

UTAH STATE COURTS PURCHASING DEPARTMENT:
AWARD OF CONTRACT WITHOUT ENGAGING IN A STANDARD
PROCUREMENT PROCESS REQUEST FORM

ALL REQUESTS OVER \$1,000 MUST BE PRE-APPROVED BY AOC PURCHASING, UNLESS SMALL PURCHASE R33-4-104 OF THE ADMINISTRATIVE RULES APPLIES TO THE PROCUREMENT.

- Email this completed form along with a copy of the quote from the vendor to dustint@utcourts.gov
- Award of contract without engaging in a standard procurement process is appropriate if AOC 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; 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.
- 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.
- Attach the proposed Scope of Work that your agency has developed as part of this Notice of Intent to Award of Contract without Engaging in a Standard Procurement Process Request Form. Attach the quote received from the vendor. Quotes cannot be marked as confidential, as they may be published.
- Requests missing information will be rejected and returned to the contact person for completion. Purchasing may seek additional information from the contact person.
- Please provide a copy of the terms and conditions you provided to the vendor to Purchasing, if any.

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 (over \$50,000). Please be complete in your answers.

Complete the following vendor information:

Vendor Name:	
Vendor Contact Person:	
Vendor E-mail Address:	
Vendor Telephone Number:	
Vendor Ordering Address:	
Vendor Remittance Address:	
FINET Vendor Number (if available):	
<i>All items in the above section are required.</i>	

Complete the following if no FINET number exists:

Vendor Federal Tax ID# (TIN): (9 Digits):	
Type of Vendor:	Click to use the drop-down menu to select the type of vendor.

Conducting Procurement Unit Contact Information:

Department/Division Name:			
Contact Person and Title:			
E-mail Address:		Telephone Number:	

<input type="checkbox"/>	Agency Contract	1. Insert requested term of contract: _____ and renewal options: _____ (The standard contract term is five years. See Utah Administrative Code R33-12-404. 2. The Conducting Procurement Unit may not make the procurement until the solicitation process is completed and a contract is written and signed by the procurement unit, the vendor, and Purchasing.
<input type="checkbox"/>	Purchase Order	1. The Conducting Procurement Unit may not make the procurement until after the solicitation process is completed, the PO is signed by Purchasing, and the PO is delivered to both the agency and the vendor.

Agency Documents: ☐ Other, please provide a copy to Purchasing ☐ Business Associate Agreement

Scope of Work: Has the proposed Scope of Work(or detailed quote) been attached to this Request Form? ☐ Yes ☐ No
 Purchasing will not process this Request Form until it has received this information.)

When submitted by email, type requestor's name on the signature line. The requestor must have signature authority for this purchase. The email will constitute the electronic signature.

Requested by:		Approved:	
Authorized Agency Signature		Date	
Title:		AOC Purchasing	

<u>THIS SECTION TO BE FILLED OUT BY AOC PURCHASING:</u>	
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. <input type="checkbox"/>
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: <input type="checkbox"/> Not Published: <input type="checkbox"/>
c.	Publication is not required for a procurement pursuant to a trial use contract. <input type="checkbox"/>
d.	Publication is waived for an award of contract without engaging in a standard procurement process procurement: <input type="checkbox"/> For any procurement item identified in R33-8-101(7)(b)(i-viii); <input type="checkbox"/> 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; <input type="checkbox"/> For other circumstances as determined in writing by the chief procurement officer or head of a procurement unit with independent procurement authority.
The Terms and Conditions that will be attached to the awarded agency contract/purchase order:	
Agency Contract:	<input type="checkbox"/> Goods <input type="checkbox"/> Services
Purchase Order:	<input type="checkbox"/> Goods <input type="checkbox"/> Services
For AOC Purchasing Use After the Public Posting Period:	
Notice#:	
Commodity Code(s):	
# of Vendors Sent To:	
Additional Research:	
Summary of Contest(s) Received & Determination:	
Recommendation:	

**UTAH STATE COURTS
Purchasing Department**

Issuing Procurement Unit: AOC Purchasing
Conducting Procurement Unit:

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

AOC Purchasing is publishing this notice pursuant to the Utah Procurement Code. The Conducting Procurement Unit submitted this form to Purchasing claiming that it intends to award a contract without competition if it is determined by Purchasing, 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 Conducting Procurement Unit has 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 Purchasing or the State, 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.

DO NOT CONTACT THE CONDUCTING PROCUREMENT UNIT. Any questions regarding this notice, including obtaining additional information, can be obtained through AOC Purchasing during the publication period. No action is required if you agree with the justification.

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

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

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

It is anticipated that this procurement will result in a:

	RESULT	ACTION
<input type="checkbox"/>	Agency Contract	1. The term of this contract will be: _____ and renewal options: _____. 2. The Conducting Procurement Unit may not make the procurement until the solicitation process is completed and a contract is written and signed by the procurement unit, the vendor, and AOC Purchasing.
<input type="checkbox"/>	Purchase Order	The Conducting Procurement Unit may not make the procurement until after the solicitation process is completed, the purchase order is signed by AOC Purchasing, and the purchase order is delivered to both the agency and the vendor.

Description of procurement item to be purchased:	
Estimated value of the contract/purchase order:	
Freight Cost (F.O.B. Destination, Freight Prepaid):	\$0.00
Vendor Name:	

Explain in detail the service or product to be procured (additional information can be found on the attached Scope of Work):
Complete disclosure must be included with this request if the requestor has any personal, financial, or fiduciary relationship with the vendor. (Please Attach)

CHECK THE BOX THAT IDENTIFIES WHY A CONTRACT SHOULD BE AWARDED WITHOUT ENGAGING IN A STANDARD PROCUREMENT PROCESS:		
<input type="checkbox"/>	There is only one source for the procurement item.	Complete section A
<input type="checkbox"/>	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 procurement unit	Complete section B
<input type="checkbox"/>	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.	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 state cooperative 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.	Please supply the following:
a.	Procurement method that was used to purchase the existing equipment? (IFB, RFP, Sole Source):
b.	Solicitation number, RQS number, or sole source number for the existing equipment:
c.	Contract number for the existing equipment:
3.	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.	Cite the applicable rule adopted by the applicable rulemaking authority that provides that awarding the contract through a standard procurement process is impractical and not in the best interest of the procurement unit under the circumstances; including any supporting documentation.
2.	Please supply the following, if applicable:
a.	Procurement method that was used to purchase the existing equipment? (IFB, RFP, Sole Source):
b.	Solicitation number, RQS number, or sole source number for the existing equipment:
c.	Contract number for the existing equipment

LEASING PERSONAL PROPERTY (Not Real Property)

Lease requests must include an approved *FI 9 State of Utah Lease Obligation Record* form from the Division of Finance. The *FI 9 State of Utah Lease Obligation Record* form can be found on the Division of Finance website finance.utah.gov under Forms. The Finance policy *FIACCT 09-21.00 Fixed Assets – Leases* can be found on the Division of Finance website under Accounting Policies and Procedures.

☐ Approved FI 9 attached.

Revised June 30, 2016