IVERSITY OF GUELPH
NON-COMPETITIVE PROCUREMENT JUSTIFICATION

This form is required for the non-competitive procurement of:
• goods or non-consulting services of CAD$10,000 or more; or
• consulting services regardless of value.

Requester shall complete this form with appropriate approval and forward to Purchasing Services prior to the commencement of receiving goods or services.

A: Details of the Purchase

Product and Services Being Procured: 3 years of annual maintenance services for ABC equipment

Recommended Supplier: XYZ Inc.

Is this purchase funded by a research grant? ☐ Yes, funding from __________________________ ☒ No

The timeline of the purchase is (select one and fill in the dates):
☐ One time, need to be completed by __________________________
☒ Recurring/ongoing, anticipated to last from: January 2018 to: December 2020

Total Estimated Procurement Value in CAD: $150,000

Does the purchase contain a provision of supplier billing by time (hourly rate)? ☐ Yes ☒ No
Does the purchase contain a provision of supplier expense reimbursement? ☐ Yes ☒ No

Is the Supplier also the Manufacturer? ☒ Yes ☐ No ☐ N/A
Does the Manufacturer sell through Distributors? ☒ Yes ☐ No ☐ N/A
Is there more than one Distributor? ☐ Yes ☒ No ☐ N/A

Is this purchase a renewal of an expiring contract? ☒ Yes ☐ No
Is this purchase a scope expansion of an existing contract? ☐ Yes ☒ No
If the answer to any of the above 2 questions is yes:
Is the existing contract openly tendered? ☒ Yes ☐ No
The PO for the existing contract is # 201511111

For one time purchase, will the purchase likely be repeated in the future? ☐ Yes ☐ No ☐ N/A
For recurring/ongoing contract, will it likely be renewed once this one expires? ☒ Yes ☐ No ☐ N/A
Is this purchase part of larger project being implemented in several phases? ☐ Yes ☒ No ☐ N/A
Will the scope of the project possibly be expanded mid-way or in the future? ☐ Yes ☒ No ☐ N/A
If the answer to any of the above 4 questions is yes:
Are you open to making these future purchases with a different supplier? ☐ Yes ☒ No

B: Non-Competitive Justification

1) From the Non-Competitive Procurement Provisions, provision # 5(e) applies to this purchase.
2) Please copy the description of the applicable provision below.

5. If the goods or services can be supplied only by a particular supplier and no reasonable alternative or substitute goods or services exist for any of the following reasons:

e) to ensure compatibility with existing goods, or to maintain specialized goods that must be maintained by the manufacturer of those goods or its representative;

3) What is the product or service being procured? How does it fit with your organizational objectives?

ABC equipment is used by researchers in the Department of xxx to analyze samples for xxxxx in research projects. The equipment is also used by students in the graduate programs for xxxxxxx.

4) How do you calculate the estimated total procurement value?

The Department of xxx purchased this equipment in 2015 as a result of RF-2014-123 to upgrade the University’s research capabilities. The equipment has been meeting our needs and functioning well since then. It is important to make sure we are maintaining it properly to maximize its life cycle.

5) Why is the recommended supplier the only supplier that can satisfy your requirements? Is there any alternative supplier in this situation? If yes, why is the alternative supplier unacceptable?

The equipment must be maintained and serviced annually by its manufacturer to maintain the manufacturer’s warranty and the extended warranty. Otherwise the warranty will be void.

6) What are the risks and implications if you are required to go through a competitive process in this situation?

XYZ will be the only supplier who can provide quote for our request. No one else will be able to service the equipment as XYZ doesn’t use any 3rd party service providers or distributors.

If we are going through a competitive process, we will receive only one submission.

7) What due diligence have you done to justify this non-competitive procurement?

We have confirmed via email with XYZ that they maintain and service their own equipment and don’t use any 3rd party for maintenance. The email is attached for reference.

C: By signing this form, I confirm that, as the requester of this purchase, (please check all)

☒ I understand the University requires competitive procurement for goods and non-consulting services valued at $10,000 or more and for consulting services regardless of value;
☒ I have done my due diligence in respect to this procurement and am recommending this purchase be made without required competitive process for the reason(s) identified herein;
☒ I have provided all available backup documentation in support of this recommendation to the best of my knowledge; and
☒ I have abided by the University’s Conflict of Interest Policies as it relates to this procurement.

Department: Department of xxx

Requester Signature

First Name Last Name

Month Day Year

FF020.0501 Non-Competitive Procurement Justification

April 2, 2018
D: **Department Approval**

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<th>(Signature)</th>
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<td>Department Head Signature</td>
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For purchases of $100,000 or over:

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