

## State of Utah Division of Purchasing LIMITED AGREEMENT TO CONDUCT SOLICITATIONS

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This is an agreement between the State of Utah Division of Purchasing (Division) and the Procurement Unit with Independent Procurement Authority (Procurement Unit), pursuant to Utah Code 63G-6a-106. The purpose of this Agreement is to identify the type of solicitation services the Division will provide to the Procurement Unit.

- If the procurement item requested is currently on a State Cooperative “Best Value” Contract, the Division will not provide a 2.0 or 3.0 Service Level if the Procurement Unit does not want to purchase from the State Cooperative “Best Value” Contract.
- **Due to the unique nature of IT and construction procurements, these procurements are only eligible for a 1.0 Service Level. The Division currently has several IT, Cloud, SVAR, and Saas contracts that can satisfy most needs.**
- To search State Cooperative “Best Value” Contracts, please visit, <https://statecontracts.utah.gov/Home/Search>.

Below are the services types offered by the Division. *Please choose only one service type below that meets your needs.*

### ☐ 1.0 Courtesy Posting Services:

- The Division will post the pre-developed solicitation documents on U3P-Bonfire, for and in behalf of the Procurement Unit. Documents **will not** be reviewed for compliance with the Utah Procurement Code and Administrative Rules and/or local government procurement policies, ordinances, or other sections of Utah Code and Administrative Rule.
- The Division will instruct vendors to submit bids/proposals based on the instructions of the Procurement Unit in the solicitation documents.
- The Procurement Unit is responsible for all information in the solicitation documents and understands the Division is only posting the documents.
- It will be the Procurement Unit's sole responsibility to review/approve solicitation recommendations and documents prior to the Division releasing the public posting on U3P-Bonfire (Failure to respond in writing with an approval may delay solicitation posting).
- The Procurement Unit will be responsible to evaluate vendor bids/proposals and finalize solicitation awards in accordance with the Utah Procurement Code/Administrative Rule or applicable local government procurement requirements.
- The Division requires up to a **2 business day lead-time** for a U3P-Bonfire posting depending on the response time by the Procurement Unit.

### ☐ 2.0 Basic Procurement Services:

- In addition to the items listed in the 1.0 Service Level, the Division will conduct a review of pre-developed solicitation documents. The Division will make recommendations to the Procurement Unit if specifications, evaluation criteria, and/or solicitation processes appear to be out of compliance with or missing from the Utah Procurement Code and/or Administrative Rules. The Division will not review solicitation documents for compliance with local government procurement ordinances or other sections of Utah Code or Administrative Rule.
- The Division requires a minimum **5 business day lead-time** depending on the complexity of review and response time by the Procurement Unit.

### ☐ 3.0 Extended Services – Solicitation/Contract Development:

In addition to the 2.0 Basic Services identified above, the extended services include:

- The Division will assist the Procurement Unit with solicitation development, including but not limited to technical research, scope of work, technical evaluation criteria and cost sheet development.
- The Division may assist the Procurement Unit with questions during the evaluation of the bids/proposals.
- The Division may assist in the evaluation process including assisting in drafting award and contract documents including negotiation of exceptions to solicitation terms and conditions in coordination with the Procurement Unit's legal counsel. In the event the Division assists the Procurement Unit with terms and conditions negotiations, the final contract must be reviewed and approved by the Procurement Unit's legal counsel to ensure compliance with ordinances.
- The Division requires a minimum of **5 business day lead-time** depending on the complexity of the solicitation and response time by the Procurement Unit.

**Instructions for Submission of Solicitation Document to the Division:**

- The Procurement Unit must submit the signed agreement to [purchasingsolicitations@utah.gov](mailto:purchasingsolicitations@utah.gov) and include in the subject of the email "**Courtesy Posting Request**". When requesting the 1.0 or 2.0 Service Level, the email must include pre-developed solicitation documents. When requesting a 3.0 Service Level, the Procurement Unit should complete the solicitation questionnaire on the Division's website located at <https://purchasing.utah.gov/forms/> and submit that completed form with the completed agreement. A Division representative will respond to the email to assist the Procurement Unit with solicitation/contract development services.

**After the Solicitation Has Closed:**

- Once the U3P-Bonfire Posting closing date has passed, the posting will be closed out after 2 weeks. If the Procurement Unit does not wish to post award documents in U3P-Bonfire, the Division may post a document directing any inquiries to the point of contact listed in the solicitation documents for award notification.
- The Procurement Unit is required to maintain all records pertaining to the solicitation and contract, regardless of the level of service provided by the Division, pursuant to its open records laws. The Division will not maintain any documents associated with the Procurement Unit's solicitation or contract.
- The Procurement Unit will be responsible to process, defend, and resolve any and all protests associated with the solicitation as the Division has no legal jurisdiction over the Procurement Unit. The Procurement Unit will not be required to accept recommendations from the Division in exchange for solicitation services.

The Division will not charge the Procurement Unit for any of the procurement services offered.

Please note that there is a 1GB limit on a single file upload in U3P-Bonfire.

By signing this Agreement, a Procurement Unit verifies the solicitation and resulting contract documents are in compliance with State Code outside the Procurement Code and the Procurement Unit's local ordinances.

I have read and understand the agreement and elect to utilize the Division's solicitation services as outlined and chosen above.

\_\_\_\_\_  
Authorized Signature

\_\_\_\_\_  
Date

***Please Type or Print***

Signatory's Name	
Signatory's Title	
Public Entity Name	

***Contact Individual for Procurement Unit (if different from above)***

Contact Name	
Contact Phone Number	
Contact Email	

***Contact Individual for Consulting or Engineering Firm (if managing the solicitation on behalf of a Procurement Unit)***

Contact Name	
Contact Phone Number	
Contact Email	