

Request for Waiver of Competitive Bidding

Pursuant to the purchasing policy adopted by the Board of Trustees on November 17, 2022, the Director of Purchasing is authorized to purchase goods and/or services without competitive bidding when justified. A Request for Waiver of Competitive Bidding form must accompany a requisition when colleges or vice presidential areas seek to purchase goods and/or services in excess of the bid limits without engaging in a competitive bid process. Bid limits for goods and services are greater than or equal to \$75,000 for both goods and services. Purchases from BuckeyeBuy, consortia agreements or university-wide contracts are excluded from this provision.

Rationale for granting Waiver of Competitive Bidding (Please check the applicable box that explains the rationale for the requested waiver.)

<input type="checkbox"/> Sole Source	A Sole Source justification exists if the goods and/or services required to satisfy the University's needs are only available from one supplier.
<input type="checkbox"/> Emergency	An Emergency justification exists if the goods and/or services are required to: <ul style="list-style-type: none"> • Correct or prevent an emergency health, environmental or safety hazard; and/or, • Provide for the completion of special or time sensitive events; and/or, • Enable the emergency repair/replacement of existing equipment essential for daily operations.
<input type="checkbox"/> Economic	An economic justification relieves the University of additional expenses that would result from NOT making the purchase; use of another supplier would result in incompatibility with existing conditions; and/or require considerable training, time and money; and/or the goods or services are being used in ongoing long-term projects.
<input type="checkbox"/> Technical and Specialized Consulting Services	The President and/or Senior Vice President for Business and Finance, or his/her designee, may grant a Waiver of Competitive Bidding when he/she determines that services to be purchased are technical and specialized consulting services that are temporary in nature and there are sufficient economic reasons to support such a waiver and where such terms and conditions as are in the best interest of the University. The exercise of this authority shall be subject to the oversight authority of the Senior Vice President for Business and Finance. If waiver amount is greater than \$250,000 it will require President's Cabinet approval .

Supplier Name: _____

Describe Good or Service: _____

Cost Center: _____ Fund: _____ Req # / Date: _____ Waiver Amount: \$ _____

Initiator

Signature _____ Name (printed) _____ Date (mm/dd/yyyy) _____

Senior Fiscal Officer

Signature _____ Name (printed) _____ Date (mm/dd/yyyy) _____

All changes to previously approved waivers must be sent to Purchasing via a requisition. It shall be at the discretion of Purchasing whether the request for change should be approved.

For Purchasing Department Use Only

Received from Department Date: _____ Comments: _____

Received from Purchasing Date: _____ Comments: _____

Purchasing Department Approver:
 Recommended Not Recommended
 Signature _____ Date (mm/dd/yyyy) _____

Office of Business and Finance Approver:
 Recommended Not Recommended
 Signature _____ Date (mm/dd/yyyy) _____

Waiver #: _____ Comments: _____

Select Waiver Category Code: Academic Support Administrative Support Equipment & Services Instructional & Academic Research Equipment & Services

Instructions for Completing a Request for Waiver of Competitive Bidding

A Waiver of Competitive Bidding may be requested for any one of the reasons listed below:

There is not another company that provides similar goods and/or services to the requested purchase; the goods or services have differentiation that make it unique in design, performance or use specifications.

Guiding questions / statements for justification letter:

Sole Source

Describe the goods or services needed.

Why is the requested supplier the **only** one able to provide this product/service?

Explain the unique features of the product/service necessary to fulfill the requirements

Describe the methods used to attempt to find and qualify suppliers

Example: It is determined that only one distributor for a region has exclusivity and has been designated by a Manufacturer.

Goods and/or services are needed to correct or prevent an emergency health, environmental or safety hazard; special or time sensitive events; and/or emergency repair/replacement of existing equipment essential for daily operations.

Guiding questions / statements for justification letter:

Emergency

Describe the goods or services needed.

Is this to Correct or prevent an emergency health, environmental or safety hazard?

Is this for the completion of special or time sensitive events?

Is this to enable the emergency repair/replacement of existing equipment essential for daily operations?

Example: During a snow storm in February the heat goes out in a building and repair is needed.

“Emergency” waiver requests are evaluated under a shortened approval process, giving consideration to health, environmental or safety issues.

Responsible economic procurement relieves the University of potential additional expenses that would result from NOT making the purchase; and/or use of another supplier would result in incompatibility with existing conditions; and/or require considerable training, time and money; and/or the goods or services are being used in ongoing long-term projects.

Guiding questions / statements for justification letter:

Economic

Describe the goods or services needed

Explain what additional expenses would result from not making the purchase from this supplier

Explain the financial impact of not using the requested supplier.

If additional quotes are available, please provide them.

Example: A department has an existing piece of equipment that needs to be updated and changing brands would require the purchase of other integrated equipment.

Instructions for Completing a Request for Waiver of Competitive Bidding

A Waiver of Competitive Bidding may be requested for any one of the reasons listed below:

The President and/or Senior Vice President for Business and Finance, or his or her designee, may grant a Waiver of Competitive Bidding when he/she determines that the services to be purchased are technical and specialized consulting services that are temporary in nature and there are sufficient economic reasons to support such a waiver and where such terms and conditions as are in the best interest of the University. The exercise of this authority shall be subject to the oversight authority of the Senior Vice President for Business and Finance.

Note: All technical and specialized consulting services requests for purchase greater than \$250,000 require approval from the President's Cabinet. See [President's Cabinet Approval Form](#).

Technical and Specialized Consulting Services

Requirements for justification letter:

Term/duration must be of a temporary nature

Detailed description of specialized nature of need.

Detailed description of scope of work to be completed.

Pricing must be competitive. Include total cost as provided by desired supplier including any discounts provided. Also include pricing solicited from at least 2 other competitors for similar expertise and scope.

Funding Source

Example: A department requires a consulting service to satisfy a specialized nature of need that is temporary in nature.

The purchase of goods and services of \$75,000 or more require competitive bidding. A waiver is an exception to the competitive bid process. As a result, explanation/documentation is required to begin the review process. The following documents from your department are required by Purchasing:

- Completed [Request for Waiver of Competitive Bidding](#) form including appropriate signatures
- Detailed explanation/documentation
- Documentation from the supplier to support waiver rationale (i.e. quotation, contract, service agreement)
- Change order requisition, if applicable, to amend
- **Note:** All forms are available at <https://busfin.osu.edu/policies-forms>

Contact the Purchasing Department with questions prior to submitting your waiver request.

E-mail: BF-PRSM-OSUPUR@osu.edu • **Phone:** 614-292-2694