

## Part 5

5-101 Exemption from Competitive Source Selection Method: Purchases made under the following conditions, and only with the authorization of the Utah County purchasing agent, may be exempt from complying with the competitive source selection methods provided for in Part 3. The purchasing agent may exempt such purchases from all or a portion of the rules or may require other actions to further the economic interest of Utah County. The purchasing agent shall make and retain a written record demonstrating how the following purchases fall within this Part 5:

- (1) Utah State Contracts: Procurement items available under Utah state contracts in accordance with the provisions or requirements of the Utah state contract, deviations from Utah state contractual terms allowed to meet Utah County project-specific requirements,
- (2) Other Governmental Entity Contracts: Procurement items available under another governmental entity, or association of governments, contracts which has gone through a competitive source selection process comparable to Utah County's, deviations from other entity's contractual terms allowed to meet Utah County project-specific requirements,
- (3) Expert Witnesses: Expert witnesses to provide testimony in litigation,
- (4) County's Interest: The purchasing agent may exempt purchases from all or a portion of these Rules and Regulations pertaining to source selection method when to do so is in the best interest of the County, such as when the purchasing agent determines that the potential cost of preparing, soliciting, and evaluating competitive sealed proposals or bids is expected to exceed the benefits normally associated with such solicitations,
- (5) Educational Materials: The purchase, directly from a publisher, of books, media advertisements, subscriptions, magazines, books, trade journals, reference works, periodicals, examinations materials, and similar articles of an educational, or instructional nature. This exemption does not apply to right-to-use software or right-to-use licenses that some providers may describe as a software subscription,
- (6) Elections: Goods, materials, supplies and services utilized by the county clerk for the purpose of performing his/her duties with regards to elections, and
- (7) Care of Inmates: Goods, materials, supplies and services utilized by the county sheriff for the purpose of providing individuals committed to jail with necessary food, clothing, bedding and medical care.

5-102 This section shall not be construed as authorizing the waiver of competitive bidding when such bidding is required by the provisions of any federal or state grant or relevant federal or state statute.