



Utah Division of Purchasing and General Services

POLICIES AND PROCEDURES

Policy # 018

Subject: Items That Do Not Require Procurement
Effective: September 13, 2017
References: UCA 63G-6a-103(59) - (60) & 303(5); Rule R33-1-4

Policy:

The following items do not meet the definition of a “procurement item” as defined in Utah Code 63G-6a-103 and, as such, are not subject to the requirements of the Utah Procurement Code 63G-6a and do not require that a “procurement” be conducted.

- (a) Professional Association Membership Dues and Fees
- (b) Conferences Sponsored by a Government Agency or Professional Association, unless vendor sponsorships, gifts or other circumstances require compliance with the Utah Procurement Code 63G-6a.

Conferences

1. All conferences are unique and must be evaluated individually to determine whether they are classified as a "procurement item."
2. In general, conferences sponsored by government agencies and professional associations are Not classified as a "procurement item." Note however, that certain actions, such as sponsorship by a vendor, gifts from vendors, etc. can potentially reclassify a conference as a "procurement item."
3. In general, conferences sponsored by vendors Are classified as a "procurement item."
4. In general, government agencies/professional association do not respond to solicitations for government contracts, hence their conferences are not classified as a "procurement item." Vendors do respond to solicitations for government contracts, hence their conferences are classified as a "procurement item." This distinction is the main, not only, factor in determining whether a conference is a "procurement item" subject to the Procurement Code 63G-6a.

5. In general, Vendor sponsored conferences (procurement item subject to procurement code 63G-6a), fall into two categories: (a) Those requiring a Standard Competitive Procurement, and (b) Those classified as a Sole Source.
6. In general, a standard competitive procurement processes is required when an agency does not have a contract with the vendor sponsoring the conference.
7. In general, a sole source processes is required when an agency has a contract with the vendor sponsoring the conference and the vendor conference is for training specific to the procurement item under contract. The sole source justification must support conference for which there is no other comparable training offered.