



POLICIES AND PROCEDURES

Policy # 011

Subj: Division of Purchasing & General Services' Policy regarding specifications prepared by non-state personnel.

Ref: §63G-6a-407, Administrative Rule R33-4-104(1)(f)

Purpose:

The purpose of this policy is to set forth the requirements for procurement officers and purchasing agents of the State of Utah regarding specifications prepared by non-state personnel.

Background:

State agencies may permit specifications, scopes of work or statements of work, requirements, qualifications, or other components of solicitations to be prepared by persons who are non-state personnel when there will be no substantial conflict of interest involved and it is otherwise in the best interests of the state agency as determined by the State Division of Purchasing, purchasing agent or procurement officer conducting the procurement on behalf of the state agency.

Policy:

Any and all persons¹ are ineligible to participate as an offeror, bidder, or consultant to an offeror or bidder for any solicitations developed, conducted or issued wherein the person participates in the development of any component of the solicitation or acts as a consultant to any state agency in the development of specifications, scopes/statements of work, evaluations, or any other component of the solicitation. Any person who violates this policy will have their existing contract with the State of Utah terminated for cause and/or any offeror or bidder will be declared ineligible, and/or the Division of Purchasing will cancel the solicitation.

¹ Utah Code Annotated defines a "person" as "...an individual, a corporation, a partnership, an association, a joint stock company, a business trust or any unincorporated organization." (Ref. UCA2113-5-2)