



## West Virginia Purchasing Division

# DIRECT AWARD POSTING: Justification and Public Notice Form (Delegated Procurements \$5,000.01 to \$50,000)

### Public Notice Instructions

**Statutory Authority:** Pursuant to *West Virginia Code* § 5A-3-10c, a state agency may award a contract directly to a vendor without competitive bidding if certain requirements are met. Those requirements include documenting justification to support the Direct Award, along with providing certain information to the vendor community for a period of no less than 10 business days.

**Agency:** The agency identified below Intends to make a Direct Award to the vendor identified below to provide the commodity or service identified below. The support for the Direct Award, and any additional documentation has been included in this form or as an attachment.

**Vendor Interest:** Any vendor interested and able to provide the commodity or service in question must make their interest known, prior to the deadline published in wvOASIS, by expressing such interest in writing to the procurement officer identified as the appropriate contact in wvOASIS. If interest is expressed and deemed to be valid by the procurement officer, this Direct Award will be converted to a competitive bid.

### Direct Award Information

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

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

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

#### 1. Provide description of commodity or service (Include a copy of any proposed contract documents):

**The description of the commodity or service should be as detailed as possible and should include the purpose of the commodity or scope of services to be completed.**

If providing a long description, put "See Attached" in this field and attach a written explanation.

If requesting software as a sole source, is this software as a service?

Yes

**If the software is a sole source, it should be marked "yes" with an explanation included above documenting the type of service it will be providing.**

#### 2. Justification showing that the direct award is in the best interest of the state:

**This is the most critical part of the Direct Award application. The agency must submit a highly detailed explanation on WHY this is the best interest of the state.**

It is important that an agency avoids generic language and provides a justification beyond "this is what I want." Again, if providing a long description, put "See Attached" in this field and attach a written answer.

3. **Basis for Direct Award:** Please select one of the following and provide details and documentation sufficient to confirm the basis.

**This section shows how the agency has reached the conclusion that a direct award is the proper procurement method.**

**Competition is not available from any other source:** (If this item is selected answer the question below)

A. **The agency attempted to identify other sources by:**

**Explain how you attempted to find other commodities or service providers.**

This can include examples of Google searches or other agency procurement officers you may have contacted who have looked for a similar need.

**No other source would be willing or able to replace the existing source without a detrimental effect on the spending unit** (Please describe the detrimental effect in detail):

**This section generally refers to either the cost of the commodity or service or to the scope of time needed for the commodity/service.**

If discussing the cost, include price comparisons and searches.

If discussing the time burden, explain in detail how this would affect any stakeholders.

4. **Other Information Required for Direct Award Posting:**

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

**When will the contract go into effect and how long will it last?**

Include any renewal information here.

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

**The vendor must provide a price quote that includes a list of commodities or a detailed scope of work on letterhead or other official document showing the vendor's information. This document must have the vendor's signature.**

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

**If a competing vendor could be found, what would they need to match the requested vendor? While this may include reiterating information previously mentioned in the justification section, this section should also include any needed certifications, software experience or other industry requirements.**

This section allows for the possibility of additional vendors to ensure competition and fairness in the procurement process.

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

\_\_\_\_\_  
Date:

\_\_\_\_\_  
*For Procurement Officer Use Only*

Request to Advertise Direct Award Denied

Request to Advertise Direct Award Approved

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

\_\_\_\_\_  
Date: