

Part II Chapter 09 Off-Contract Procurements

- A. Requirements.** This procedure shall be used when an agency desires to procure material and/or service other than from a DGS statewide requirements contract due to a significant savings in price to the Commonwealth.
- B. General.**
1. In its statewide requirements contracts, DGS reserves the right to procure through a separate competitive bidding procedure whenever it is deemed in the best interest of the Commonwealth.
 2. The specifications and requirements for the purchase must be comparable to the specifications and requirements found in the DGS statewide requirements contract.
 3. The Bureau of Procurement will determine when comparable criteria exist. The following must be the same as the DGS statewide requirements contract:
 - a. The material description or service statement of work.
 - b. The contract warranty.
 - c. FOB terms (if applicable).
- C. Procedures.**
1. **Agency.**
 - a. Obtain a comparable, written quote from the proposed supplier which must be on the supplier's letterhead. The quote must provide a point of contact (name and telephone number), the item description, and the price quote.
 - b. Contact the supplier on the DGS statewide requirements contract to determine if they will provide the material and/or service at or below the amount of the quote from the proposed supplier.
 2. **DGS Supplier.** If the supplier agrees to sell the material and/or service at the lower price, it provides a written quote to the agency.
 3. **Agency.** The agency shall either:
 - a. Follow the procedure for procurement from the DGS statewide requirements contract in [Part II Chapter 08, Procurements from Effective DGS Statewide Requirements Contracts](#) using the agreed upon lower price and notify the Commodity Specialist assigned to the DGS statewide requirements contract; or
 - b. Confirm that the DGS supplier declines to sell the material and/or service at the proposed supplier's quoted price. Contact the DGS Chief

Procurement Officer (or designee) requesting a waiver to proceed with the off-contract purchase. The request shall include the following information:

- (1) Contract Number.
- (2) Item Number.
- (3) Item Description.
- (4) Off-Contract Price.
- (5) Agency Contact Person/Telephone Number.
- (6) Proposed Supplier's Written Quote.

4. DGS Chief Procurement Officer (or designee):

- a. Review the written quote and documentation to determine comparability.
- b. Approve or disapprove the Agency request for waiver allowing the Agency to proceed with the off-contract purchase.

- 5. Agency:** Follow the applicable method of award based upon the dollar amount of the procurement.

References:

1. [Part II Chapter 08, Procurements from Effective DGS Statewide Requirements Contracts](#)