

Exceptions to Competitive Requirements

Demand and Non-Demand Payments. The university may enter into contracts without competition for the following goods and/or services at the specified dollar amount(s). (§37 of the *Governing Rules*)

The purchase of good or services at ANY dollar amount that are produced/performed by or related to:

- Persons, in schools or workshops, under the supervision of the Virginia Department for the Blind and Vision Impaired
- Nonprofit sheltered workshops or other nonprofit organizations that offer transitional or supported employment services serving the handicapped
- Private educational institutions
- Other public educational institutions
- Speakers and performing artists
- Memberships and Association dues
- Sponsored research grant sub-awards and contract sub-awards, not to include the purchase of goods or services by Mason
- Group travel in foreign countries (including residencies)
- Conference facilities and services
- Participation in intercollegiate athletic tournaments and events including team travel and lodging, registration and tournament fees
- Royalties
- The purchase of legal services, provided that the Office of the Attorney General has been consulted, or expert witnesses or other services associated with litigation or regulatory proceedings
- Postage

Normally, competition is either not practicable or available for purchase of the following goods or services at a value not to exceed \$200,000:

- Accreditation fees and academic testing services
- Advertisements/Advertising – all media
- Athletic officials appointed by the NCAA
- Books, printed materials, publications, reprints and subscriptions (e.g., print or electronic)
- Videocassettes and slide presentations when only available from the publisher/producer
- Booth space at conferences, exhibits, fairs and product shows
- Conference fees, course fees, seminars, training sessions, tuition and other registration fees when attended by university employee
- Court reporters
- Currency exchange services
- Facility rental
- Federal mentor-protégé projects
- Film rentals when only available from the producer or protected distributors
- Library books and other items for the library's collection as per applicable Library acquisition procedures
- Lodging services
- Maintenance contracts for high-cost, sophisticated, scientific equipment where there is no known competitor and service must be purchased from the manufacturer of the equipment

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- Maintenance contracts for service of mainframe and super computers for which there is no competitive source available to service the equipment
- Pass through procurements (examples include contracting for alumni functions for which the institution is reimbursed by the alumni and materials purchases for students by a faculty member using state and for which the students fully reimburse the institution).
- Purchases from the federal government, other states and their agencies or institutions, and public bodies as long as the price is judged to be fair and reasonable
- Other purchases, less than \$200,000, when determined in writing by the Purchasing Department.
- Referees, officials and umpires for intercollegiate athletic events
- Specialized software that is not available through ITS (when approved by ASC)
- Software maintenance contracts for software already purchased and in use at the university
- Software site licenses
- Software upgrades
- Student workshops (i.e., SOM-MBA programs, OCPE, etc.)
- Surplus property from the State or Federal government
- Testing or evaluation services
- Translation Services
- Used equipment (including vehicles)
- Utilities – Electricity, Natural Gas, Water, etc. at any dollar level. **Note:** *If purchasing from a governmental source (i.e. Fairfax County) sole source is not required however reference should be made to COV §2.2-4301*
- Writers

Other purchases that are greater than \$100,000 but do not exceed \$200,000, shall utilize informal competition, which includes either obtaining 3 quotes (2 SWaM where practicable) or just 2 SWaMs.

- Catering services
- Consulting services
- Education services, training courses, classes for students
- Facilitators/Mediators
- Photographers/Videographers
- Training sessions/workshops for employees

Purchases not specifically outlined in this guide, must follow the stated procurement procedures outlined in the Purchasing Made Easy Manual. Please contact the Purchasing department for additional questions at purch1@gmu.edu or at ext. 3-2580.