

FAP 111-09-00

COMPETITIVE BIDDING EXCEPTIONS: STANDING DETERMINATION OF NOT PRACTICABLE OR FEASIBLE

The Office of Material and Procurement Services has determined that the following specific items are not practicable or feasible for competitive bidding. Only the specific goods or services listed are exempt from competitive bidding. Except when noted below, an agency shall not exceed its small purchase authority without the prior approval of the Office of Material and Procurement Services.

1. **Fresh meat, fresh dairy, fresh produce, fresh seafood and fresh eggs.** KRS 45A.035(2)(d); 200 KAR 5:309(12)
2. **Transcripts.** Purchase of court reporter services to furnish originals and copies of transcriptions of court proceedings, depositions, hearings and other legal proceedings, or public stenographer for public forums and meetings if minutes or verbatim records are required.
3. **Advertisements, public media, public displays, billboards, signage, and booths.** Dissemination of information and the purchase or rental of promotional related items for official agency use.
4. **Insurance and bonds under \$10,000.** The purchase of insurance and bonds of \$1,000 or more requires prior approval by the Office of Insurance, the Office of Policy and Audit, and the Office of Material and Procurement Services. A Master Agreement or contract shall be created by the agency in the state's procurement system to document the selection and forwarded through the Office of Insurance, the Office of Policy and Audit, and the Office of Material and Procurement Services for electronic approval prior to a purchase of insurance or bonds. (KRS 45A.022 and KRS 42.0245)
5. **Equipment repair service and parts.** If the cost exceeds its small purchase authority, an agency shall submit multiple written quotes for the repair and explain why the repair cost is reasonable. If repairs will be made by agency personnel, repair parts may be obtained up to a replacement total of the agency's small purchase authority. If the repair cost represents a substantial percentage of equipment market value, an agency shall justify incurring repair expense versus the purchase of new or used equipment.
6. **Short-term equipment rental.** Lease of non-proprietary equipment for no more than six (6) months.
7. **Airfare, discount travel tickets.** An agency may purchase discount airfare or travel tickets for authorized employee travel requirements. All provisions of state travel regulations are applicable. (200 KAR 2:006)
8. **Supplies and equipment for laboratory or experimental studies.** Food, clothing, equipment, supplies or other materials to be used in laboratory and experimental studies. An electronic statement setting forth the need in relation to the studies, and justifying the procurement of such supplies or equipment on a sole source basis is required. (200 KAR 5:309(4))
9. **Vehicle motor fuels.** Vehicle motor fuels shall be purchased for use in state-owned vehicles and machinery only by credit cards provided and issued by the vendor awarded the current applicable Master Agreement. The state procurement card may be used for out-of-state motor pool vehicle fuel purchases, in accordance with FAP 111-58-00.
10. **Deaf Interpreters.** Purchase of the services of deaf interpreters for public meetings, training sessions, or as needed to meet the requirements of the Americans with Disabilities Act.
11. **Foreign language interpreters.** Purchase of the services of foreign language interpreters for public meetings, training sessions, or as needed to meet the requirements of the agency to provide service to the public in the execution of official duties of the agency.

Finance and Administration Cabinet Manual of Policies and Procedures

12. **Other goods and services.** An agency may present electronic justification for purchases under this policy to the Office of Material and Procurement Services. Prior approval of the executive director of the Office of Material and Procurement Services shall be obtained if the cost exceeds the agency's small purchase authority.

(KRS 45A.080(1); KRS 45A.095(1); 200 KAR 5:309)