
**NOTICE OF INTENT TO AWARD A CONTRACT WITHOUT ENGAGING IN A STANDARD
PROCUREMENT PROCESS**

The DSD Purchasing Department is publishing this notice pursuant to the Utah Procurement Code. The requesting party submitted this form to the Purchasing Department claiming that it intends to award a contract without competition if it is determined by the Purchasing Department, in writing, that:

- there is only one source for the procurement item;
- transitional costs are a significant consideration in selecting a procurement item; or
- the award of a contract is under circumstances, described in rules adopted by the applicable rulemaking authority, that make awarding the contract through a standard procurement process impractical and not in the best interest of the procurement unit.

In the subsequent pages the requesting party identified its justification for wanting to award a contract without engaging in standard procurement process.

Determination of Other Interested Vendors

The intent of this notice is to determine if there are any other interested and qualified vendors that meet the specifications of this notice. Any such vendors must submit the following information:

- The name of the contesting person; and
- A detailed explanation of the challenge, including documentation showing that there are other competing sources for the procurement item.

In addition, a vendor should include:

- Documentation that your firm can provide a comparable or better procurement item that meets or exceeds the specifications;
- Documentation that your firm can also provide the same proprietary procurement item or an equivalent procurement item; and
- If transitional costs are identified as the justification for this notice, submit a cost comparison of the identified transitional costs with your firm's anticipated transitional costs.

Regardless of any prior communications with the District, all vendors interested in responding to this notice must submit a response to this posting containing complete responses to all of the information requested above.

Any questions regarding this notice, including obtaining additional information, must be obtained through the Purchasing Department during the publication period. No action is required if you agree with this Notice.

If, after the public notice period has passed, the Purchasing Department determines that there are other interested and qualified vendors that meet the specifications of this notice, the Purchasing Department will not award a contract pursuant to this notice.

If, after the public notice period has passed, no valid challenges have been received, then the Purchasing Department may award a contract to the identified vendor without competition.

Please read the entire form very carefully before responding to this notice.

AWARD OF CONTRACT WITHOUT ENGAGING IN A STANDARD PROCUREMENT PROCESS REQUEST FORM

ALL REQUESTS OVER \$1,000 MUST BE PRE-APPROVED BY DSD PURCHASING, UNLESS [R33-8-101a](#) OF THE ADMINISTRATIVE RULES APPLIES TO THE PROCUREMENT.

- Award of contract without engaging in a standard procurement process is appropriate if DSD Purchasing determines in writing that: there is only one source for the procurement item; transitional costs are a significant consideration in selecting a procurement item; that make awarding the contract through a standard procurement process impractical and not in the best interest of the District.
- An urgent or unexpected circumstance or requirement for a procurement item does not justify the award of contract without engaging in a standard procurement process.
- Complete each section and provide as much information as needed to fully respond. Please click on the grey fields to insert your information. Use your tab key to advance to the next field. Please complete all fields below.
- Requests missing information will be rejected and returned to the contact person for completion. Purchasing may seek additional information from the contact person.

The first two pages will not be posted; however, all of the subsequently numbered pages may be posted, as is, for public notice and comment. Please be complete in your answers.

Complete the following vendor information:

Vendor Name:	
Vendor Contact Person:	
Vendor Email Address:	
Vendor Telephone Number:	
Vendor Ordering Address:	
Vendor Remittance Address:	
Vendor Number (if available from Encore):	

All items in the above section are required.

Complete the following if vendor does not exist in Encore:

Vendor Federal Tax ID# (TIN/FEIN) (9 Digits):	
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Requestor:

Department/School Name:			
Contact Person and Title:			
Email Address:		Telephone Number:	
	District Contract	Requested contract term (no longer than five (5) years):	
	Purchase Order		
Requestor Signature:		Director/Principal Signature:	
Print Name:	Date	Print Name:	Date

It is anticipated that this procurement will result in a:

	RESULT	ACTION
	District Contract	1. The term of this contract will be: _____ and renewal options: _____ 2. The requesting party may not make the procurement until the solicitation process is completed and a contract is written and signed by the Purchasing Department.
	Purchase Order	The requesting party may not make the procurement until after the solicitation process is completed, the purchase order is signed by the Purchasing Department, and the purchase order is delivered to the vendor.

Description of procurement item to be purchased:	
Estimated value of the contract/purchase order:	
Vendor Name:	

Explain in detail the service or product to be procured (additional information can be found on the attached Scope of Work):

CHECK THE BOX THAT IDENTIFIES WHY A CONTRACT SHOULD BE AWARDED WITHOUT ENGAGING IN A STANDARD PROCUREMENT PROCESS:

	There is only one source for the procurement item.	Complete section A
	Transitional costs are a significant consideration in selecting a procurement item and the results of a cost-benefit analysis demonstrate that transitional costs are unreasonable or cost-prohibitive, and that the award of a contract without engaging in a standard procurement process is in the best interest of the District.	Complete section B
	The award of a contract is under circumstances, described in rules adopted by the applicable rulemaking authority that make awarding the contract through a standard procurement process impractical and not in the best interest of the District.	Complete section C

SECTION A: ONLY ONE SOURCE

1.	What is unique about this procurement item to justify an award of contract without engaging in a standard procurement process? (Explain in detail why the service or product is only available from a single supplier.)
2.	Could the procurement item be reasonably modified to allow for competition?
3.	Explain the market research performed.
4.	What research have you conducted to ensure the requested procurement item is not available on an existing contract?
5.	If there is only one source for the procurement item, list the names of other similar vendors contacted, contact person, and a summary of their response.

SECTION B: TRANSITIONAL COSTS

1.	Describe the existing equipment, technology, software, accessories, replacement parts, or service, hereafter referred to as equipment; include the original purchase price and date of purchase for the existing equipment.
2.	Attach the cost-benefit analysis, as required by Utah Code Section 63G-6a-802 that demonstrates that transitional costs are unreasonable or cost-prohibitive.



SECTION C: STANDARD PROCUREMENT PROCESS IMPRACTICABLE

1.	Please explain why awarding the contract through a standard procurement process is impractical and not in the best interest of the District under the circumstances; including any supporting documentation.

THIS SECTION TO BE FILLED OUT BY PURCHASING DEPARTMENT

SR#	
Date Approved	
Expiration Date	
Review Date	

The public notice period shall be (Check the box that applies):	
a.	If the cost of the procurement exceeds \$50,000 then the publication of the notice must be made in accordance with Section 63G-6a-112 .
b.	Procurements under \$50,000.00 are not required to be published, but may be published at the discretion of the chief procurement officer or head of a procurement unit with independent procurement authority. Published: Not Published:
c.	Publication is not required for a procurement pursuant to a trial use contract.
d.	Publication is waived for an award of contract without engaging in a standard procurement process procurement: For any procurement item identified in R33-8-101a(2)(a-c) ; For award to a specific supplier, service provider, or contractor is a condition of a donation that will fund the full cost of the supply, service, or construction item; For other circumstances as determined in writing by the chief procurement officer.
The Terms and Conditions that will be attached to the awarded agency contract/purchase order:	
For Purchasing Use After the Public Posting Period:	Agent:
Notice #:	
Posting Period:	
# of Vendors Sent To:	
Additional Research & Comments:	
Summary of Contest(s) Received & Determination:	

Recommend Award:		Approved by Management for Award:	
Purchasing Agent	Date	Lori E Peterson, Director of Purchasing	Date