

FAP 111-38-00
REQUISITIONS BY AGENCIES

1. **Submission:** An agency requiring commodities or services in excess of its delegated small purchase authority shall prepare a Requisition (RQS) document in the state's eProcurement system identifying the need for the purchase and submit it to the FAC. A RQS may contain multiple commodities, if the commodities are related. If the commodities are not related, a separate RQS shall be submitted for each class or category of commodities. A RQS that contains insufficient information or that mixes items of different classes shall be modified by the agency.
2. **Lead-Time:** An agency shall submit a RQS in sufficient time to allow OPS to process the request and the vendor to deliver.
3. **Description:** Agencies shall provide clear and concise specifications and standards when preparing a RQS.
 - a. The description shall specify dimensions, types of materials, performance and functions.
 - b. Specifications shall include requirements applicable to the product or service needed, including applicable best value criteria.
 - c. A specification shall identify and include minimum and basic requirements, describe functional features and include variables such as color, grade and size, or provide measurable performance specifications. It shall include any other items such as requests for warranty, labeling, packaging, equipment set-up and an operating manual.
4. **General:** A description shall set forth the essential physical and functional characteristics of the commodity or service required. The following characteristics, as applicable, to express the salient characteristics of the Commonwealth, shall be used in preparing descriptions:
 - a. Common nomenclature;
 - b. Kind of material (i.e., type, grade, alternatives);
 - c. Principles of operation;
 - d. Restrictive conditions;
 - e. Dimensions, size or capacity;
 - f. Intended use, including location within an assembly and essential operational conditions;
 - g. Equipment with which the item is to be used;
 - h. Other pertinent information that further describes the item, material or service required;
 - i. Estimated cost; and
 - j. Measurable criteria for determining best value, which may include:
 1. Inspection;
 2. Testing;
 3. Quality;
 4. Workmanship;
 5. Delivery;
 6. Training;
 7. Total cost of ownership;
 8. Warranty;
 9. Vendor responsibility;
 10. Inventory;
 11. Years in business;
 12. Facilities;
 13. Personnel;
 14. Service;
 15. Life cycle cost;
 16. Suitability for a particular purpose;
 17. Minimum recycled content as required by 200 KAR 5:330; and
 18. Any other relevant criteria.

- 5. Restrictive Descriptions:** Descriptions shall not be written so as to specify a product or a particular feature of a product specific to one manufacturer or vendor, unless it is determined that the particular feature is essential to the Commonwealth's requirements and other vendors lack the essential feature necessary to meet the Commonwealth's need. An agency shall provide documentation to support the determination.
- a. **Brand Name or Approved Equal:** The identification of a requirement by the use of a brand name followed by the words "or approved equal" shall be used only if an adequate specification or more detailed description cannot feasibly be provided. Citing of a brand name in no way indicates a preference, when "or approved equal" is designated.
 - b. **Essential Products:** The words "or approved equal" shall not be added if it has been determined that only a particular product meets the essential requirements of the Commonwealth.
 - c. **Brand Name Products:** The term "brand name product" means a commercial product described by a brand name and make or model number or appropriate description by which such product is offered for sale by the particular manufacturer, producer or distributor. If feasible, all known acceptable brand name products shall be referenced.
 - d. **Use of the "Or Approved Equal":** Brand name or approved equal descriptions shall describe those most important characteristics of the referenced products essential to the needs of the agency. Descriptions shall contain the following information to the extent available, and include other information necessary to describe the item required:
 - 1. Complete common generic identification;
 - 2. The most current applicable model, make or catalog number for each brand name product;
 - 3. Name of the manufacturer, producer or distributor of each brand name product; and
 - 4. An adequate commercial catalog description or extracts there from, to identify the item being required.
- 6. Evaluation and Award - Brand Name or Approved Equal:** Bids offering products that differ from brand name products referenced in a brand name or approved equal description shall be considered for award, if the buyer and the agency determine that the offered products meet the salient criteria and are equal in all material respects to the products referenced in the Solicitation. Bids shall not be rejected because of minor differences in design or features that do not affect the suitability of the products for their intended use.
- 7. Service Descriptions:** Descriptions of services to be procured shall outline to the greatest degree practicable the specified services the vendor is expected to perform. The buyer shall assure that all factors of the service that affect the vendor and his/her cost calculations are fully detailed in the description. Every aspect of the desired service shall be listed in order to insure valid competition between vendors.
- 8. Suggested Sources:** Agencies are encouraged to recommend sources as part of the RQS. The agency shall enter this information on the free form vendor tab of the RQS and include the firm's full name, address, email address, phone number, fax and zip code.
- 9. Delivery:** A reasonable delivery period after receipt of contract that will meet the agency's need shall be stated in the Solicitation. If a delivery period of less than thirty (30) days is essential, the agency shall support the requirement since a contract may be placed on delivery ability and restrict full competition. Date required shall not be stated in such terms as "ASAP" or "RUSH". RQSs with unreasonably short delivery requirements shall require modification by the agency.
- 10. Requisition (RQS) Preparation:**
- a. After determining the requirements for commodities, equipment or services, the agency shall formulate specifications and complete a RQS in the state's eProcurement system. An agency shall place supporting documentation for specifications and standards, best value criteria and descriptions in attachments to the

RQS and shall submit, in electronic format, the basic document with all attachments to OPS for all goods and non-professional services.

- b. An agency shall provide full explanation on the RQS document, if:
 - 1. A specific brand name or model of equipment is required; or
 - 2. Equipment is required to be compatible or interchangeable with existing equipment. See FAP 111-10-00(3).
- c. Agencies shall designate the correct procurement units in relation to the quantities desired. When the RQS requests establishment of a Master Agreement (MA), agencies shall provide an estimated annual usage. If other than market items are desired, care shall be taken to correctly identify those items requiring special fabrication, and the agency shall describe those items in detail. If feasible, drawings shall accompany the RQS for those items that require special fabrication.
- d. RQSs that are inaccurate, unclear, unnecessarily restrictive or discourage maximum competition shall require modification by the agency.
- e. A RQS involving computer-related services or equipment shall receive approval from the FAC's Commonwealth Office of Technology in accordance with FAP 111-15-00 prior to the issuance of a Solicitation.
- f. A RQS involving shredding and bailing equipment shall receive approval from the Energy and Environment Cabinet, Department for Environmental Protection, Division of Waste Management in accordance with FAP 111-18-00(1) prior to purchase.

Relates to: KRS 45A.035; 200 KAR 5:330