

Policy - Noncompetitive, Sole Source Procurements	POLICY	
	Document Number:	FRS-PL-038
	Version Number:	01

1.0 Purpose:

To establish the authority within VTA to select vendors on a Noncompetitive basis.

2.0 Scope:

This Policy applies to all VTA departments and all vendors participating in the established VTA procurement process.

3.0 Responsibilities:

It is the responsibility of the Purchasing and Materials Manager to draft and obtain approval of this Policy and to assure organizational understanding and compliance with this Policy.

4.0 Policy:

It is the policy of VTA that materials, supplies, equipment and services may be procured without full and open competition only under certain specific circumstances. VTA may use noncompetitive bids or proposals only when the procurement is inappropriate for Small Purchase procedures, sealed bids or competitive proposals, and at least one of the following circumstances is present:

- Competition proves inadequate.
- Product or service is uniquely available from only one responsible source and no other supplies or services will satisfy requirements.
- Unusual or Compelling Urgency.
- Authorized by Federal Transit Administration (FTA) for federally funded procurements.
- Approved by the Purchasing Agent for non federally funded procurements.

Noncompetitive bids or proposals may not be used when:

- The requester has failed to plan appropriately for the procurement.
- The requester wants to avoid an otherwise necessary solicitation to assure that funds remain available.

The implementation of the requirements of this Policy will be set forth in Procedure FRS-PR-038.

5.0 Definitions:

Proposals For this Policy, a proposal can be a bid or other type of offer to provide product or services.

RFP Request for Proposals.

RFQ Request for Qualifications.

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Contract A contract can be:

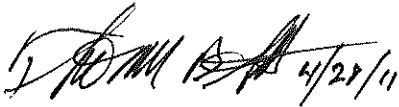
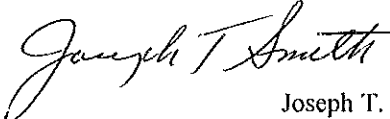

- A formal contract document that contains all of the terms, conditions and specifications of the agreement.
- A standard VTA Purchase Order.

Sole Source A non-competitive procurement of product or services:

- Available from only one responsible source, and no other product or services will satisfy requirements.
- Caused by an out of scope change to an existing contract
- The execution of a contract option that was not in determining the low bidder caused by Unusual or Compelling Urgency.
- Authorized by the FTA.

6.0 *Summary of Changes:*
Initial Release of this Policy.

7.0 *Approval Information:*

<i>Prepared by</i>	<i>Reviewed by</i>	<i>Approved by</i>
 Thomas B. Smith Purchasing and Materials Manager	 Joseph T. Smith Chief Financial Officer	 Michael T. Burns General Manager

5/11/11
Date Signed