

SMALL BUSINESS FIRST WAIVER

For non-Federally funded purchases \geq \$10,000 and \leq \$250,000

Small Business First Policy: [UC Policy BUS-43](#) requires that all **non-construction** and **non-federally funded** purchases between \geq \$10,000 and \leq \$250,000 annually (excluding tax but including shipping) that cannot be procured via an existing strategically sourced agreement, must be awarded to a certified Small Business (SB) or Disabled Veteran Business Enterprise (DVBE), wherever practicable.

Before using this Waiver: Please review the [Small Business First webpage](#) for the [Small Business First Process Map](#) and additional training resources. Where possible, purchases should be made through existing [contracted suppliers and strategically sourced agreements](#) which are not required to go through the Small Business First (SB1st) program. If a contracted supplier is not utilized, the purchasing department should first try to [use these SB/DVBE search platforms](#) to identify a SB/DVBE in the desired commodity or our [list of certified preferred vendors](#). UCI accepts the following [certifications](#). Please submit a [ServiceNow ticket](#) and set the Request Type to “Supplier Diversity – Small Business First” and the Request Area to “Help Finding a Certified Small or Disabled Vet Business” for help finding a SB/DVBE. For additional information on how to fill out this form, please refer to UCI’s [SB1st instructions](#) found on the Procurement Services website.

Waiver Exemptions: These purchases and/or agreement types are **EXEMPT** from the Small Business First policy and **DO NOT** require a waiver. **Review below before filling out a waiver request:**

- **Sole Source/Unique Professional Services/Emergency purchases:**
 - **Sole Source:** Either 'one-of-a-kind' – specific features essential for task or project completion; available from only one source in the world. Or 'match existing' – specific proprietary item(s) compatible with existing equipment/systems and change of brand/manufacture would compromise continuity and integrity of project.
 - **Unique Professional/Personal Services:** **Specific** unique qualifications selected supplier will provide.
 - **Emergency:** Failure to act immediately may result in significant bodily harm, loss or damage of property, violation of law, or cause significant liability to University or University community.
- **Purchases through existing [strategically sourced agreements](#):** An existing agreement competitively bid via RFP at systemwide or campus level; these include existing agreements for hotel and event spaces, catering, entertainment and travel partnerships, etc.
- **Federally funded purchases:** These fall under [Federal requirements](#).
- **Design & Construction:** All contracts, bids and purchases governed by [UC Facilities Manual](#) for compliance are exempt. However, Design & Construction-related purchases governed by procurement compliance must adhere to the SB1st program (Ex: facility maintenance, equipment purchase, etc.).
- **Interagency Agreements:** Agreements with government agencies (Ex: CalFire, Transit Authorities, Utilities, Waste & Recycling agencies, etc.) take precedence.
- **Federal/local Government Agreements:** Agreements with cities, counties, Federal governments fall under existing guidelines for those government agencies.
- **Research Sub-awards:** These are governed by existing underlying agreements.
- **Higher education institution agreements:** Agreements between UC and other higher education institutions to provide specialized services needed by other institutions (Ex: biological testing, data analysis, technical advisors, specialized research services, etc.).
- **Concessions:** Agreements giving suppliers rights/licenses to operate in university locations (usually contracts with food/drink/apparel vendors).
- **Revenue/reimbursement contracts:** Revenue generation agreements – not usually considered a typical procurement contract (Ex: Service Core services; fabrication, design, developing tools for research; stores/cafes/brands revenue sharing; Pepsi Bottling, Peet’s Coffee, etc.).
- **Medical and patient care contracts:** Typically, medication/prescriptions, medical devices, etc.

Waiver Requirements. This entire Waiver must be completed by the responsible requesting party prior to submission for approval. (Refer to [Small Business First \(SB1st\) Waiver Completion Instructions](#) for detailed help.) The SB1st Waiver must be attached to the UCIBuy+ Purchasing Request Form or PALCard Exception Form **BEFORE** making a purchase or contracting with a company that is not a Small Business (SB) / Disabled Veteran Business Enterprise (DVBE). (NOTE: non-Federally funded awards valued over \$100,000 must also be reported and attached along with the waiver using the [Source Selection & Price Reasonableness \(SSPR\) form](#).)

- A. **Dollar Amount:** \$ _____ **Supplier:** _____
Department: _____
Enter the full name of your department. Waivers containing abbreviations listed for Department names will be voided and returned.
- B. **Reason for Waiver Request (REQUIRED).** (Choose only one and provide more details in the Justification Narrative below. If no box is selected, the waiver will be voided and returned.)
- Insufficient number of SB/DVBE suppliers identified or unable to obtain enough valid quotes
 - Unable to meet specifications
 - Supplier declined to become a certified SB or DVBE
 - Other (provide additional information in the next section)
- C. **Justification Narrative (REQUIRED).** Detail in the field below the unique circumstances and/or specifications that support your selection in Section B above. This narrative must clearly state why awarding a non-SB/DVBE is the **ONLY** means of meeting the requirements for the Scope of Work. (NOTE: *Pre-work with the selected supplier to customize the equipment or service, thereby excluding competition, is not an allowable justification.*)
- D. **Attach Relevant Documentation.** Please attach any relevant documentation to the UCIBuy+ Purchasing Request Form or PALCard Exception Form to support this waiver. (Documentation examples: *failed email solicitations; correspondence from the manufacturer, supplier, program; documentation of Small Business Officer assistance; documentation of supplier search/bidders list; past procurement data search or previous contract information; or evidence of SB/DVBE recruitment efforts.*)
- E. **Representation.** By signing below, I hereby certify that the foregoing is true and correct to the best of my knowledge.

Dept. Responsible Party Signature: _____ Date: _____

Dept. Responsible Party Name: _____ Email: _____

Dept. Responsible Party Title: _____

Waiver approval is integrated into the UCIBuy+ Requisition and PALCard Exception Form workflows. Please attach the waiver and relevant documentation to the Purchasing Request Form or PALCard Exception Form. The Purchasing Request Form must be completed for all non-catalog PO purchases. The Purchasing Request Form and all its attachments will be added to a UCIBuy+ Requisition. The PALCard Exception Form is not added to a Requisition and maintains its own workflow.