**Request for Exemption from Utilizing Open Contract**

**from**

**Division of Purchasing (DOP)**

**E-mail Completed Request Form to:** purch@lcsc.edu

|  |  |
| --- | --- |
| Agency Purchasing Representative (Name): |  |
| E-mail/Phone:  |  |
| Name of Agency: |  |
| Request for the Purchase of:  |  |
| Name of Supplier for Statewide Open Contract: |  |
| Name of Proposed Supplier:  |  |

Idaho Code 67-5717 (9) Unless an acquiring agency can show a substantial difference between the required capabilities and the capabilities provided by such property available on open contract, all agencies must utilize such property available on such contracts and failure to comply with this provision will subject the officers responsible for the acquisition to the penalties set forth in this chapter.

Idaho Code 67-5734 (3)  Any officer or employee found to have violated the provisions of subsection (4) of section [67-5726](http://www.legislature.idaho.gov/idstat/Title67/T67CH57SECT67-5726.htm), Idaho Code *(failure to utilize an open contract without justifiable cause)*, may, by order of the determinations officer, be suspended without pay for not more than ninety (90) working days, have a reprimand entered in his personnel file, or both.

**Background and Justification** (*attach additional sheets as needed*):

***Agency Certification:*** *The information provided above is true and accurate to the best of my knowledge, and support the requirement for an exemption from utilizing available Open Contract(s), in accordance with Idaho Code referenced above:*

*Agency Representative (signature): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_*

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**Approved** Based on the agency justification provided above, I concur that the available Open Contract(s) will not meet the agency’s need, and a one-time exemption from utilizing Open Contract(s) is granted as it applies to the requirements outlined in this request. The agency may source the Property outside of the Open Contract(s); and must do so in accordance with Division of Purchasing rules, policies and procedures.

 Additional conditions apply to this approval.

**Rejected**

DOP Administrator Printed Name:

DOP Administrator Signature:

Date: