

Sole Source Contract Exemption Edit Key

Effective date: April 3, 2019

Exemptions key:

Current exemption	Redrafted exemptions
1) Qualified Master Contracts and Direct Buy procurements.	1) Purchases from Master Contracts and DES-approved cooperative contracts [amended]
New	2) Exceptions to the competitive solicitation requirement, listed under RCW 39.26.125
2) Qualified contracts with Community Rehabilitation Programs under RCW <u>39.26.230</u> .	3) Qualified contracts with Community Rehabilitation Programs under RCW <u>39.26.230</u> .
3) Original equipment manufacturer (OEM) maintenance service contracts and parts purchases when procured directly from the OEM.	4) Original equipment manufacturer (OEM) maintenance service contracts and parts purchases when procured directly from the OEM, or from the sole OEM designated reseller. This exemption does not apply if there is more than one OEM designated reseller. [amended]
4) Software maintenance and support services when procured from the proprietary owner of the software. The procurement of software maintenance and support from third party vendors is not exempt from this policy.	5) Software maintenance and support services when procured from the proprietary owner of the software (Owner), or from the sole Owner-designated maintenance and support service provider. This exemption does not apply if there is more than one Owner-designated maintenance and support service provider. [amended]
New	6) Additional software licenses for solutions that were acquired either through competition or as a sole source, provided the additional licenses are identical to the licenses that were included in the original purchase.
5) Contracts where the vendor is specifically required by a grant or legislation.	7) Contracts where the vendor is specifically required by a grant or legislation.
6) Expert witness contracts with the Attorney General's Office, or agencies with administrative adjudicative authority.	Deleted Included in the Exceptions listed under RCW 39.26.125 as noted in Redrafted exemptions #2.
7) Contracts for medical, surgical and dental decisions made by medical professionals.	8) Contracts for medical, surgical and dental decisions made by medical professionals.
8) Contracts related to educational curriculum.	Deleted
9) Contracts with Correctional Industries established under RCW <u>39.26.251</u> .	9) Contracts with Correctional Industries established under RCW <u>39.26.251</u> .
10) Contracts related to collaborative research.	10) Contracts related to collaborative research
11) Interagency and interlocal agreements.	Deleted Included in the Exceptions listed under RCW

Current exemption	Redrafted exemptions
	39.26.125 as noted in Redrafted exemptions #2.
12) Contracts for services related to banking supervision.	Deleted Included in the Exceptions listed under RCW 39.26.125 as noted in Redrafted exemptions #2.
13) Postal and postal service when not using consolidated mail.	11) Postal and postal service when not using consolidated mail.
14) Utilities such as garbage, heat, sewer, cable television, power, water, fire protection and recycle services.	12) Utilities such as garbage, heat, sewer, cable television, power, water, fire protection and recycle services.
15) Contracts and procurements related to professional development such as conferences, seminars, professional licenses and memberships, professional organizations, and professional publications.	13) Professional development obtained from a third party, such as conferences, seminars, professional licenses and professional organization memberships, and professional publications. [amended]
16) Replacement or repair of rental equipment when required by the rental agreement.	14) Replacement or repair of rental equipment when required by the rental agreement.
17) Contracts with instate nonprofit agencies for the blind under RCW <u>19.06.020</u> .	15) Contracts with instate nonprofit agencies for the blind under RCW <u>19.06.020</u> .
18) Contracts awarded by institutions of higher education from non-state funds.	16) Contracts awarded by institutions of higher education from non-state funds.
19) Mass media services (e.g. newspapers, journals, television, radio, or billboards) only when no comparable competition exists for reaching the target audience with the intended media type.	17) Mass media services (e.g. newspapers, journals, television, radio, billboards, or social media) only when no comparable competition exists for reaching the target audience with the intended media type. [amended]
20) Used goods to include equipment, vehicles and furniture only when no comparable competition exists.	18) Used goods to include equipment, vehicles and furniture only when the same or similar articles are not available from more than one sources. [amended]
New	19) Educational and Certification Testing services when the entity providing the services is the only recognized authority.
New	20) Accreditation services when the entity providing the accreditation is the only recognized authority.