



**Department of General Services
Procurement Division**

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Broadcast Date: February 14, 2007

**TO: Purchasing Authority Contacts (PACs)
Procurement and Contracting Officers (PCOs)**

RE: SCM Volume 3 – Purchase of Existing Proprietary Software

This notice serves to correct information contained in the State Contracting Manual (SCM) Volume 3, Chapter 4 – Non-Competitively Bid (NCB) Contracts, regarding purchase of existing proprietary software.

If the software purchase for maintenance of existing proprietary software or for the upgrade/renewal of existing proprietary software contracts is within the department's approved information technology (IT) purchasing authority:

- No NCB justification is required.
- Obtain a signed letter from the software publisher/manufacturer stating that the product/service being acquired is not available through any other source. (This serves as documentation to support the non-competitive status of the purchase.)
- The purchase document may not exceed the department's IT purchasing authority.
- Obtain approval of the agency secretary and the department director (or next ranking official) prior to award on the purchase document (STD. 65 or STD. 213-Standard Agreement for IT goods and services) for any transaction that exceeds \$250,000.

Unless superseded, departments shall follow procedures outlined in this bulletin until the SCM Volume 3 is updated with this information.

Bulletins pertaining to SCM Volume 3 can be viewed [here](#).

Questions regarding this announcement can be directed to:

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