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### Non-Competitive Purchases

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**Scope:** All Campuses served by LSU Office of Purchasing.

**Effective:** **August 27, 2010**  
This FASOP supersedes and replaces Memo PUR 09-03, dated November 1, 2008.

**Purpose:** To provide a list of commodities which may be procured without the need for competitive bidding.

#### Program Summary:

In an effort to simplify procurement processes, the Office of Purchasing reviewed all aspects of Louisiana law to identify items that can be purchased non-competitively. The recent issuance of the Executive Order BJ 2010-16 governing small purchase procedures increases the non-competitive threshold from **\$1,000 to \$5,000**. This operating procedure is to provide a list of the commodities where the law, rule, policy or procedure does not require that it be purchased through a competitive manner thereby allowing the purchase as a direct charge or via the LaCarte Procurement Card Program ("LaCarte"). This list does **not** apply to taggable property (equipment) in the 7000 object code range (tangible non-consumable movable property with a unit cost of \$1,000 or more and a useful life of one year or more with the exception of animals and livestock), nor does it apply to personal, professional, and consulting services where a contract is required or where there is a need to agree to ownership of deliverables or where evidence of insurance is required.

#### Procedures:

Please be advised that all such non-competitive procurements require the approval of the Dean, Director, or Department Head (or equivalent) or his/her formally delegated agent, and are subject to audit by the Office of Purchasing and/or Internal and Legislative Auditor. The use of LaCarte is governed by the Office of Accounting Services and subject to the policies and procedures of the LaCarte Program User Guide. Findings of non-compliance may result in the reduction or revocation of delegated purchasing authority; as well as participation in, and benefit from, the Direct Charge/LaCarte processes.

**If a Vendor requires signature on an agreement, contract, or any other form, the document must be submitted to the Office of Purchasing for review and execution prior to making the purchase. Upon approval, it must be attached to the LaCarte entry (BF) or included as documentation with the Direct Charge request.**

#### Non-Competitive Purchases:

- 1) Accreditation by Professional Societies  
Procurement Authority: BJ 2010-16, 5.A (11).
- 2) Advertising Services – All advertising expenditures and purchases, regardless of cost, require **prior** written approval from the Office of Purchasing and either the Office of Communications and University Relations or Human Resource Management. If the Vendor requires signature on an agreement, contract or any other form, the contract must be submitted to the Office of Purchasing for review and execution prior to purchase. Upon signature, the agreement/contract or other form

will be returned to the Department, and the Department should attach it to the invoice or LaCarte entry for payment.

Procurement Authority: R S. 43:111 and BJ 2010-16, 5.A (25).

- 3) Art Exhibition Rentals and/or Loan Agreements – Includes any associated costs of curatorial fees, transportation and installation. If the Vendor requires signature on an agreement, contract or any other form, the contract must be submitted to the Office of Purchasing for review and execution prior to purchase. Upon signature, the agreement/contract or other form will be returned to the Department, and the Department may make payment as a Direct Charge or via LaCarte.  
Procurement Authority: BJ 2010-16, 5.A (32).
- 4) Author ‘Award’ Payments – Nominal cash ‘award’ payments by LSU Press or “The Southern Review” to contributing authors for the right to publish their works.  
Procurement Authority: RS 39:1597/Sole Source.
- 5) Books &/or Copyrighted Materials DIRECT from the Publisher or Copyright Holder – Documentation confirming that the Vendor is the publisher or copyright holder must be attached to the invoice or LaCarte entry submitted for payment (this documentation can be in the form of a copy of the page of the book that depicts the publisher or copyright holder, a print out of a web page that depicts the publisher or copyright holder, etc). NOTE: This does not include purchases from retail bookstores.  
Procurement Authority: BJ 2010-16, 5.A (7) or (8).
- 6) Booth Rental & Exhibitor Fees at Externally Hosted Events, Conferences, Seminars, etc – If the Vendor requires signature on an agreement, contract or any other form, the contract must be submitted to the Office of Purchasing for review and execution prior to purchase. Upon signature, the agreement, contract, or other form will be returned to the Department, and the Department may make payment as a Direct Charge or via LaCarte.  
Procurement Authority: BJ 2010-16, 5.A (13).
- 7) Bus Charters – Noncompetitive if it is purchased through the state-contracted travel agency and payment is processed as a Direct Charge. If the state contract is not used, a requisition must be released to the Office of Purchasing and normal procurement procedures must be followed.  
Procurement Authority: PM-13, University Travel Regulations.
- 8) Cell Phones – All cell phone service and cell phone equipment purchases for any amount must be coordinated through University Networking & Infrastructure (UNI). Cell phone accessories may be purchased by end users, but only for LSU issued cell phones (not for personal cell phones).
- 9) Equipment Repairs and Repair Parts from an Authorized Dealer or Original Equipment Manufacturer (OEM) – Documentation from the OEM, stating that the Vendor is an authorized dealer of the OEM, must be attached to the invoice or LaCarte entry submitted for payment. The documentation can be in the form of a current email, letter, or print out from OEM’s website, etc. Additionally, the OEM can complete the PUR 525 - Authorized Dealer Certification form available on Purchasing’s website at <http://www.fas.lsu.edu/purchasing/forms.htm>.  
Procurement Authority: BJ 2010-16, 5.A (1) or (2) or (3) or (4).

- 10) Equipment Moves from an Authorized Dealer or Original Equipment Manufacturer (OEM) – Equipment moves must be by the original equipment manufacturer or authorized dealer to ensure equipment operation to original manufacturer specifications, calibration, warranty, etc. not to exceed twenty-five thousand dollars (\$25,000) per transaction. Documentation from the OEM, stating that the Vendor is an authorized dealer of the OEM, must be attached to the invoice or LaCarte entry submitted for payment. The documentation can be in the form of a current email, letter, or print out from OEM's website, etc. Additionally, the OEM can complete the PUR 525- Authorized Dealer Certification form available on Purchasing's website at <http://www.fas.lsu.edu/purchasing/forms.htm>.  
Procurement Authority: BJ 2010-16, 5.A (30)
- 11) Internet Service – Commercial Internet Services required off-campus up to a limit of \$1,500 per subscription per year.  
Procurement Authority BJ 2010-16, 5.A (24).
- 12) Livestock Sperm and Ova  
Procurement Authority: BJ 2010-16, 5.A (28).
- 13) Livestock – Purchased at public auction up to a limit of \$1,000 per purchase.  
Procurement Authority: BJ 2010-16, 5.A (5).
- 14) Mailing List Rentals or Purchases  
Procurement Authority: BJ 2010-16, 5.A (31).
- 15) Memberships – Both individual and institutional memberships are allowable if it can be demonstrated that the membership assists the department, faculty, or staff in efficiently executing the functions and responsibilities of the employees' job duties and is related to the departmental mission. NOTE: only one institutional membership in the name of the University or in the name of a University department will be permitted.  
Procurement Authority: BJ 2010-16, 5.A (11).
- 16) Parcel/Courier Services – Departments are to process courier service needs through LSU Easy Ship via [www.easyship.lsu.edu](http://www.easyship.lsu.edu) to achieve the savings afforded by the reduced rates and in accordance with FASOP US-01.  
Procurement Authority: BJ 2010-16, 5.A (18).
- 17) Postage Meter Replenishment – Limited to those Departments with University approval to meter its outbound mail.  
Procurement Authority: BJ 2010-16, 5.A (6).
- 18) Prosthetic Devices, Implantable Devices, and Devices for Physical Restoration, Not Covered by a Competitive State Contract  
Procurement Authority: BJ 2010-16, 5.A (10).
- 19) Publication Fees – Vendor's price or fee to publish a University-authored article (such as dissertations, case studies, research findings, etc.) in its professional/technical journal or publication.  
Procurement Authority: BJ 2010-16, 5.A (27).

- 20) Purchases from State Budget Units and Other Governmental Agencies – “State budget units” include any and all State of Louisiana executive branch departments, divisions, offices, etc and Louisiana public universities and community technical colleges. “Other governmental agencies” include federal, parish, or local governmental entities, and other state-owned universities.  
Procurement Authority: BJ 2010-16, 5.A (6).
- 21) Refunds – Payments to the general public (non-employees) for courses not taken, canceled events, overpayments, etc.
- 22) Registration Fees for Conferences/Seminars or Educational Training for Employees – For the purpose of enhancing employee performance and/or departmental missions, programs, goals, etc.
- a. Conference Registration Fees can be paid by a Direct Charge or via LaCarte up to \$5,000. The departmental CBA is another payment option for conference registration fees. Contact Accounts Payable & Travel for additional information.
  - b. Note: Does not include training programs/courses that are custom-designed by a Vendor to meet specific or unique University/Department use and criteria. Customized training is considered ‘consulting services’ and requires a contract subject to the provisions of RS 39:1481.
- Procurement Authority: BJ 2010-16, 5.A (11).
- 23) Reprint Purchases – Reprint refers only to the procurement of additional copies of a specific, published article from the original vendor or its authorized agent.  
Procurement Authority: BJ 2010-16, 5.A (27).
- 24) Royalty Payments on Books – Payments to authors or their designees for books published by LSU Press or other University departments.  
Procurement Authority: RS 39:1597/Sole Source.
- 25) Royalty Payments and License Fees for Use Rights to Intellectual Property – Including, but not limited to, payments to inventors for patents owned by the University; fees paid for the use of copyrighted music or musical/dramatic productions; fees for the rights to use and/or reproduce copyrighted written or audio/visual materials. Also includes fees for trademarks, service marks, trade secrets, industrial designs, domain names, etc.  
Procurement Authority: BJ 2010-16, 5.A (29).
- 26) Scientific and Laboratory Supplies – Can be purchased up to the LaCarte limit not to exceed \$25,000 per purchase. Purchase must meet all of the following criteria: 1) Must be verifiable scientific or laboratory supplies; 2) Must be purchased from a scientific or laboratory provider and 3) Must be paid from an account designated as “Research” [i.e., a one (1) in the seventh digit]. **Services and equipment** are not included and must be requisitioned subject to State and University purchasing rules, regulations and policies.  
Procurement Authority: BJ 2010-16, 5.A (26).
- 27) Shipping Charges and Associated Overseas Screening and Broker Fees for International Shipments – Includes charges from a domestic origin to an international location and from an international origin to a domestic location.  
Procurement Authority: BJ 2010-16, 5.A (17).

- 28) Software and Software Maintenance – Can be paid via Direct Charge or LaCarte for products costing up to \$5,000. If the Vendor requires signature on an agreement, contract or any other form, the agreement must be submitted to the Office of Purchasing for review and execution prior to making the purchase.  
Procurement Authority: RS 39:199.C and D.
- 29) Speakers – Services cannot be provided by LSU employees and fees cannot exceed \$2,000 inclusive of any travel reimbursements when paid via LaCarte. If the Vendor requires signature on an agreement, contract or any other form, the agreement must be submitted to the Office of Purchasing for review and execution prior to making the purchase.  
Procurement Authority: R.S. 39:1482
- 30) Student Travel Stipends – Stipend payments by Departments to students or non-employees to encourage their participation and attendance at conferences, etc, for the purpose of defraying the attendee's associated travel expenses. Contact Accounts Payable & Travel for additional information.
- 31) Subscriptions – To publications, journals, directories, periodicals, etc by libraries. If the Vendor requires signature on an agreement, contract or any other form, the agreement must be submitted to the Office of Purchasing for review and execution prior to making the purchase.  
Procurement Authority: BJ 2010-16, 5.A (8).
- 32) Substitute Teacher Reimbursements - Reimbursement to public/private schools (and/or their governing boards/systems) for the cost of a substitute teacher, when the absence of the school's employed teacher is for the purpose of attending or participating in a conference, etc, at the specific request of the University or a Department. Reimbursements should not be made directly to individual employees or to the University Lab School.  
Procurement Authority: BJ 2010-16, 5.A (6).
- 33) Telecommunications – All requests for telecommunications cabling requires the submittal of a University Networking & Infrastructure (UNI) work order. These charges are billed as Internal Transactions (IT).  
Procurement Authority: PS-84
- 34) Training/Mentoring Services – Services cannot be provided by LSU employees and fees cannot exceed \$2,000 inclusive of any travel reimbursements when paid via LaCarte. If the Vendor requires signature on an agreement or contract or any other form, the agreement must be submitted to the Office of Purchasing for review and execution prior to making the purchase.  
Procurement Authority: R.S. 39:1482
- 35) Transcription Services – Services cannot be provided by LSU employees and fees cannot exceed \$2,000 inclusive of any travel reimbursements when paid via LaCarte. If the Vendor requires signature on an agreement, contract or any other form, the agreement must be submitted to the Office of Purchasing for review and execution prior to making the purchase.  
Procurement Authority: R.S. 39:1482
- 36) Utilities – Public utilities and services procured from the area's sole provider as duly authorized and singularly licensed (by the Louisiana Public Service Commission (LPSC) or other applicable parish or local governmental entity) to operate and provide services in a given area. Currently,

single provider licensures in EBR Parish exist for electricity, water and sewage service providers.  
Payments should be processed as a Direct Charge or via LaCarte.  
Procurement Authority: BJ 2010-16, 5.A (9) or (14).