

**11—119.6 (8,8A) Exclusions and limitations.**

**119.6(1)** These rules do not apply to contracts for both goods and services when the predominant factor, thrust and purpose of the contract as reasonably stated is for the purchase of goods with service incidentally involved. However, in no event shall departments and establishments designate contracts as contracts for goods to avoid the application of these rules.

**119.6(2)** These rules do not apply to service contracts utilizing funds that are required to match federal aid allotted to the state by the federal government for highway special purposes.

**119.6(3)** These rules do not apply to service contracts entered into as the result of an emergency procurement in accordance with 11—118.8(8A), unless the emergency procurement results in the extension of an existing contract that contains performance criteria.

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