|  |  |  |
| --- | --- | --- |
| wsu-primary-horz-color-600-10-2017-small  **Division of Finance and Business Operations** |  | **Procurement & Strategic Sourcing**  **5700 Cass Avenue, suite 4200**  **Detroit, Michigan 48202**  **(313) 577-3734**  **FAX (313) 577-3747** |

Bid Waiver Request Form *(rev 6-2021)*

***Please Note:*** *Completion of this form does not guarantee the approval of the procurement request.*

The Board of Governor’s Code Annotated states:

|  |  |  |
| --- | --- | --- |
| |  |  | | --- | --- | | 2.81.01.080 | Contracts for the purchase of supplies, equipment or the services of independent contractors requiring the expenditure of budgeted funds in excess of $25,000 shall be awarded on the basis of competitive bids. The President or his/her designee(s) may grant a written exception in the case of contracts requiring highly specialized service for which a public bid would not be appropriate, or in the case of an emergency. Such exceptions shall be reported to the Budget and Finance Committee quarterly or not less than the second regularly scheduled meeting thereafter. Architectural and engineering contracts may be awarded on the basis of specialized experience and strength among the firms which indicate a desire to do business with the University. | |
| |  |  | | --- | --- | | APPM 2.9 | **Federal Grant Expenditures Only**: Purchases made as a result of a federal grant award are subject to Federal Office of Management and Budget (OMB) Procurement Standards, as can be found in the Electronic Code of Federal Regulations (eCFR) - [Procurement Standards Sections 200.317 through 200.326](http://www.ecfr.gov/cgi-bin/text-idx?SID=4db755bbb4cf4b34c220f85453b0a059&node=sg2.1.200_1316.sg3&rgn=div7).  Whenever there is potential conflict between bid limits, the lower of the 2 policies will apply.  For federal award purchases, procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply. **Check the boxes** to the left of the circumstance that apply to this purchase. | |
| |  |  | | --- | --- | |  | 1. The item is available only from a single source; | |
| |  |  | | --- | --- | |  | 1. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation; | |
| |  |  | | --- | --- | |  | 1. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or | |
| |  |  | | --- | --- | |  | 1. After solicitation of a number of sources, competition is determined inadequate. | |
| |  |  | | --- | --- | |  | Such purchases are also subject to all University policies as listed in policies 2.1 through 2.10. | |

There may be occasions when a competitive bid for any of the above may not be in the University’s best interest. University Policy 04-06 indicates who may approve a request for bid waiver and under what circumstances.

To make a request for bid waiver, please complete the following information and submit to the correct party. All items must be completed other than item 8, which only applies when the request relates to consultants.

1. Name of the Vendor / Supplier recommended for a contract award or supply or equipment order
2. Name of the Department requesting the bid waiver
3. Name of the person who will approved this request.

[*University Policy 15.1*](https://policies.wayne.edu/administrative/15-1-financial-document-and-transaction-approvals) *indicates bid waivers below $250,000 can be approved by a Unit Head, below $500,000 must be approved by a Dean or Department Head, and $500,000 or more must be approved by a divisional Vice President.*

|  |  |
| --- | --- |
| 1. Dollar Amount of the Request   $ | 1. Requisition number (if known) |

1. Description of the items or services being requested ***(include the manufacturer name if applicable)***
2. Explanation of the reason for a bid waiver request.
3. If the Services are for an Independent Contractor (i.e. PSC), or are for Consulting Services, please answer Part A and B below. If not, go to Question 9
4. Are there other individuals or companies who can potentially provide these or similar services? If not, please explain how this was determined, and how the service provider was identified?
5. Are there individuals on staff at Wayne State who have the ability and expertise to provide these services or who could be educated, trained, or developed to perform these services.
6. Other options considered prior to determining the need for a bid waiver request   
   ***(include explanation of why any lower cost options were rejected. If informal quotes were obtained, include copies)***.
7. Is this purchase required to match existing equipment or part of a standardization program?   
   ***(If so, provide the original purchase order number, supplier name and description of the original purchase. For equipment, include the property tag number)***.
8. Is this supplier or specific product/service identified by name, statement of work and dollar amount in a sponsored grant or contract? ***(If so, please describe and attach the grant documentation)***.
9. If Procurement and Strategic Sourcing (PASS) was not used in the sourcing effort, explanation of why PASS was not asked to assist.
10. What steps are being taken to competitively bid future purchases?

PASS Services reserves the right to competitively bid, negotiate pricing or to solicit additional information and remains the final authority on all procurement decisions.

I am aware of and agree to abide by the University policies and guidelines governing competitive bidding and outside interests, conflict of interest and conflict of commitment. I confirm that this disclosure abides by the limits specified in these policies and guidelines and does not interfere with my primary obligation to the University. I do not have, nor does any member of my family, any financial interests in the supplier under consideration.

/ .

Authorized Signature for the Requesting Department Date of the request

/ .

Typed or Printed Name Title

|  |  |  |
| --- | --- | --- |
| Competitive Bid Exceptions: |  |  |
| Granting written exceptions for contracts in excess of $25,000 requiring highly specialized service of professional firms for which a public bid would not be appropriate, or for contracts in excess of $25,000 for the services of independent contractors (Personal Service Contracts) whose expertise is in areas traditionally related to the expertise of the operating unit. | President or designee | Vice President & Chief of Staff |
| All other exceptions, (sole source, scientific judgment, compatible equipment/ service with existing equipment/service, etc.) with written justification from the requisitioner. |  | Procurement |

|  |
| --- |
| PROCUREMENT / CHIEF OF STAFF USE ONLY |

|  |  |  |  |
| --- | --- | --- | --- |
|  | Approved |  | Disapproved |

/ .

Authorized Signature Date of approval / disapproval

|  |  |  |
| --- | --- | --- |
| Associate Director / AVP, P&SS  $25k - $150k / $150k - $500k | VP, FBO  $500k+ | Chief of Staff  $25k+ – Professional Services (S23) |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Product Description   1. What is it 2. Who is it for 3. Who is it From 4. Why is it not bid 5. Other background Information 6. Prior PO History | | BOG Summary (or Text Box Above) | | | | | |
| Buyer |  | | Date |  | Selection Code |  |