsu Microscope Camera               | 7002992 |
| BX 51 Olympus Microscope                 | 7002992 |
| Vibration Damped Table (Epi)             | 7002977 |
| Computer (Cluster Analysis)              | 7002932 |
| ATR Accessory w/ Dialysis Option         | 7002839 |
| IR Laser                                 | 7002785 |
| Malvern Particle Sizer (Old)             | 7002776 |
| Laser Installed in Particle Sizer (old)  | 7002934 |

Professor Gericke also wishes to transfer equipment which was purchased as part of his start-up agreement with Kent State University or which used Kent State University funds as part of a cost-share agreement. These items are listed in Table 2.

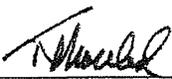
**Table 2: Gericke Laboratory Equipment purchased with Kent State University Funds.**

| Item                            | Tag #   |
|---------------------------------|---------|
| Reichert SPR                    | 7003048 |
| Malvern (Zetasizer-new)         | 7003047 |
| MF2 OY                          | 7003007 |
| FTIR IFS66 w/ Microscope        | 7002799 |
| Vibration damped table Newport  | 7002783 |
| Bruker Tensor 27                | 7002792 |
| Bruker Equinox XA511 Unit       |         |
| Neslab Waterbath                |         |
| Vacuum Oven (Precision) w/ pump |         |
| Refrigerator                    |         |
| Freezer                         |         |
| Trough System                   | 175447  |
| Vibration Damped Table (IRAAS)  | 175447  |

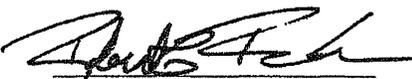
Professor Gericke and the Department of Chemistry agree that Kent State University's remaining financial stake in the items of Table 2 is \$100,000; most of the items of equipment listed in Table 2 are of such specialized nature that they are unlikely to be used by other faculty or students in the Department.

Thus, the Department of Chemistry and Biochemistry at Kent State University and Professor Arne Gericke agree that the items listed in Table 1 may be transferred to Worcester Polytechnic Institute and that the items listed in Table 2 may be transferred to Worcester Polytechnic Institute in exchange for \$100,000.

Approved:

  
 Timothy S. Moerland,  
 Dean, College of Arts & Sciences

7/17/11  
 Date

  
 Robert Frank  
 Senior Vice President and Provost

7-18-11  
 Date

CC: P.Sampson  
 J.Brown  
 A.McPherson  
 S.Cornell  
 E.Michael