

## PROCUREMENT PROCEDURES IMPLEMENTING FEDERAL REGULATIONS AND LOCAL POLICY

### Federally-Authorized Grounds for “Single Source” Procurement

In connection with procurements made using, in whole or in part, federal funds that are subject to the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”), any one or more of the following conditions may justify procurement pursuant to a noncompetitive proposal (i.e., relying on “single source” procurement):

1. The item is available only from a single source;
2. A public exigency or emergency for a necessary procurement will not permit a delay resulting from a competitive solicitation;
3. After solicitation of a number of sources, the District determines that competition is inadequate;
4. The federal awarding agency or the state as a pass-through entity has expressly authorized noncompetitive proposals in response to a written request from the District.

The District will document the grounds for using a noncompetitive process in lieu of an otherwise-required competitive method of procurement.

In addition to the above-listed federal justifications for noncompetitive procurement, Board of Education policy lists additional grounds for using a noncompetitive process that the administration and District procurement agents may rely on for purchases that are not supported by federal funds that are subject to the Uniform Guidance.

### District Standards for Obtaining Price/Rate Quotations to Support Procurement Decisions

The following procedures and standards apply to District procurement decisions that include the consideration of valid price or rate quotations, including procurements made using, in whole or in part, federal funds that are subject to the Uniform Guidance:

1. The District’s preferred standard is three (3) quotations from separate sources among which the District is essentially indifferent as to all specifications and terms other than cost. The minimum standard (when not relying on a valid sole-source justification) is at least two (2) price/rate quotations representing acceptable procurement options. If applicable, the reason for deviating from the preferred standard shall be documented. One example of a valid reason for such a deviation is the demonstrated administrative burden associated with meeting the preferred standard in a specific situation.
2. Documented price or rate quotations may be obtained from an online search, from publicly-advertised prices, from written quotations prepared upon request, by documenting verbal

quotations, or by referencing any pre-established procurement arrangement that the District is entitled to utilize (e.g., consortium pricing). In submitting a purchase or contract for Board of Education approval, the administration may consider quotations from a source not expressly listed in this paragraph if such an alternative source is documented and identified for the Board's consideration.

3. The specific price/rate quotation need not be the sole determining factor in the procurement decision when the District, considering the best interests of the District and the responsible expenditure of funds, determines at its discretion that (a) other relevant and material differences exist among the quotations (e.g., quality, functionality, vendor-supplied support services, life-cycle cost estimates, vendor experience in connection with the purchase of services, etc.), and (b) such differences predominate over a strict cost comparison. The reason for deviating from using cost as the determining factor shall be documented.

#### Methods of Determining Reasonable Prices for a "Micro-Purchase" Made under Informal Procurement Methods

Where District procurement agents are permitted to make or authorize a purchase in an aggregate amount of \$10,000 or less based on a determination that the price of the purchase is reasonable, such determination may be made by, for example, comparing the price to previous purchases of the same item(s), having personal knowledge of typical pricing for the item(s) being purchased, or comparing the price of items that are similar to the items being purchased.

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Revised: