

Competition Requirements and Guidelines

<p>Guidelines for Goods, Services, Printing, Information Technology (IT).</p> <p>Must also follow any agency or institution internal procurement and IT procedures.</p>	<p>STATE: Guidelines, Rules and Laws. Questions: State Procurement 701-328-2740 or infospo@nd.gov. Information Technology: NDIT must review/approve all IT procurements. Initiative Intake required when IT business need is identified. See Guidelines to IT Procurement, Third Party Risk Management (TPRM), IT Review, NDIT Services, Support, Equipment, Software. State Contracts indicate if IT approval is required. Printing: Award to resident ND bidders when practicable (N.D.C.C. § 46-02-15). Agencies may use OMB State Print and Mail and State Contracts regardless of dollar value. Agencies delegated authority for Level 1 Printing. Over \$10,000 submit Purchasing Work Request. Guidelines to Print Procurement.</p> <p>NDUS: See SBHE Policies, NDUS Procedures. Questions: CTS Procurement Request. Information Technology: NDUS Procedures, Core Technology Services (CTS); Printing: Award to resident ND bidders when practicable (N.D.C.C. § 46-02-15). See Campus procedures.</p>
<p>Government Sources of Supply</p>	<p>Purchase directly from government sources of supply regardless of dollar amount:</p> <ul style="list-style-type: none"> • State Contracts and State Sources of Supply
<p>Level 1 Micro Purchases Less than \$10,000</p>	<p>Obtain at least one fair and reasonable quote (N.D.C.C. § 54-44.4-11). No Alternate Procurement required. Rotate vendors solicited on an equitable basis. (N.D.A.C. § 4-12-08-02)</p> <ul style="list-style-type: none"> • Use State Purchasing Card when possible. OMB Fiscal Policy 300. • If competition obtained, document solicitation method used, vendors solicited, any amendments, responses received, evaluation, and basis for award.
<p>Level 2 Small Purchases At least \$10,000 but less than \$100,000</p>	<p>Solicit informal, unsealed bids/quotes (RFB/RFQ), an informal Request for Proposal (RFP), or internet quotes from at least three vendors. Document solicitation method used, vendors solicited, any amendments, responses received, evaluation, basis for award. Alternate Procurement is required if fewer than three vendors are solicited. Procurement Automation system, NDBuys, may be used for documentation of Level 2 Small Purchases.</p>
<p>Level 3 Formal Purchases \$100,000 and over</p>	<p>Solicit a formal, sealed Invitation for Bid (IFB) or Request for Proposal (RFP) using the procurement information website. ALL vendors listed under the selected Commodity Code, Sub-Class(es) must be added to the Bidders List and additional vendors may be added. Document solicitation method used, vendors solicited, amendments, responses received, evaluation, and basis for award.</p> <ul style="list-style-type: none"> • Prohibition of Israel Boycott, if applicable. See Contract Template and N.D.C.C. § 54-44.4-15. • Alternate Procurement required if soliciting less than required level of competition.
<p>Major Information Technology Projects</p>	<p>STATE: Thru July 31, 2025: Major IT Projects \$500,000. (N.D.C.C. § 54-59-32). Effective August 1, 2025, the definition of Major IT changes to \$5 million and other criteria established in N.D.C.C. § 54-35-15.2. OMB State Procurement will procure unless agency receives special delegation (SFN 2566). NDUS: Major IT Projects \$500,000. (N.D.C.C. § 54-35-15.2 (11)) and NDUS Procedures 1201.1)</p>
<p>Alternate Procurements \$10,000 & over Noncompetitive and Limited Competitive</p>	<p>Alternate Procurement (AP) request procedures must be used when a state agency or institution plans to obtain less competition than required by the purchasing thresholds. AP requests must provide justification and supporting facts. OMB State Procurement may require a Notice of Intent to Make a Limited or Noncompetitive Purchase to be posted on the procurement information website to determine if AP is appropriate. See Template. (N.D.C.C. § 54-44.4-05, N.D.A.C. § 4-12-09) STATE: Submit Purchasing Work Request to State Procurement and follow IT Procurement Procedures. NDUS: See Campus internal procedures. NDUS APR Template</p>
<p>Fixed Assets Equipment/software \$10,000 or more must be reported as Fixed Assets. STATE: See OMB Fiscal Policy 205. NDUS: See NDUS Accounting Manual</p>	
<p>Secretary of State Registration: Contractors with a Secretary of State registration requirement must be registered before the contract execution and duration of contract period (N.D.C.C. § 54-44.4-09.1).</p>	