

## Handbook of Operating Procedures

### DISCOUNT PROGRAM

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#### A. Purpose

This policy describes the requirements and procedures for participation in the Discount Program established by The University of Texas Rio Grande Valley (UTRGV).

#### B. Persons Affected

This policy applies to all vendors and UTRGV employees, faculty, students, and affiliates.

#### C. Policy

1. It is UTRGV policy to permit approved vendors to offer products and services to individuals affiliated with UTRGV at a discount rate, under the provisions of a discount program administered by a program administrator in the Office of Human Resources.
  - a. Approval of a vendor for participation in the program does not constitute an endorsement by UTRGV or The University of Texas System (UT System) of the vendor or of the products or services offered by that vendor.
  - b. Inclusion of vendor or its products or services is not a guarantee by UTRGV or the UT System of the quality of the products or services.
  - c. Services and products offered through the discount program do not constitute compensation to employees.
2. Vendor participation in the discount program does not constitute or create a contract or agent relationship between the vendor and UTRGV or the UT System, and vendor participation in the discount program is separate and distinct from the provisions of any contract that may exist between the vendor and UTRGV or the UT System. Vendor participation does not create any legal duty or liability on the part of UTRGV or the UT System for any actions of the vendor.
3. Any arrangement or agreement for services or products through the discount program is the sole responsibility of the individual and vendor. UTRGV is not responsible for any arrangements or agreements entered into between individuals and vendors, and UTRGV is not responsible for resolving disputes between individuals and vendors. Individuals are encouraged to compare prices, services, and products before purchasing or signing any purchase agreement with a vendor.
4. Any services or products offered through the discount program will be equally available to all UTRGV employees, faculty, students, and affiliates without conditions or remuneration other than the discounted price.

5. The following products or services are not eligible to participate in the discount program:
  - a. listings for discounts on professional services from accountants, law firms, real estate agencies, mortgage companies, or financial advisors;
  - b. listings for medical service providers or vendors that may directly compete with medical or dental services or products offered by UTRGV;
  - c. listings from vendors whose primary lines of products or services consist of alcohol, tobacco, firearms or explosives, gambling, or pornographic-related material; and
  - d. listings from small independent sellers representing multi-level marketing products or services.
6. Specific products or services offered, vendor participation, or the discount program itself may be canceled at any time without advance notice.

**D. Procedures**

1. *Program Promotion*

- a. UTRGV may promote the discount program on UTRGV's website and by any means determined appropriate by UTRGV through the program administrator, which may include (without limitation) notice through campus news sources, public notice email announcements, notices posted on bulletin boards, in accordance with established posting requirements, and advertising tent cards at approved campus locations.
- b. Vendor communication regarding the discount program is limited to contact with the program administrator. Vendors may not directly solicit employees or students, either in person or by telephone, email, or written materials, during UTRGV business hours. Vendors must comply with ADM 10-104 Solicitation on Campus.

2. *Vendor Application Process*

- a. The program administrator will make a vendor application available to interested vendors. Interested vendors must agree to this policy and its requirements, as well as any vendor participation agreement, in order for an application to be considered.
- b. The program administrator or designee will review applications for compliance with this policy.
- c. If a vendor application is approved, the program administrator will post the vendor's information on the program website or make the information available through the Office of Human Resources.
- d. If a vendor application is denied, the program administrator will notify the vendor appropriately. All decisions of the program administrator are final and not subject to appeal.

- e. Restaurant and food vendors are required to submit a copy of their county-issued permit or related inspection reports as a part of the vendor application.

3. *Vendor Participation Requirements*

- a. Vendors must comply with applicable UT System Regents' *Rules and Regulations*, applicable UTRGV policies, and state law, including any licensing or certification requirements applicable to the provisions of a particular service.
- b. A vendor may not disclaim knowledge of, or responsibility for, the authenticity or legality of the product or service offered.
- c. Discount rates offered through the program must represent an added value or an actual discount on the product or service offered.
- d. Vendors must require that a valid UTRGV identification badge be presented to receive the discount rate.
- e. Where a vendor has access to the personal property of an employee or student, the vendor may be asked to provide proof of license and bonding.
- f. Vendors may not use the UTRGV or UT System logos or seals, or otherwise imply that participation in the program represents an endorsement by UTRGV or the UT System.
- g. Participation may not create a conflict of interest. Officers or employees of UTRGV or the UT System may not participate in the discount program as vendors.
- h. Vendors must have a physical location with a verifiable mailing address and telephone number.
- i. Vendors must renew their vendor application annually. Restaurant and food vendors are required to submit a copy of their county-issued permit or related inspection reports on an annual basis.
- j. Vendors must immediately notify the program administrator, in writing, regarding any changes that may affect the product or discount rate offered, such as product recalls or discontinuation of products or services offered. Further, vendors must keep any website information updated if the vendor uses a website to communicate information to UTRGV employees or students regarding prices, products, services, and dates discounts are being offered.
- k. UTRGV may remove a vendor from the discount program, or deny a vendor requesting participation, based on complaints from employees, students, or for any reason deemed to be in the best interest of UTRGV as determined by the program administrator.

**E. Definitions**

1. Affiliates - a retiree/emeritus, visiting scholars, contractors, English Language Institute (ELI), High School Equivalency Program (HEP), or special events (summer camps) participants.
2. Discount Rate - rate established by a vendor that will give employees a meaningful point-of-sale discount off the retail price of selected goods or services based upon presentation of the Identification Badge when purchasing a product or service.
3. Identification Badge - the official UTRGV photo identification card.
4. Vendor - any eligible business entity providing a discount rate through the discount program in compliance with Regents' *Rules and Regulations*, institutional policies, and state law, including any licensing or certification requirements applicable to the provisions of the product or service offered.
5. Vendor Application - the official process used by UTRGV to determine whether a vendor may participate in the discount program.

**F. Related Statutes or Regulations, Rules, Policies, or Standards**

[University of Texas System Policy UTS 141, Employee Discount Programs](#)

**G. Dates Reviewed or Amended**

Not applicable.