

Part II Chapter 11
Purchase of Materials Manufactured or
Services Performed by Persons with
Disabilities

- A. Requirements.** Agencies shall use this procedure when procuring materials or services from the UniqueSource Products & Services (UniqueSource).
- B. General.**
1. Before proceeding with the release of any solicitation (i.e. invitation for bids, request for quotes, request for proposals) or other procurement documents for materials or services referenced on the most current DGS-approved [UniqueSource Carve-Out List](#), purchasing agencies must first offer the proposed procurement to UniqueSource.
 - a. UniqueSource must be capable of and interested in providing the desired materials or services in accordance with the purchasing agency statement of work/specification, and meet fair market price as established by the Department of General Services (DGS).
 2. Commonwealth agencies may proceed with the procurement of any item that does not fall within the DGS-approved UniqueSource Carve-Out List without first offering the contract to UniqueSource.
 - a. Where the purchasing agency prefers to order the items from UniqueSource under Section 520 of the Procurement Code, DGS will establish the fair market price.
 - b. The Commonwealth agency shall not proceed with the purchase until DGS has established a fair market price and UniqueSource has agreed to manufacture the materials or perform the services at the DGS- established fair market price.
- C. Procurement Procedures.**
1. Procurement of items referenced on the DGS-approved UniqueSource carve- out list, the purchasing agency must comply with procedures and guidelines identified in [Part II Chapter 08, Procurements from Effective DGS Statewide Requirements Contracts](#).
 - a. Where the desired materials or services are listed **with an entry including a price**, refer to the [Contract Overview - Process to Order](#).
 - b. Where the desired materials and/or services are listed **without a price**, the purchasing agency must obtain a fair market price from the DGS Program Manager and follow the appropriate steps as outlined in the [Process for Requesting Fair Market Price Determination](#).
 2.
 - (1) The DGS-established fair market price letter should be attached to the purchase order.
 3. Procurement of items not referenced on the DGS-approved UniqueSource

carve-out list which users prefer to order from UniqueSource under Section 520 of the Commonwealth Procurement Code, the purchasing agency must obtain a fair market price from the DGS Program Manager and follow the appropriate steps as outlined in the [Process for Requesting Fair Market Price Determination](#).

4. Procurement of items not referenced on the DGS-approved UniqueSource carve-out list and for which UniqueSource does not meet the requirements of Section 520 of the Commonwealth Procurement Code to be eligible for award under that section and/or the user prefers to procure the materials or services through another procurement method, , the purchasing agency must comply with the applicable policies and procedures established in the Procurement Handbook based on procurement type and dollar amount. UniqueSource would only be awarded the procurement if/when they submit the lowest responsive and responsible bid/quote.

D. Prevailing Wage.

1. If both of the following conditions exist, the purchasing agency shall obtain a prevailing wage determination for each classification of worker that will be engaged in the project from the [Department of Labor and Industry, Bureau of Labor Law Compliance](#):
 - a. The services to be performed by UniqueSource involve construction, reconstruction, demolition, alteration, and/or repair work other than maintenance work that is expected to exceed \$25,000. NOTE: A complete carpet installation or complete carpet replacement is considered "construction".
 - b. The item manufactured and installed by UniqueSource becomes part of the building or other public work to which it will be attached and the total project cost exceeds \$25,000.
2. The purchasing agency shall include with the statement of work that is sent to UniqueSource a reference to the prevailing minimum rates.
3. UniqueSource must obtain a certificate from the Department of Labor and Industry authorizing UniqueSource (or the subcontractor) to pay less than the applicable prevailing wages for member and subcontractor employees who perform work.
4. The wage determination, and the Department-established fair market price, shall be incorporated into, and made a part of the applicable procurement document.

Before final payment, the purchasing agency should receive statements from UniqueSource concerning payment of wages on the project.

Resources:

1. [UniqueSource Carve-Out List](#)
2. [Part II Chapter 08, Procurements from Effective DGS Statewide Requirements Contracts](#)

3. [Process for Requesting Fair Market Price Determination](#)
4. [Department of Labor and Industry, Bureau of Labor Law Compliance](#)