COVID–19 Purchase Exception No Longer Available

Effective July 1, 2021, Agency Purchases Due To The COVID–19 Purchase Exception Will No Longer Be Allowed

On March 2, 2020, Governor Jay Inslee declared a state of emergency due to the outbreak of the coronavirus. Response to the national emergency created special market conditions for many of the goods and services that assisted in preparing for, and fighting against, the spread of the virus.

On March 16, 2020, in order to preserve public health, the DES Director declared an exception from competitive solicitation for procurements for goods and services that are directly related to the state’s response to the coronavirus. The exception has been extended through June 30, 2021.

Beginning in November 2020, DES announced that it would consider whether to sunset the COVID-19 Purchase Exception. In March 2021, DES sent a questionnaire to 18 different agencies that had either reported purchase exception spending to DES, or had requested notification of whether DES would sunset the exception. Over the next month, DES collected responses to the questionnaire and analyzed what the agencies’ ongoing COVID-related expenditures would be, as well as what the agencies believed would be the impact of ending the exception. The responses to the questionnaires, taken together with analysis of state agency expenditure data, establish that statewide usage of the exception has greatly decreased since the start of the pandemic.

After analysis of all statewide expenditures reported by agencies to DES under the competitive solicitation exception, we believe it is in the best interest of the state to sunset the exception on June 30, 2021. We understand that a few agencies continue to need the competitive solicitation exception in order to conduct their business efficiently. We have reached out to those agencies separately in order to alert them that the exception will no longer be available after June 2021. If your agency believes that it will require the exception beyond this sunset date, please request an exception from the DES Director. See RCW 39.26.125 (7). Exception requests should be sent to DelegatedAuthority@des.wa.gov.

Director