



Utah Division of Purchasing and General Services

Policy #022

Subject: Policy on Adding Time and Funding to Sole Source Contracts

Effective: May 10, 2017

References: Utah Code 63G-6a-801, 802.7, and 1204; Rules R33-8-101 and R33-8-110, Division of Purchasing Policy #019

Purpose:

The purpose of this policy is to establish procedures for adding time or funding to a sole source contract via an additional, approved sole source award.

Policy:

- A. This policy applies **only** to amendment or continuation of contracts resulting from an award made pursuant to Utah Code 63G-6a-801 and Rule R33-8-101.
- B. When adding time or funding to a contract resulting from an approved sole source award, an agency may, in lieu of the provisions set forth in Section 63G-6a-802.7, Rule R33-8-110, and Division of Purchasing Policy #019, and in accordance with Section 63G-6a-801 and Rule R33-8-101, complete and publish a Notice of Intent to Award a Contract Without Engaging in a Standard Procurement Process, provided that:
 1. Publication of the notice complies with the requirements of Section 63G-6a-112;
 2. Unless otherwise approved by the procurement officer in accordance with Section 63G-6a-1204 (7), the period of time indicated in the notice does not exceed five years from the date of the current contract's expiration; and
 3. The published notice includes:
 - (i) A copy of the contract to which time or funding is being added;
 - (ii) A complete description of the work to be performed; and
 - (iii) As applicable, evidence demonstrating that:
 - (a) There is only one source for the procurement item;
 - (b) Transitional costs are a significant consideration and are unreasonable or cost-prohibitive; or
 - (c) Awarding a contract through a standard procurement process is impractical and not in the best interest of the procurement unit.

- C. If no objections to the published notice are received, and the documentation obtained and the research performed by the procurement officer support the award of additional time or funding to the current vendor without engaging in a standard procurement process, the agency may, as it determines to be in its best interest:
1. Amend the agency's current contract with the vendor to incorporate the additional time or funding; or
 2. Execute a new contract with the vendor.