



PURCHASING DEPARTMENT

The Competitive Exception Form is necessary whenever a request is made to waive the requirement of competition (formal bidding process or multiple quotes). Current NSHE policy sets the competition requirement for any one time purchase in excess of \$25,000.00 (multiple quotes required) or purchases that exceed \$50,000.00 aggregately during a twelve month period (formal bid processed).

The Competitive Exception justification must include the unique features of the product or service requested:

- If the product/service is specifically named in your grant, provide a copy of the section of the grant naming the requested vendor.
- If the product or service must be compatible with other equipment manufactured or services performed by the same vendor, describe in detail why the selection of this vendor facilitates compatibility. If possible, provide the previous purchase order number used to procure the product/service.
- If requesting a specific manufacturer, describe in detail the reason why that manufacturer must be used as opposed to other manufacturers who provide the same or similar product or service.
- If this product or service is available from other vendors you must describe what is unique about the product or service offered by the requested vendor as compared to the other vendors. Provide a list of all the other vendors who provide similar products or services that you have evaluated and indicate the features that are lacking in comparison to the requested product or service.

Describe the items or services requested and list in detail the reasons for requesting a Competitive Exception. Include substantiating data such as: companies contacted and the reason for elimination, technical data, etc. Use a separate sheet of paper if necessary and attach to this form. As this is a request to depart from policy enacted competition requirements, a request without support will not be considered. The Purchasing Department may require additional information and will contact you accordingly. The Purchasing Department shall be the final authority in the determination of approval of a Competitive Exception.

Complete the Competitive Exception Form and submit it with a requisition to the Purchasing Department for review.

COMPETITIVE EXCEPTION FORM

Date: _____

Competitive Exception Justification for Purchase Requisition No: _____

Dept: _____

I/We have thoroughly researched and determined that the vendor/brand requested in this documentation is the only acceptable vendor/brand for the product/services that will fit my/our particular requirement.

Check all boxes that apply

- | | | |
|--|--|--|
| <input type="checkbox"/> * Used Equipment | <input type="checkbox"/> Professional Expertise | <input type="checkbox"/> Proprietary Item(s) |
| <input type="checkbox"/> * Auction, Closeout, Bankruptcy, or Similar | <input type="checkbox"/> Donor Specific | <input type="checkbox"/> Standardization |
| <input type="checkbox"/> * Emergency | <input type="checkbox"/> Supplier Qualifications | <input type="checkbox"/> Qualified Products List |
| <input type="checkbox"/> Prototype (test purposes) | <input type="checkbox"/> Grant Specific | <input type="checkbox"/> Follow-Up Work |
| <input type="checkbox"/> Only Approved Source | <input type="checkbox"/> Compatibility | <input type="checkbox"/> Other (explain below) |

* Requires approval from the Vice President of Finance and Administration per NSHE Chapter 5 Fiscal Procedures.

The product/service is required to:

COMPETITIVE EXCEPTION FORM

Description of features or capabilities unique to the vendor/brand being requested as related to project requirements:

List all sources investigated to determine that no other source exists for similar products/services capable of meeting requirements, for example, Internet sites, professional publications, etc. **(Must be exhaustive of all sources for the products/services being purchased. If all sources are not investigated, send complete specifications with the requisition and Purchasing will issue a competitive solicitation.)**

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Provide a side-by-side comparison of the features/service of all other vendors/brands considered.

I certify under the penalties of perjury that the above statements are true and precise and that I have no financial or other beneficial interest in the Vendor.

Date: _____

Signature: _____ (requisitioner)

Printed Name: _____

Title: _____