



## **Request for Exemption from Competitive Procurement Certification form**

Place a check mark (✓) next to applicable reasons. Provide supporting explanation below, showing vendors/contractors contacted, dates, and phone numbers. Please be explicit. Provide a project description, a complete statement of need, estimated contract value, and contract term. Be sure to answer the questions “who,” “what,” “when,” “where,” and “why.”  
(Attach additional pages as necessary.)

Recommended Supplier/Contractor: \_\_\_\_\_ Date: \_\_\_\_\_

Originating Dept: \_\_\_\_\_ Purchase Order # \_\_\_\_\_

Contact Person & Phone Ext: \_\_\_\_\_

- Proprietary Equipment:** The materials are copyrighted, patented or proprietary, a competitive market does not exist, and the selected supplier is the only supplier of the product or service desired. (Stat. Auth. ORS 279B.075. See also CCR.212.)
  
- Single Seller of Required Product:** Product or service is available from only one supplier or source. (Stat. Auth. 279B.075(1).) This exemption from competitive processes is to be used only after clear & compelling written evidence is provided.
  
- Efficient Utilization of Existing Goods:** The efficient utilization of existing goods requires the acquisition of compatible goods or services. (Stat. Auth. ORS 279B.075(2)(a).)
  
- Exchange of Software:** The goods or services required for the exchange of software or data with other public or private agencies are available from only one source. (Stat. Auth. ORS 279B.075(2)(b).)
  
- Pilot or Experimental Project:** The goods or services are for use in a pilot or an experimental project. (Stat. Auth. ORS 279B.075(2)(c).)
  
- Used Equipment:** The equipment is used, and comparable equipment is not reasonably available. (See CCR.220.)
  
- Emergency Condition:** The time required to competitively solicit quotations or proposals would create a substantial risk of loss, damage, interruption of services, potentially preventable loss of public funds, or threat to public health, welfare, or safety. (See CCR.206 and ORS 279B.080.)
  
- Personal Services:** A Personal Services contract is a public contract that calls for specialized skills, knowledge (unique or specialized knowledge may also be gained through years of cumulative service to the college, or through specialized events), and resources in the application of highly technical or scientific expertise, or the exercise of professional, artistic or management discretion or judgment. (See CCR.250 and CCR.312.)
  
- Other:** Explain below.  
**Other findings that support the conclusion that the goods or services are available from only one source (Stat. Auth. OR279B.075(2)(d)**

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*(see reverse side for additional information)*

# Certification Form

This *Certification Form* for an Exemption from Competitive Processes is intended to assist you in justifying a procurement which quotations are required but cannot be obtained; therefore, additional explanation in the form of a memo or other background data becomes necessary.

\*Routing this *Certification Form* with its corresponding purchase order will help expedite the procurement process.

This *Certification Form* serves two purposes:

- (1) it reduces the need for separate supporting justification when quotations are impractical or inappropriate; and
- (2) it provides supporting documentation to our auditors when we are questioned concerning competitive quotation documents for purchases.

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## Excerpts from Community College Rules of Procurement adopted by the Blue Mountain Community College Board of Education in February 2010

“When the amount of the contract does not exceed \$5,000, defined herein as a “Small Procurement,” the College shall, where feasible, obtain competitive quotes. (See CCR.314.)

“When the amount of the contract is more than \$5,000, but less than \$75,000, defined herein as an “Intermediate Procurement,” . . . the College shall obtain a minimum of three informally solicited competitive quotes.” (Note: *Public contracts of \$75,000 or greater require formal, competitive solicitation processes.*

( See CCR.314.)

Thresholds for Personal Services contracts: (1) Contracts under \$25,000 may be directly negotiated or Informal Selection Procedures may be used; (2) Informal Selection Procedures shall be used for contracts of \$25,000 or greater, but less than \$75,000; (3) Formal Selection Procedures shall be used for contracts estimated to be equal to or more than \$75,000. (See CCR.314 and CCR.250.)

“The College shall submit recommendations for contract award to the Local Contract Review Board (BMCC Board of Education) for contracts greater than or equal to \$100,000, subsequent to College policies and procedures. . . .”

(Note: *Contracts that require Board approval involve a two-month window for Board of Education processing. They must be submitted as an “Agenda item” through the Office of the President.*

All procurement activity conducted on behalf of the College shall be executed in accordance with Oregon Revised Statute 279A, 279B, and 279C (Public Contracting Code), and “Community College Rules of Procurement” adopted by the Blue Mountain Community College Board of Education in February 2010. Where federal procurement regulations apply, and are more restrictive than state regulations, the federal regulations shall prevail.

**Budget Manager-Original Signature:** \_\_\_\_\_

*BMCC is an equal opportunity educator and employer.*