

POLICY 2.71: BID EXCEPTION

The college employs competitive bidding as the primary method of procurement. Bid exceptions are permitted only when expressly allowed by law or regulation and when properly justified, documented, reviewed and approved in accordance with this policy.

Bid exceptions are the exception, not the rule, and are narrowly construed.

Authorized bid exceptions

Bid exceptions may be granted only under the following circumstances, as permitted by law and existing college regulation:

Policy 2.64: Sole source procurement

When goods or services are available from only one economically practicable source and no reasonable alternative exists.

Professional services

Contracts for individuals or firms where:

- A high degree of professional skill is required; and
- The ability, experience or expertise of the provider is a material factor (e.g., a significant alteration or risk that impacts obligations or value)

Emergency procurement

Subject to board approval, when an unforeseen condition poses an immediate threat to:

- Health or safety
- Continuity of college operations
- Preservation of property
- Emergency procurements must be limited to the scope and duration necessary to address the emergency.

Statutorily exempt purchases

Items or services explicitly excluded from bidding requirements by statute, including but not limited to:

- Utilities
- Intergovernmental agreements
- Certain repair, maintenance and replacement services below statutory limits

Statutorily exempt purchases

Procurement through approved cooperative contracts or consortia when legally permissible and determined to be in the college's best interest.

Prohibited practices

Bid exceptions won't be used to:

- Circumvent bidding thresholds
- Split purchases to avoid competitive bidding
- Substitute for inadequate planning or poor procurement practices
- Favor a particular vendor

Approval and documentation requirements

Approval authority

Bid exceptions are reviewed and approved by the chief financial officer or designee. Any bid exception exceeding board approval thresholds is presented to the board for ratification.

Documentation

All bid exceptions:

- Are documented in writing prior to contract execution
- Clearly state the statutory or regulatory basis for the exception
- Describe why competitive bidding is not practicable or advisable

Documentation is retained as part of the official procurement record and will be made available for audit or public inspection upon request.

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