

## **Purchasing Exemptions Policy**

All items and services will normally be purchased in a manner that maximizes open and free competition in accordance with College purchasing policy, subject to the exceptions contained herein. Purchases exceeding \$35,000 that fall within one of the exceptions below (except for sole source purchases) shall be approved by the President or his/her designee and reported to the Area Board of Control.

1. Sole source purchases that are available only from one supplier including:
  - a. utility services including electricity, gas, or water; and
  - b. government-issued permits, licenses, or certificates.
2. Single source purchases that are only reasonably available from one supplier due to substantial reasons including:
  - a. items for which competition is precluded because of the existence of patents or copyrights;
  - b. items or services required to meet specific educational objectives; and
  - c. items or services that ensure compatibility with existing equipment.
3. Products or services that are offered for purchase under K.S.A. 75-3317 to 75-3322, and any amendments thereto.
4. Articles or products that are produced, manufactured or provided by inmates under the prison-made goods act of Kansas.
5. Materials, goods or wares required for reconstructing, remodeling, repairing or equipping buildings when such purchase are necessitated by the occurrence of a loss against which the Board has purchased property or casualty insurance.
6. Motor fuels required to provide or furnish transportation.
7. Emergency situations that necessitate the immediate purchase of goods or services may be made according to procedures outlined by the President. Such procedures may include the delegation of emergency purchasing procedures to appropriate College personnel.
8. Items that are acquired for resale.
9. Items that are used that become available and are subject to immediate sale.
10. Items that are acquired when the College is serving as a facilitating agent or trustee.
11. Items where negotiation would render a more favorable pricing and product condition for the College.

12. The College may contract for goods and services provided by state of Kansas agencies, or by federal agencies, political subdivisions of Kansas, agencies of other states or subdivisions thereof, or private nonprofit educational institutions.

13. The acquisition, construction or renovation of a project or projects that involve both services and products, such as a design-build structure or the acquisition, construction or reconstruction of software applications and/or hardware including network infrastructure.