

DIR EXEMPTION REQUEST CHECKLIST

EXEMPTION NOT REQUIRED IF:

Exemption Request is **below** DIR's Exemption Approval requirement of **\$1,000**
OR
Exemption Request is for an amount that **exceeds** DIR's Exemption Approval Authority of **\$1,000,000+**

REVIEW PROCESS CHECKLIST

1. Current vendor's quote that matches the Request for Exemption.
2. Supporting Justification for the Exemption Request.
3. Screenshots of the DIR vendor search agency performed.
4. Solicitation Bid sent to the vendors by requesting agency (i.e., email).
5. Solicitation Responses agency received from the solicited vendors.
6. Required "No Bid" and/or "Unable to Source" responses from Vendors.
7. Required signed Executive Director letter for an **Expedited** Exemption Waiver Request.
8. Required Proprietary letter, from the Vendor, for a **Proprietary/Sole Source** Procurement Exemption Waiver Request.

PER [TAC RULE 212.20](#):

- State agencies are required to submit a Request for Exemption, in writing, to DIR for exemption from the commodity items purchasing requirement described in Subchapter B of this Rule.
- State agencies shall not take any action on the contemplated purchase until the Request for Exemption is either Approved or Denied by DIR.
- Written Requests for Exemptions shall include sufficient documentation to support validity of Request. DIR may request additional information to determine whether proposed purchase is in the best interest of the state.

NOTE:

DIR shall not approve for a purchase that has already taken place, nor approve solely because a solicitation has already been issued.

- Upon review of Request for Exemption, DIR shall issue, in writing, either an Approval or Denial.
 - **Approvals** will include all pertinent terms and conditions of the Exemption, including but not limited to, the dollar limit, expiration date, the quantity, list of specific commodity items, and any other conditions related to the proposed purchase.
 - **Denials** will include the basis for the denial.

NOTE:

If DIR has not issued a written Denial of the Exemption Request within fifteen (15) business days following the date of its receipt of the Request, or the date of receipt of requested additional information, the Request for the Exemption shall be deemed to be Approved for an amount equal to the total dollar amount of the proposed purchase or for the period of time described in the Exemption Request.