

State of Utah Division of Purchasing LIMITED AGREEMENT TO CONDUCT SOLICITATIONS

This is an agreement between the State of Utah Division of Purchasing (Division) and the Procurement Unit with Independent Procurement Authority (Procurement Unit), pursuant to Utah Code 63G-6a-106 (4)(d). The purpose of this Agreement is to identify the type of solicitation services the Division will provide to the Procurement Unit. Below are the services types offered by the Division. *Please choose only one service type below that meets your needs.*

☒ **1.0 Courtesy Posting (Service 1.0 Courtesy Posting is only available for Procurement Units not subject to the Utah Procurement Code):**

- The Division will post the pre-developed solicitation documents on U3P (formerly known as SciQuest/Jaggaer), for and in behalf of the Procurement Unit in an attempt to increase vendor awareness and participation. Documents will not be reviewed for compliance with the Utah Procurement Code/Administrative Rules.
- The Division will instruct participating vendors submit bids/proposals directly to the Procurement Unit for evaluation and selection, unless otherwise requested by the Procurement Unit.
- The Procurement Unit is responsible for all information in the solicitation documents and understands the Division is only posting the documents.
- The Division requires a 2-day lead-time for a U3P (formerly known as SciQuest/Jaggaer) posting.

☐ **2.0 Basic Procurement Services:**

- The Division will conduct a review of pre-developed solicitation documents submitted to the Division.
- The Division will make recommendations to the Procurement Unit if specifications, evaluation criteria, and/or solicitation processes appear to be out of compliance with the Utah Procurement Code 63G/Administrative Rules R33. The Division will not review solicitation documents for compliance with local government procurement ordinances or other sections of Utah Code or Administrative Rule.
- The Procurement Unit is responsible for all information in the solicitation documents and understands the Division is only posting the documents.
- The Division will post the solicitation documents on U3P (formerly known as SciQuest/Jaggaer), for and in behalf of the Procurement Unit in an attempt to increase vendor awareness and participation. The Division will instruct participating vendors to submit bids/proposals directly to the Procurement Unit for evaluation and award, unless otherwise requested by the Procurement Unit.
- The Division requires a minimum 5-day lead-time depending on the complexity of review and response time by the Procurement Unit.

☐ **3.0 Extended Services – Solicitation/Contract Development:**

In addition to the 2.0 Basic Services identified above, the extended services include:

- The Division will assist the Procurement Unit with solicitation development, including but not limited to technical research, scope of work, technical evaluation criteria and cost sheet development.
- Assist the Procurement Unit with questions during the evaluation of the bids/proposals.
- Assist in drafting resulting contract documents – including negotiation of exceptions to solicitation terms and conditions in coordination with the Procurement Unit's legal counsel.
- The Division requires a minimum of 5-day lead-time depending on the complexity of the solicitation and response time by the Procurement Unit.

To request the Courtesy Posting Services, the Procurement Unit must submit the signed agreement to purchasingsolicitations@utah.gov and include in the subject of the email **"Courtesy Posting Request"**. When utilizing the Courtesy Posting and Basic Procurement Services, the email must include pre-developed solicitation documents. When utilizing Extended Services, the Division will respond to the email by assigning a State Contract Analyst or Purchasing Agent to assist the Procurement Unit with solicitation/contract development services.

It will be the Procurement Unit's sole responsibility to review/approve solicitation recommendations and documents resulting from Basic Procurement Services and Extended Services prior to the Division releasing the public posting on U3P (formerly known as SciQuest/Jaggaer). Failure to respond in writing with an approval may delay solicitation posting. Please note the lead times required for these services.

By signing this agreement, a local governmental procurement unit that has adopted its own procurement code/administrative rules, verifies the solicitation and resulting contract documents are in compliance with the procurement unit's local ordinances.

Procurement Unit's will be responsible to evaluate vendor proposals and finalize solicitation awards in accordance with the Utah Procurement Code/Administrative Rule or applicable local government procurement requirements. In the event the Division assists the Procurement Unit with terms and conditions negotiations, the final contract must be reviewed/approved by the Procurement Unit's legal counsel to ensure compliance with local ordinances. The Procurement Unit is required to maintain all records pertaining to the solicitation and contract, regardless of the level of service provided by the Division, pursuant to its open records laws. The Division will not maintain any documents associated with the Procurement Unit's solicitation or contract.

The Procurement Unit will be responsible to process, defend, and resolve any and all protests associated with the solicitation as the Division has no legal jurisdiction over the Procurement Unit. The Procurement Unit will not be required to accept recommendations from the Division in exchange for solicitation services. The Division will not charge the Procurement Unit for any of the procurement services offered.

I have read and understand the agreement and elect to utilize the Division's solicitation services as outlined and chosen above.

DocuSigned by:

Denise Woods

9/8/2023 | 9:49 AM MDT

Authorized Signature

Date

Please Type or Print

Signatory's Name	Denise Woods
Signatory's Title	City Recorder
Public Entity Name	Morgan City

Contact Individual for Entity (if different from above)

Contact Name	Matt Hartvigsen, City Engineer
Contact Phone Number	801-391-5711
Contact Email	matth@jonescivil.com

Note: If the procurement item requested is currently on a State Cooperative "Best Value" Contract, Division will not assist with the procurement if the Procurement Unit does not want to purchase from the State Cooperative "Best Value" Contract.