

North Carolina A&T State University Purchasing Department

WAIVER OF COMPETITION REQUEST FORM

North Carolina's purchasing program is built on the principle of competition. Where it is **not** sought, or obtained, the reason must be valid and must be documented as part of the public procurement file. See Waiver of Competition under North Carolina Administrative Code Subchapter 5B Section 1401.

INSTRUCTIONS: Complete the section(s) that apply to this request. Send this form and supporting documentation to the Procurement Services Office via AggieMart as an attachment to your requisition. If you have any questions, please contact procurement Services at 336-334-7555.

NOTE: Departments must anticipate their needs for goods and services throughout the fiscal year in a timely manner. These reasons will not be allowed to justify a waiver of competition.

- Departmental procrastination and/or administrative delay
- Preventing funds from reverting at the end of a fiscal year and/or expiration of funds
- Preference and/or convenience
- Any reason that seems to circumvent regular procurement methods
- Letter from the vendor to justify the purchase request

Name of the Suggested Vendor:

Dollar Amount:

Requisition Number:

Date:

SECTION 1

Determine from the terms below, put an X in the box for the one, which best describes the purpose of this request? Supporting documentation must accompany this form.

Sole Source—A "Sole Source" purchase means that only one supplier (source), to the best of the requester's knowledge and belief, based upon thorough research, (i.e. conducting a market survey) is capable of delivering the required product or service. A preference for a particular proprietary item does not justify a sole source purchase if there is more than one potential source for that item.

Waiver of Competition – A waiver of the bidding process may be requested on a case by case basis if it can be determined and justified that competitive bidding is neither practical nor in the best interest of the University, whereby similar types of goods and services exist, but only one supplier, for reasons of expertise, standardization, quality, compatibility, specifications, or availability, is the only source that is acceptable to meet a specific need.

Emergency – An emergency arises when a situation which endanger lives, property, or the continuation of a vital program, can only be rectified by immediate on-the-spot purchase (or rental) of equipment, supplies, materials, printing, or contractual.

Pressing Need—A pressing need arising from unforeseen causes including, but not limited to, delay by contractors, delay in transportation, breakdown in machinery, or unanticipated volume of work, and which can be rectified only by immediate on-the-spot purchase (or rental) of equipment, supplies, materials, printing, or contractual services.

Please provide answers to the questions below to justify your request.

1. Provide a detailed explanation of the products and/or services to be purchased, and their intended use and/or application.

2. Provide a detailed explanation of the reason for this request, and describe the unique features, qualifications, abilities, or expertise of the vendor and/or the products and services proposed.

3. Describe your efforts to identify other vendors to furnish the products and/or services requested. What kind of market research was conducted to conclude that alternative sources were inappropriate or unavailable? Please list phone numbers and names of other vendors and/or brand/manufacturers that were considered and/or contacted.

4. State why other products and/or services that compete in the market will not or do not meet your needs or comply with your specifications. *(Provide a product and/or service comparison spreadsheet)*

5. How did you determine that the suggested vendor's price was reasonable?

6. What steps are being taken to competitively bid this product and/or service in the future?

SECTION 2 – REQUESTOR INFORMATION

Requestor's Name:

**Telephone:
Department:**

Date:

Email Address:

SECTION 3: PROCUREMENT SERVICES OFFICE ONLY

Approved

Denied: If denied, see comments below:

Procurement Services Reviewer

Review Completion Date:

The Procurement Services Office has the right to competitively bid, negotiate pricing, or to solicit additional information, and remains the final authority on all procurement issues.