



## WEST VIRGINIA PURCHASING DIVISION

### Direct Award Posting: Agency Request and Public Notice Form

*(Purchases Exceeding Agency's Delegated Spending Threshold)*

#### **Public Notice Instructions:**

**Statutory Authority:** Pursuant to *W. Va. Code* § 5A-3-10c, a state agency may award a contract directly to a vendor without competitive bidding if certain requirements are met, including requesting the direct award in writing to the Purchasing Division and proving through adequate justification that the direct award is in the best interest of the state of West Virginia. If approved by the Purchasing Director, the Purchasing Division must advertise its intent to make a direct award to the vendor community for a period of no less than 10 business days.

**Vendor Interest:** Any vendor who can provide the commodity or service specified in the description below that would like the opportunity to bid must submit their interest and supporting documentation to the buyer identified in the solicitation prior to the deadline published in the advertisement. If the claim is deemed to be valid by the Purchasing Division, the intent to make a direct award will be null and void and a competitive bid prepared.

#### **Department/Agency Request Information:**

Requesting Department/Agency: \_\_\_\_\_

Procurement Officer: \_\_\_\_\_

Date of Request: \_\_\_\_\_

Name of Proposed Vendor: \_\_\_\_\_

Description of Commodity or Service for Which a Direct Award Will be Made *(Explain in complete detail so that anyone viewing this document will understand the need)*: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**1. If requesting software as a direct award, is this software considered software as a service?**

☐ Yes

☐ No

**2. Explain why the direct award is in the best interest of the state. *(Attach supporting documentation, if possible)***



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**3. Basis for Direct Award:** (Please SELECT ONE of the following two options and provide details and/or documentation sufficient to confirm the basis. Any form without a sufficient written justification or supporting documentation will be rejected.)

☐ **Competition is not available from any other source.** (Describe in detail below how the agency attempted to identify other sources)

☐ **No other source would be willing or able to replace the existing source without a detrimental effect on the spending unit.** (Describe in detail the detrimental effect to the agency)

**The following information is required to process the direct award request.** (Failure to address the following will result in denial of the request.)

**A.** The time period by which delivery must be made or performance must occur:

**B.** The price that will be paid for the commodity or service (include vendor quote):

**C.** Any limitations that a competing vendor would need to satisfy:

**Attestation:** By signing and submitting this form, the Procurement Officer attests to his/her support of the Direct Award request and the accuracy of the supporting information provided herein.

\_\_\_\_\_  
Agency Procurement Officer Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
*For Purchasing Division's Use Only:*

\_\_\_\_\_  
Purchasing Director/Designee Signature

\_\_\_\_\_  
Date

☐ Request to Advertise Direct Award Denied

☐ Request to Advertise Direct Award Approved