
CHAPTER 8

Non-competitive Proposals



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Introduction

- Includes sole-source or single-source procurements
- Occur when PHA solicits proposals but only receives one, which means that competition was inadequate
- Authority: 2 CFR §200.320(f)



When Is It Used?

- Non-competitive procurements typically occur when:
 - Item or service is available from a single or sole source
 - Public exigency or emergency does not permit delay caused by competition
 - HUD expressly authorizes non-competitive proposals
 - Competition is determined to be inadequate after solicitation from a number of sources



Process

- Similar process as competitive proposals, in that:
 - PHA must evaluate
 - Total cost and scope may be negotiated
 - Offeror must be responsible
 - Cost analysis required and price must be reasonable
- HUD approval is required to submit sole-source contracts greater than \$250,000 to HUD prior to award
 - Unless PHA is exempted because HUD accepted PHA's self-certification



Justification Documentation

- Justification must be clearly documented and indicate necessity and circumstances of the procurement
 - Requirement description
 - History of prior procurements and whether they were competitive or non-competitive
 - Specific exception applied from 2 CFR §200.320(f)(1)
 - Unique circumstances requiring the noncompetitive purchase
 - Efforts to find other sources
 - What PHA will do in the future to encourage more competition
 - Signature of CO and any higher PHA official as required by PHA policy

