**POL-DES-120-00 Direct Buy Purchases**

A competitive solicitation process must be used for all purchases of goods and services unless there is an exception listed under RCW 39.26.125.Direct buy purchases are one of the exceptions. This policy establishes the Direct Buy procurement levels authorized in RCW 39.26.125 (3). This policy applies to all purchases for goods and services executed by agencies under delegated authority granted in accordance with [RCW 39.26.090](http://app.leg.wa.gov/RCW/default.aspx?cite=39.26.090) or under [RCW 28B.10.029](http://app.leg.wa.gov/RCW/default.aspx?cite=28B.10.029).

1. The following direct buy **designations** shall apply:
	1. **Direct Buy Level 1:**
	2. **Direct Buy Level 2:**
	3. Direct buy designations exclude shipping, sales and use tax, and finance charges.
	4. If any amendment causes the direct buy purchase to exceed the direct buy threshold, the amendment shall be competed.
2. Direct buy purchases are an exception to competitive solicitation requirements and can be purchased directly from a vendor without formal competition.
	1. [DES’ Protest Policy #DES-170-00](https://des.wa.gov/sites/default/files/public/documents/About/Procurement_reform/Policies/DES-170-00ComplaintsProtests.pdf) does not apply.
	2. Advertising in Washington’s Electronic Business Solution (WEBS) is not required.
	3. Agencies shall use due diligence to determine that the price is reasonable based on experience and knowledge of the market.
	4. Documentation to support the reasonableness of purchase decisions, including market research and validation of firm’s meeting criteria in Direct Buy Level 2, shall be included in the purchase file where appropriate.
3. Agencies must use existing qualified master contracts unless they cannot justifiably satisfy agency needs as documented by the agency.
4. Agencies may not unbundle or manipulate a purchase to have the purchase qualify as a direct buy purchase to avoid using a competitive process.
	1. Repetitive purchases, defined as an agency cumulative total over the direct buy limit with a single vendor in a fiscal year, shall be competed.
5. All applicable information technology related procurements must conform to the Office of Chief Information Officer (OCIO) Policy #121.
6. An agency’s record of compliance with the direct buy policy will be a factor in an agency’s risk assessment.