

Procurement: Approved Vendor List Process

Definitions—

- A “vendor” is a person who seeks to enter into a contract with the District to provide a procurement item and includes a bidder, an offeror, an approved vendor, and a design professional.
- An “approved vendor” is a vendor who has been approved through the process set forth in this Policy.
- An “approved vendor list” is a list of approved vendors established through the process set forth in this Policy.
- A “closed-ended approved vendor list” is an approved vendor list which has a short period of time, specified by the District, during which vendors may be added to the list and a specified time when the list will expire.
- An “open-ended approved vendor list” is an approved vendor list with an indeterminate period of time during which vendors may be added to the list, the addition of vendors throughout the effective term of the list, and a specified time after which a vendor on the list must submit qualifications in order to be renewed as an approved vendor on the list.

[Utah Code § 63G-6a-103\(4\), \(5\), \(97\) \(2016\)](#)

[Utah Code § 63G-6a-507\(1\) \(2016\)](#)

Purposes of an Approved Vendor List—

The District may use an approved vendor list established under this policy in conjunction with bidding, request for proposals, the small purchase process, or the design professional procurement process. Using the list and one of these processes, the District may award a contract to an approved vendor for any procurement item or type of procurement item specified in the request for statement of qualifications used to establish the list. The District may also use an approved vendor list to limit participation in any of these procurement processes to approved vendors. In addition, the District may award a contract to an approved vendor at a price based on established terms as provided for in Policy CBA.

[Utah Code § 63G-6a-507\(6\) \(2016\)](#)

The District may establish an approved vendor list either for (1) a specific, fully defined procurement item or (2) a future procurement item that is not fully and specifically defined, if the related request for statement of qualifications generally

describes the procurement item and the type of vendor that the District seeks to provide the item. The District may not award a contract to an approved vendor for an item that is outside the scope of the general description of the procurement item in the related request for statement of qualifications. A vendor who is **not** an approved vendor is ineligible for a contract for a procurement item under the procurement identified in the related request for statement of qualifications.

[Utah Code § 63G-6a-507\(3\) \(2016\)](#)

[Utah Code § 63G-6a-410\(5\)\(d\) \(2016\)](#)

Approved Vendor List Thresholds—

An approved vendor list may not be used for professional and general services contracts (including architectural and engineering services) which exceed \$100,000 per contract. An approved vendor list may not be used for information technology contracts exceeding \$500,000 per contract. An approved vendor list may not be used for construction projects which exceed \$2,500,000 per contract for direct construction costs, including design and allowable furniture or equipment costs, which are awarded using an invitation for bids or a request for proposals.

[Utah Admin. Rules R33-4-102 \(August 21, 2015\)](#)

General Requirements for Approved Vendor List—

In order to establish an approved vendor list, the District must first complete the statement of qualifications process under Policy CBDA. If that process results in only one vendor qualifying, an approved vendor list cannot be established under that request for statement of qualifications.

[Utah Code § 63G-6a-507\(2\) \(2016\)](#)

[Utah Code § 63G-6a-410\(1\)\(b\), \(5\), \(12\) \(2016\)](#)

After an approved vendor list has been established, the list must be published by the District before it can be used.

[Utah Code § 63G-6a-507\(7\) \(2016\)](#)

Establishing and Maintaining an Approved Vendor List—

After receiving the statements of qualifications and evaluation scores submitted by the evaluation committee under Policy CBDA, the Board of Education or its designee shall include on an approved vendor list those vendors meeting the minimum mandatory requirements, evaluation criteria, and applicable score thresholds. Any vendor who does not meet those requirements, criteria, or thresholds shall be rejected as ineligible and not included on the approved vendor list.

[Utah Code § 63G-6a-507\(4\) \(2016\)](#)

Each approved vendor list established and maintained by the District shall be either a closed-ended list or open-ended list, according to the specifications and notice given in the associated request for statement of qualifications.

[Utah Code § 63G-6a-507\(5\)\(a\) \(2016\)](#)

[Utah Code § 63G-6a-410\(5\)\(f\)\(i\) \(2016\)](#)

If the District uses a performance rating system for evaluating the performance of vendors on the approved vendor list, then vendors shall be disqualified and removed from the list according to the standards and procedures identified in the associated request for statement of qualifications.

[Utah Code § 63G-6a-410\(5\)\(e\) \(2016\)](#)

Closed-ended approved vendor list

A closed-ended approved vendor list shall expire at the time specified by the District in the related request for statement of qualifications but no later than 18 months after the District publishes the list.

[Utah Code § 63G-6a-410\(5\)\(f\)\(ii\)\(A\) \(2016\)](#)

[Utah Code § 63G-6a-507\(b\)\(i\) \(2016\)](#)

Open-ended approved vendor list

Once an open-ended approved vendor list is established and a vendor is added to that list, in order to remain on the list a vendor must submit an updated statement of qualifications no later than 18 months after the vendor was added to the list. If the vendor fails to timely submit the updated statement of qualifications or if the updated statement of qualifications demonstrates that the vendor no longer meets the minimum mandatory requirements, evaluation criteria, or applicable score thresholds of the request for statement of qualifications, the vendor shall be removed from the list.

[Utah Code § 63G-6a-507\(5\)\(b\)\(ii\) \(2016\)](#)

After an open-ended approved vendor list is initially established, other vendors who wish to be added to that list must submit statements of qualifications according to the schedule stated in the request for statement of qualifications. Such statements will be evaluated as provided for in Policy CBDA and vendors meeting the minimum mandatory requirements, evaluation criteria, and applicable score thresholds of the original request (and whose statement is not rejected according to Policy CBDA) will be added to the list.

[Utah Code § 63G-6a-410\(5\)\(f\)\(ii\)\(B\) \(2016\)](#)

[Utah Code § 63G-6a-507\(8\)\(a\) \(2016\)](#)

The District shall keep the request for statement of qualifications which is associated with an open-ended approved vendor list posted and available on its website throughout the time period that the list is effective.

[Utah Code § 63G-6a-112\(6\) \(2016\)](#)

[Utah Code § 63G-6a-507\(8\)\(c\) \(2016\)](#)

Procedures for Fair Use of Approved Vendor Lists—

Subject to any regulations which may be established by the Utah Procurement Policy Board, the District shall establish and implement procedures to ensure that all vendors on an approved vendor list have a fair and equitable opportunity to compete for a contract for a procurement item. Depending on the type of procurement item, such procedures might include a rotation system, organized alphabetically, numerically, or randomly, or other appropriate procedure.

[Utah Code § 63G-6a-507\(9\)\(a\) \(2016\)](#)