# Suggestions for Completing Sole Source Form

Below are some suggestions to assist you in completing the Sole Source Form. In addition to the following suggestions, please note that manufacturers’ web sites often provide additional helpful information to better enable you to complete your sole source justification. Key words to look for are **copyrighted,** **proprietary, custom, registered, trademarked, patented, licensed, exclusive,** etc. The key question to keep in mind is, “Why and in what ways is this vendor the only vendor that can provide this particular product or service, and why can no other vendor provide this product or service?”

**Section I – General Information**

Please complete: “**Department”**, “**Date” (both identified and need by date), Project Title,** “**Vendor/Contractor”, Value (Estimated, Actual).**

**Type: Identify whether this is a**

New sole source (only available from a single source) **OR**

Economically Feasible sole source – (value of transaction is substantially lower than another provider)

**Section II – Proposed Term**

**Identify whether this is a “One Time Purchase” or a Term Contract (greater than one year)**

**Complete the following:**

Estimated Contract Begin Date

Estimated Contract End Date

Number of Potential Renewals (if you intend to have multiple years)

Length of each Renewal, if applicable

Total Value of All Renewals

If greater than 12 months –justification must include any economic benefit received for agreeing to a multi-year term

**Section III – Funding Source- choose the most appropriate funding source**

**Section IV – Sole Source Justification**

**This section includes drop down menu – select the most appropriate choice - some examples below (review the items listed on the form carefully)**

Art, entertainment services and athletic events

Compatibility of equipment, accessories, replacement parts or service

Critical changes to the existing contract are necessary and best accomplished by the contract holder

Federal/state grant requires contract with vendor

Items are copyrighted or patented and the items are only available from the holder

Items are required by an existing franchise agreement

Items are required for research and no other source is able to meet the researchers documented need

Items are for commercial resale

Items are needed for trial or use or testing

Items are for commercial resale

Media for advertising

Organizational membership (Dues, Fees, Conference charges, etc.)

Radio and/or television broadcast rights

Software license/ upgrade/ maintenance

**Section V – Purchase History, if applicable**

**Section VI – Business Rationale**

**#1: Detailed Explanation of the need for the supplies or services:**

The answer to this Question #1 should introduce and provide broad contextual information for this sole source purchase. Your response to Question #1 can be a general, overall statement regarding the sole source purchase, i.e., what it is that we’re buying, who it is for, and why you need it. (More detailed information can be provided in Question #3.)

**#2 Provide a list and describe in detail the specifications required to satisfy the need:**

**What is it? - I**dentify the kind or category of equipment or service that you wish to purchase – e.g., fitness equipment, laboratory equipment, consulting services, database access, maintenance services, etc. AND in your answer be more specific about the exact product or service being purchased – e.g., the exact make and model of the equipment, the specific nature of the consulting or contractual services being procured, etc.

**#3. Provide detail explaining the justification selected in Section IV to explain why the requested supplies or services are the only ones**

**available that can satisfy the agency or university requirements? Why only this product or service can support the mission of the department or university-** For example, what are the unique features or performance capabilities of this product or service that are unique only to this particular product or service and thus set it apart? (Again, give concise orderly reasons.)

Is the equipment, software or service Trademarked? Copyrighted? Registered? Licensed? Exclusive? Proprietary?

Possible points to mention: Length of time this vendor has performed services for the University? Only this vendor alone can do what they do in the way that they do it? Special credentials? Special certifications or accreditations? (Note: Prior use of this vendor in and of itself does not constitute sole source justification; more substantive reasons or explanations must be given. For example, in the case of past work, specify how or in what ways past work impacts this current procurement?)

**#4. What are the unique features of the supplies or services that are not available in any other product or by any other vendor? Provide**

**specific quantifiable factors/qualifications:**

Explain why this vendor (and only this vendor) can provide the equipment or service that you need. How is this product or service different from any other such product or service available in the marketplace (again, give concise factual reasons A, B, C, D, etc.)

Is this procurement an upgrade or expansion to an existing system, product and/or service? If yes, why or how (specifically) is compatibility of equipment or service important for this transaction?

**#5. Has the Agency or University considered alternative supplies or services to satisfy their need? It is highly recommended that a market review take place to justify why there is only one (limited) source available to meet your needs.**

**#5a. If no, why weren't alternatives evaluated** -Please give specific and concrete reasons here, e.g., Is it copyrighted material and thus not available elsewhere? Is it patented and proprietary equipment not available elsewhere? Or, alternative goods were evaluated but they could not match performance capabilities A,B,C,D, etc? If no alternatives were considered, then give specific reasons for why not. If alternatives were evaluated, specify how or in what ways they fail to compare with the item or service being purchased? Is this vendor the solely authorized regional distributor/provider for this product and/or service?

**#6. Are there resellers or distributors: A**nswer based on your knowledge of the industry or market research conducted.

**#7**. **What efforts were made to get the best possible price and how did you determine the price for this purchase is considered fair and reasonable?**

Did you simply request a quote? Did you negotiate with the vendor? Is the vendor giving the University any kind of discount? Does the very nature of the product or service being purchased preclude the possibility of price negotiation or discount? Does the very specialized nature and degree of sophistication or complexity of the product or service inherently command a high price but this price is in alignment with such industry pricing? Educational pricing? Why do you believe this price to be fair and reasonable?

**#8. Will this purchase obligate the State (University) to future purchases (maintenance, licensing or continuing need?** (If yes, please explain in what way.) Consider future maintenance or licensing fees, or upgrades, additional modules or enhancements.

**#9. What will be the financial or other impact to the State if this sole source is not approved and a competitive bid is required**? Consider the impact to you, to your project, to your Department, to your program goals, to the University, etc., if this sole source is not approved. Please be specific and give reasons A,B,C,D., etc.

**#10*. Any additional information to support the sole source can be added here.***

**Section VII - The requesting department signature follows on the form.**

**Reach out to your Procurement contact if you have questions.**