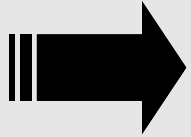


Written Determination Is Required:



If it's not practical to obtain the minimum number of quotes or proposals from Alaskan vendors

EXAMPLE: A procurement estimated to cost \$10,000 requires three quotes. Because only two Alaskan vendors can provide what we're looking for, we'd need to make the written determination before obtaining the out-of-state quote.

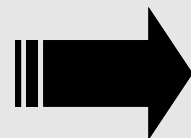
AUTHORITY: Delegation of Purchasing Authority to the Commissioner, Procurement Restrictions Section, [d], 2 AAC12.400(f), and Administrative Manual 81.220.

BONUS INFORMATION: If the minimum number of quotes required from Alaskan vendors has been met, an out-of state quote may be solicited without having to process this determination.

Form: memo to the procurement file.

FAQ: *What about procurements that fall under reasonable and adequate procedures, usually less than \$5,000, does this rule still apply?* Yes, it does apply. For example, if you determine that it's reasonable and adequate to contact just one vendor, the one vendor must in an Alaskan vendor unless you've processed the written determination.

Small Procurements (Under \$50,000)



If you award to an out-of-state vendor and the item or service could have been procured in-state

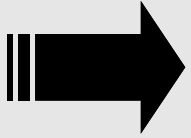
EXAMPLE: A procurement estimated to cost \$10,000 requires three quotes. After applying any preferences, the lowest responsive, responsible bidder is from out-of-state. We'd need to explain the basis of award. In this case, the out-of-state vendor submitted the lowest bid.

AUTHORITY: AS 36.30.362 requires the Procurement Officer to issue a written statement explaining the basis of the award. This requirement may be met by documenting the facts on the bid summary sheet.

BONUS INFORMATION: The AG's Office has advised that if you determine in writing that it's not practical to solicit the minimum number of quotes from Alaskan vendors, you would not have to process this second determination for the award process.

Form: memo to the procurement file or document on the bid summary sheet.

Written Determination Is Required:



To declare a bidder or offeror “nonresponsive”

EXAMPLE: The RFQ requires bidders to provide proof of insurance prior to award, however, when contacted for the proof of insurance, the lowest bidder discloses they don't have insurance and cannot get insurance before the work begins.

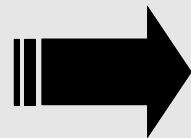
AUTHORITY: AS 36.30.360(a) requires the Procurement Officer to make a written determination of nonresponsibility. 2 AAC 12.500 lists factors to consider when determining responsibility. It's a one-time decision by the Procurement Officer each and every procurement.

BONUS INFORMATION: The basic question in determining whether a bidder or offeror is responsible is: Does the bidder or offeror have the capability to perform the work or the ability to obtain performance prior to award?

Form: memo to the procurement file.

OTHER EXAMPLES OF NONRESPONSIBILITY: 1) Bidder/offeror has failed to perform under a previous contract 2) Bidder/offeror bid the job at a loss and does not have the financial capability to absorb the loss. Both examples would most likely require the procurement officer to obtain additional information from the bidder/offeror as allowed under AS 36.30.360(b) (Information must be kept confidential and may not be disclosed without prior written consent by the bidder/offeror). Remember that a bidder/offeror's failure to perform under a previous contract does not necessarily mean they will be nonresponsive for all future solicitations. Responsibility must be determined each and every procurement.

Small Procurements (Under \$50,000)



To limit the procurement of items to a specific brand name or catalog number

EXAMPLE: An office that has a significant amount of Steelcase furniture inventory wants to purchase \$10,000 worth of new furniture, thus creating a compatibility requirement.

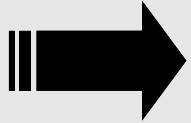
AUTHORITY: AAC 12.100 allows the use of a brand specific specification only when the Procurement Officer determines in writing that only the identified brand name item or items will satisfy the state's needs.

BONUS INFORMATION: This requirement does not apply to:

- Purchases under \$2,500 made using a purchasing card
- Supplies, services, professional services, or construction estimated to cost less than \$5,000.

Form: memo to the procurement file.

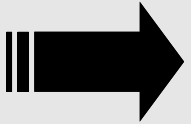
Written Determination Is Required:



To use a point of delivery outside the state of Alaska

Authority: AS 36.30.331

Form: memo to the procurement file

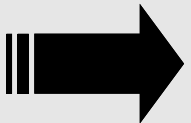


To transfer or assign a contract, or subcontract

Authority: AS 36.30.040 and 2 AAC 12.480 (b)

Form: memo to the procurement file

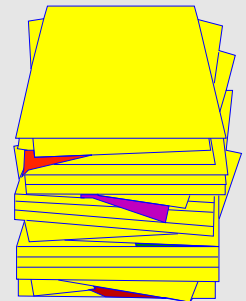
Small Procurements (Under \$50,000)



To procure supplies or services from employment programs or youth education and employment programs

Authority: AS 36.30.311 and 2 AAC 12.050(c)

Form: memo to the procurement file



Disclaimer: This informational sheet is provided for your convenience, it does not address every situation that may require a written determination. Seek assistance if needed.