

PROCEDURE

Effective Date: March 19, 2018
Approved by:
Chief Procurement Officer

Authority: [LAC 34:XIII.525.A](#)

See Also:

[POL-U501](#) (*Methods and Thresholds for Procuring Goods & Services*)

[PRO-U501.B.01](#) (*Sole Source Procurements*)

[PRO-U525.A.25](#) (*Used Equipment & Antique Procurements*)

[PRO-U525.A.31](#) (*Dues, Registrations, and Membership Fees*)

[PRO-U525.A.36](#) (*Small Purchases*)

PRO-U525.A EXCEPTIONS TO THE COMPETITIVE SOLICITATION PROCESS

This procedure provides a list of commodities which Procurement Services may authorize be procured without formal or informal competition, but may have additional processes that are required. For an all-inclusive list of exceptions to the competitive solicitation process, please refer to LAC 34:XIII.525.A. Notwithstanding the information contained in this procedure, the application of an exception to the competitive solicitation process is ultimately determined by Procurement Services.

Important Notes and Guidelines:

1. For purchases of goods and services that do not apply to this procedure, refer to POL-U501 for additional information and direction.
2. Departmental users shall not make purchases which exceed their delegated purchasing authority.
3. If a Supplier requires a signature on an agreement, contract, or any other form, the document **MUST** be submitted to Procurement Services for review/execution prior to making the purchase.
4. If a master or preferred contract for goods and/or services exists, exceptions listed in this procedure do not apply. The master or preferred contract **MUST** be used.
5. The exceptions listed in this procedure do not apply to the purchase of taggable, moveable property purchased (moveable property is defined as items of a non-expendable nature costing or being valued at \$1,000 or more-inclusive of freight, taxes, installation and professional fees with a life expectancy of one (1) year or greater).
6. Purchases for all exceptions listed in this procedure **MUST** be approved by the appropriate party and the procurement authority referenced in each exception (i.e. Procurement Authority: LAC34:XIII.525.XX) **MUST** be included on all documentation.

Action by:

Dean, Director or
Department Head

Purchasing Agent
(User Department)

Procurement Buyer
(Procurement Services)

Purchasing Agent
(User Department)

Action:

1. **Assigns** responsibility for purchase activity to department employees and ensures that purchasing duties within department are appropriately segregated.
2. **Confirms** that the purchase to be made complies with the guidelines above.
3. **Follows** procurement method(s) and instructions indicated per the section listed below entitled (Exceptions to the Competitive Solicitation Process) for the applicable competitive exception. All documentation regardless of procurement method (LaCarte, Direct Charge, Punch-out/Supplier Catalog, Purchase Requisition) must reference the respective Procurement Authority referenced in each exception (i.e. LAC34:XIII.525.A.36).
 - a. For orders which require an approved purchase requisition:
 - i. **Confirms** that the competitive exception applies to the purchase and verifies referenced exception is documented.
 - ii. **Obtains** necessary Procurement department approvals.
 - iii. **Issues** purchase order to supplier
 - b. For orders which do not require an approved purchase requisition (processed through LaCarte, Direct Charge, Punch-out/Supplier Catalog):
 - i. **Confirms** that the competitive exception applies to the purchase and verifies exception is documented
 - ii. **Ensures** positive efforts were made to utilize a Certified Diverse Supplier (Minority-Owned, Women-Owned, Veteran-Owned, Small, Emerging, or Disadvantaged Business), whenever possible.
 - iii. **Completes** the purchase

EXCEPTIONS TO THE COMPETITIVE SOLICITATION PROCESS:

Advertising, where the CPO (Chief Procurement Officer) certifies that specific media is required to reach target audiences – All advertising expenditures and purchases, regardless of cost, require **prior** written approval from Procurement Services and either the Division of Strategic Communications or Human Resource Management. If the Supplier requires signature on an agreement, contract or any other form, the contract must be submitted to Procurement Services for approval prior to purchase. May be paid via LaCarte Card or Direct Charge; the department must attach contract or other form (if applicable) it to the invoice or LaCarte expense report for payment (Reference - Procurement Authority: LAC34:XIII.525.A.18).

Art Exhibitions, Rentals &/or Loan Agreements & Associated costs for Curatorial Fees, Transportation & Installation – Includes any associated costs of curatorial fees, transportation and installation. If the Supplier requires signature on an agreement, contract or any other form, the contract must be submitted to Procurement Services for approval prior to purchase. May be paid via LaCarte Card or Direct Charge (Reference - Procurement Authority: LAC34:XIII.525.A.21).

Client Services – Services provided directly to University clients including, but not limited to, medical and dental services, employment and training programs, residential care, and subsidized housing. University clients include any person the university serves in an educational capacity, who is officially enrolled as a student at LSU in any academic, continuing education, or leisure program. Must be validated by Procurement Services, and must be processed via a purchase requisition only (Reference - Procurement Authority: LAC34:XIII.525.A.35).

Equipment Moves by the Original Equipment Manufacturer (OEM) or Authorized Dealer to ensure equipment operation to OEM specifications, calibration, warranty, etc. – Documentation from the OEM, stating that the Supplier is an authorized dealer of the OEM, must be attached to purchase requisition. The documentation can be in the form of an email, letter, or print out from OEM's website. Additionally, the OEM can complete the PUR 525- Authorized Dealer Certification form - instructions and form available on the Procurement website at <https://www.lsu.edu/administration/ofa/procurement/pdfs/formu525a01-02.pdf>. Must be processed via a purchase requisition only (Reference - Procurement Authority: LAC34:XIII.525.A.2).

Equipment or Vehicle Repairs and Repair Parts from an Authorized Dealer or Original Equipment Manufacturer (OEM) Documentation from the OEM, stating that the Supplier is an authorized dealer of the OEM, must be attached to the purchase requisition. The documentation can be in the form of an email, letter, or print out from OEM's website. Additionally, the OEM can complete the PUR 525 - Authorized Dealer Certification form - instructions and form available on the Procurement website at <https://www.lsu.edu/administration/ofa/procurement/pdfs/formu525a01-02.pdf>. Must be paid via a purchase requisition (Reference - Procurement Authority: LAC34:XIII.525.A.1). Note: if equipment/parts are being sent to supplier for repair (not on LSU premises), LaCarte is an acceptable form of payment).

Goods or Services purchased in Foreign Countries – When research and/or other University-sponsored work, projects or other service is being conducted abroad (outside of the United States) by employees of LSU, the competitive bid process may be omitted in an effort to streamline the procurement of needed equipment, supplies and services. Notwithstanding this exemption, proper insurance and contractual requirements, as applicable, need to be obtained. May be paid via LaCarte Card or Direct Charge (Reference - Procurement Authority: LAC34:XIII.525.A.33).

Livestock Procured at Public Auction – Purchased at public auction up to a limit of \$1,000 per purchase – Livestock exceeding a value of \$1,000 must be processed via a purchase requisition only (Reference - Procurement Authority: LAC34:XIII.525.A.4).

Materials, Supplies, Exhibitor Fees & Exhibit Booths for Conferences, Seminars and Workshops or similar events (business, educational, promotional activities) which enhance economic development or further the University's mission, duties and/or functions, with the approval of the CPO (Chief Procurement Officer) or equivalent. – If the Supplier requires signature on an agreement, contract or any other form, the contract must be submitted to Procurement Services for review and execution prior to purchase. May be paid via LaCarte Card or Direct Charge (Reference - Procurement Authority: LAC34:XIII.525.A.14).

Publications of articles or manuscripts in professional scientific, research, or educational journals/media and/or the procurement of reprints – Cost or fee to publish a University-authored article (such as dissertations, case studies, research findings, etc.) in its professional/technical journal or publication. May be paid via LaCarte Card or Direct Charge (Reference - Procurement Authority: LAC34:XIII.525.A.9).

Publications / Copyrighted Materials procured directly from the publisher or copyright holder; –

Documentation confirming that the Supplier is the publisher or copyright holder must be attached to the invoice or LaCarte expense report submitted for payment (this documentation can be in the form of a copy of the page of the book that depicts the publisher or copyright holder, a print out of a web page that depicts the publisher or copyright holder, etc.). NOTE: This does not include purchases from retail bookstores. May be paid via LaCarte Card or Direct Charge. (Reference - Procurement Authority: LAC34:XIII.525.A.7).

Public Utilities and Services Provided by Local Governments – Public utilities and services procured from the area’s sole provider as duly authorized and singularly licensed (by the Louisiana Public Service Commission (LPSC) or other applicable parish or local governmental entity) to operate and provide services in a given area. Currently, single provider licensures in EBR Parish exist for electricity, water and sewage service providers. May be paid via LaCarte Card or Direct Charge (Reference - Procurement Authority: LAC34:XIII.525.A.11 or LAC34:XIII.525.A.28).

Purchases from State Budget Units and Other Governmental Agencies – “State budget units” include any and all State of Louisiana executive branch departments, divisions, offices, etc. and Louisiana public universities and community technical colleges. “Other governmental agencies” include federal, parish, or local governmental entities, and other state-owned universities. Must be processed via a purchase requisition only (Reference - Procurement Authority: LAC34:XIII.525.A.28).

Registration Fees for Conferences/Seminars or Educational Training for Employees – For the purpose of enhancing employee performance and/or departmental missions, programs, goals, etc. Conference Registration Fees can be paid by a Direct Charge or via LaCarte. Note: Does not include training programs/courses that are custom-designed by a supplier to meet specific or unique University/Department use and criteria; customized training is considered ‘consulting services’ and requires a contract and must be processed via a purchase requisition only (Reference - Procurement Authority: LAC34:XIII.525.A.13 or LAC34:XIII.525.A.14).

Royalties and License Fees for Use Rights to Intellectual Property, such as, but not limited to: patents, trademarks, service marks, copyrights, music, artistic works, trade secrets, industrial designs and domain names - Including, but not limited to, payments to inventors for patents owned by the University; fees paid for the use of copyrighted music or musical/dramatic productions; fees for the rights to use and/or reproduce copyrighted written or audio/visual materials. Also includes fees for trademarks, service marks, trade secrets, industrial designs, domain names, etc. Must be processed via a purchase requisition only (Reference - Procurement Authority: LAC34:XIII.525.A.10).

Scientific and Laboratory Supplies, Equipment and Services for Scientific Research, when procured by the university for laboratory, educational or scientific research; not to exceed \$50,000 per transaction – If goods/services are available on an LSU Master Contract, the master or preferred contract **MUST** be utilized. Purchase must meet all of the following criteria for this exemption to be claimed;

1. Must be verifiable scientific or laboratory supplies;
2. Must be purchased from a scientific or laboratory provider and;
3. Must be paid from an account designated as “Research” or used specifically for research purposes

If criteria is met, approval **MUST** be obtained from Procurement Services before payment is made via LaCarte or Direct Charge. **Services and equipment** are not included and **MUST** be ordered via purchase requisition. Note: Transactions exceeding LaCarte card limit must be processed via a purchase requisition only (Reference - Procurement Authority: LAC34:XIII.525.A.19).

Services paid for with federal funds provided specifically for such purposes – Requires Procurement Services approval and further documentation. Must be processed via a purchase requisition only (Reference - Procurement Authority: LAC34:XIII.525 A.24).

Shipping Charges and Associated Overseas Screening and Broker Fees between international and domestic origins and destinations – Includes charges from a domestic origin to an international location and from an international origin to a domestic location. May be paid with via LaCarte Card or Direct Charge (Reference - Procurement Authority: LAC34:XIII.525.A.16).

Web-based or subscription services – To publications, journals, directories, periodicals, etc. If the Supplier requires signature on an agreement, contract or any other form, the agreement must be submitted to Procurement Services for review and execution prior to the purchase being made. May be paid via LaCarte Card or Direct Charge (Reference - Procurement Authority: LAC34:XIII.525.A.37).