

**REQUEST TO FOREGO A BILATERAL CONTRACT**

(Please return to Purchasing Agent)


In accordance with Utah County Procurement Rule 3-302(3), it is recommended that the County forego requiring a bilateral contract with:


Food for Care of Inmates and Meals on Wheels

for the following reason(s):

The County Jail frequently purchases food that is not covered by a State or County contract. This occurs when the items are not available on any contract, or when the jail has opportunity buys to purchase items at prices more favorable than the prices found on existing State contracts. Since the pricing for these buys is not predictable, a bilateral contract to standardize these purchases would not be feasible. In fact, if compelled to enter into a formal contract for these purchases, the companies would have to revert to standard pricing schedules which would dramatically raise the price for the deeply discounted food we are currently able to purchase. It is recommended that the County forego the requirement for bilateral contracts with these vendors, with the requirement that off-contract purchases document that the pricing beats State contract pricing, or, when not available on any contract, the pricing is demonstrably below current market prices.

**Recommended:**

 Purchasing Agent Date 6/29/18

 Attorney's Office Date 6-20-18

**Approval:**  
 Commissioner Date \_\_\_\_\_

 Commissioner Date 24 June 18

**3-302(3)**

The requirement of contracting with vendors through purchase orders or bilateral contracts listed within this Subpart 3-3 can be altered if recommended by the purchasing agent and the Utah County Attorney's Office and approved by the Utah County Board of Commissioners; such recommendations and approval shall be in writing and maintained by the purchasing agent.