

# JUNIPER VALLEY PRODUCTS (JVP)

Section 17-24-111(1)(a) CRS requires that state agencies purchase office furniture and office systems from the Division of Correctional Industries (dba Juniper Valley Products/JVP). In applying this statute and administering this waiver process, the terms office furniture and office systems shall mean:

Those systems and furniture that, at the time the product requirement is communicated, are described in Division of Correctional Industries' catalogs and web site and are intended primarily for use in an office environment (including faculty offices, meeting rooms, and conference rooms).

## Customer Relations Department Waiver Request

**To: Gailene Zalman**  
Customer Relations  
Juniper Valley  
Products  
(719) 226-4204  
(719) 226-4220 fax

**From: Dept/ContactName/  
Phone:**

**Purchasing Agent:** Vickki Klingman

**Agency Name:** University of Northern Colorado

**Phone:** 970-351-2288

**Fax:** 970-351-1142

**Agency Purchasing Approval  
to Submit Waiver Request:** \_\_\_\_\_

**Date Submitted:**

Total Pages:

CC:

**Scope of Waiver Request** (provide the following information, attached additional sheets as needed):

Period of Time (Date Item/s Needed)

Number of Items or Amount of Materials (Quantity)

Complete Description & Specifications (Not Just Brand & Model Number)

See Attached

Quoted Unit Price

\$

Quoted Total Price FOB Destination, including Assembly

\$

Picture or Sketch of Product (if Available)

See Attached

Please review and respond to this **request for waiver** to purchase outside of the JVP mandatory awards (State Price Agreement #42500YYY08M) for office furniture and office systems. In completing and submitting this waiver request as outlined in the procedure from the back of this form, I believe JVP can not provide its goods or services:

Check  
appropriate  
box:

At a comparable level of quality, or

At a comparable price to that provided by the private sector; or

JVP cannot provide its goods or services in a timely manner. (Note: No waiver shall be granted based on timeliness unless JVP was given a reasonable time period to provide the goods or services, which must be at least equal to the time period offered to the private sector.)

If requestor has spoken directly with JVP account representative in regards to this request and comparable JV products **AND** completed all of the above noted information, JVP will answer this **request for waiver** within five (5) working days

**\*\*\* JVP \*\*\***

**Denied**     **Approved**

**If Approved, Reason:**

**Signature**

**Date**

JVP Cannot Provide its Goods or Services At a Comparable Level of Quality, or

JVP Cannot Provide its Goods or Services At a Comparable Price to that Provided by the Private Sector; or

JVP Cannot Provide its Goods or Services in a Timely Manner.

## **PROCEDURE**

Agencies seeking a waiver from the statutory requirement to purchase office furniture and office systems from JVP shall:

1. Contact the agency's JVP sales representative to discuss the agency's needs and JVP's ability to furnish the desired products;
2. Complete the waiver request form (See Attachment 2), attach any supporting materials, and submit it to JVP customer relations. (Current address, e-mail, fax and phone numbers are available on JVP's web site.) The form must be signed by the agency purchasing director or, for Group I agencies, by the individual delegated purchasing responsibility.

Upon receipt of a waiver request, JVP will:

1. Review the request in accordance with the standards set forth herein, and grant or deny the request within five working days or such other period of time as is agreed upon by JVP and the agency.
2. If the request is denied, JVP will state the basis for the denial, including a description of the product it offers that meets the specification, and will be available to answer questions about the product or the decision.

If the request is granted, the agency may proceed to purchase the office furniture or office systems in accordance with the requirements of the Procurement Code and the Procurement Rules.

If the request is denied, the agency may appeal JVP's decision to the Executive Director, Department of Personnel & Administration (or delegate), through the State Purchasing Office. The appeal shall contain the original request, all supporting material, and JVP's denial information. At the time the appeal is filed, the agency shall notify JVP of the appeal, and JVP may submit any additional information it considers relevant to support its decision. On request by the Department of Personnel and Administration, JVP shall provide additional information concerning the pricing of its products relative to any alternative products identified by the agency or institution (including delivery and set-up fees), the quality of its products, materials, and workmanship, differences in terms and conditions (including warranty provisions), means of insuring or mitigating the risk of late delivery (where that is an issue), and other information relevant to the DPA's certification that JVP can provide products of comparable quality and price in a timely manner.

The decision of the Executive Director or his designee is final.

## **STANDARDS**

Based on §17-24-111(1)(a), to grant a waiver, the DOC or DPA must find that either:

1. JVP cannot provide its goods or services
  - At a comparable level of quality, or
  - At a comparable price to that provided by the private sector; or
2. JVP cannot provide its goods or services in a timely manner.

Therefore, the waiver must be based on one or more of the above factors. Neither DOC nor DPA shall grant a waiver based on timeliness unless JVP was given a reasonable time period to provide the goods or services, which must be at least equal to the time period offered to the private sector.

The scope of the waiver shall clearly define the period of time and the number of items or amount of materials that can be purchased from the private sector, and no waiver shall be deemed to extend to comparable materials or situations beyond the scope of the waiver.

## **DEFINITIONS**

Section 17-24-111(1)(a) states: ... "State agencies may purchase goods and services from sources other than the division; except that office furniture and office systems shall be purchased from the division." Therefore, in applying this statute and administering this waiver process, the terms office furniture and office systems shall mean:

Those systems and furniture that, at the time the product requirement is communicated, are described in Division of Correctional Industries' catalogs and web site and are intended primarily for use in an office environment (including faculty offices, meeting rooms, and conference rooms).