

**CURREN LANGUAGE WITH TRACK CHANGES FOR PROPOSED CHANGES****Conditions for Use of Innovative Procurements****P05.06.575**

(a) A request to use an innovative procurement procedure shall be submitted in writing by the responsible procurement officer to the chief procurement officer for approval. The request must include an explanation of the proposed innovative procurement procedure, and

(1) how this procedure will achieve the best value for the university; or

(2) why it is advantageous to the university due to new university needs, unique university needs, or new technologies.

(b) The responsible procurement officer shall also submit a detailed procurement plan to the chief procurement officer for approval and to the general counsel or designee for review and approval as to form before issuing public notice required under AS 36.30.130. The plan shall, at a minimum, address the method of solicitation, scope, method of award, protest procedures, and proposed contract provisions. A plan may include the use of a bonus instead of preferences for the procurement of construction.

(c) If a protest procedure other than that identified in AS 36.30.560 - 36.30.615 is used, it must be included in the plan approved by the chief procurement officer and the general counsel or designee and included in the solicitation.

(d) Innovative procurement approval requests for construction shall identify:

- the nature and scope of the risks associated with the project, including the cost, schedule, and complexity;
- how the innovative procurement will avoid, transfer or mitigate those risks;
- the compelling arguments for utilizing an innovative procurement method;  
and
- how the innovative procurement will achieve the best value for the University.

In determining whether use of an innovative procurement provides the best value to the university, the chief procurement officer shall consider all relevant factors, such as, recommendations of the system office chief facilities officer, the size of the project, the perceived complexity and risks associated with the activity, other benefits of the proposed methodology, and the incremental cost, if any. The approval of an innovative procurement shall be based on an assessment of the expected benefits relative to any identifiable costs or other negative impacts. This sub-section is intended to provide internal guidance and is not intended to create an independent basis for claims against or liability on the part of the University.

(e) The chief procurement officer's approval of an innovative procurement represents the authorization required by AS 36.30.308 in order to utilize an innovative procurement process as proposed. It does not represent a directive to use that process.

Authority: AS 36.30.005 AS 36.30.040 AS 36.30.308

## Record of Innovative Procurement

P05.06.577

- (a) A procurement file shall be maintained for each innovative procurement by the responsible procurement officer, and shall be open for inspection as required under AS 36.30.140(b) and AS 36.30.230. The file shall contain:
- (1) a copy of the contract;
  - (2) the written determination approved by the chief procurement officer;
  - (3) the procurement plan as approved as to form by general counsel;
  - (4) ~~the a~~ record of notice as required under AS 36.30.130; ~~and~~
  - (5) ~~the a~~ record of respondents to the solicitation;
  - (6) a record of the selection process; and
  - (7) the project management plan for construction projects.

Authority: AS 36.30.005 AS 36.30.140(b) AS 36.30.230 AS 36.30.522

## PROPOSED FINAL LANGUAGE

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