

Appalachian State University Purchasing Department 262-2080

Sole Source Justification Form (P & C Policy .1401)

Completed Forms to accompany purchase requests

For purchases >\$4,999.99 and when the requested product and/or services are available from only one source.

Sole source procurement should be avoided unless clearly necessary and justifiable. Purchasing of goods and services is driven by NC state law, and, where federally or grant funded, by federal law or grant requirements.

Supplier: _____ **Brand:** _____

Sole Brand is not the same as Sole Source. Sole Brand may result in bidding. Sole source may require you to identify all the suppliers and products you have reviewed and explain why the excluded product(s) did not meet your needs.

(Check which is being requested) Sole Source ____ **Sole Brand** ____

Description of products or services requested:

Sole source procurement must be justified by the following described conditions. Check only those that apply:

1) Urgency of Purchase. (Check if any of the following apply, and attach documentation)

____ Emergency - Defined as situations which endanger lives, property or the continuation of a vital program and which can be rectified only by immediate, on-the-spot purchases or rental of commodities, printing or services.

____ Pressing Need – Defined as arising from unforeseen causes including, but not limited to, delay by contractors, delay in transportation, breakdown in machinery, or unanticipated volume of work.

2) Sole Source reason(s). (Check if any of the following apply)

____ Item is being purchased for over-the-counter sale.

____ Repair services or parts that are unavailable from any other source except original equipment manufacturer or their designated servicing dealer.

____ Compatibility of equipment or supplies required. List existing equipment with which purchase will be used.

Brand/Model: _____ Serial #: _____ (if applicable)

____ Upgrade to existing software. Available only from the producer of this software or their designated dealer.

____ Used or demonstration equipment at a lower-than-new cost. (Provide quote showing new cost versus demonstration/used cost).

____ Standardization or compatibility is the overriding consideration. (Attach explanation for this requirement.)

____ A satisfactory price is available from a previous contract. (Previous PR or PO number: _____)

____ Additional products or services are needed to complete an ongoing job or task. (Continuation of previous purchase.)

____ A particular product or service is desired for educational, training, experimental, developmental or research work.

____ The requirement is for an authorized cooperative project with another governmental unit(s) or a charitable non-profit organization(s)

____ Only known source for this product/service. (Attach a description of alternate products or services considered and the reason those items were dropped from consideration.)

3) Authorization: Purchasing with Federal Funds? ____ Yes ____ No **Fund #** _____

Department: _____ **Completed By:** _____

Authorizing Department representative: _____

Date: _____ **email:** _____ **Phone:** _____

Additional Sole Source Information for Sponsored Programs:

Sole Source for Personal Services means: a contract awarded without competition, because the consultant/vendor/contractor providing the professional or technical expertise has skills, knowledge or ability of such a unique nature that the consultant is clearly and justifiably the only practical source to provide the service. The sole source award may also be based on the uniqueness or highly specialized nature of the services, sole availability of a consultant at the location required, or other special requirement.

- 1) What type of service(s) is/are required and what university need does the service address?
- 2) Identify and fully describe ***the specific problem, requirement, or need***, which the contract is intended to address.
- 3) Explain what effort has been taken to conclude that sufficient staffing or expertise is not available within ASU (not just within a specific department) to perform this service.
- 4) Is the Contractor or any of the contractor staff working on the contract a CURRENT or FORMER state employee?
- 5) Explain what effort has been taken to conclude that this provider is the most efficient or cost effective?

Check all that apply:

- a) **Past Performance** - (Has performed same or similar services for department in the past.)
- b) **One-of-a-kind** - (The service has no competitive equivalent.)
- c) **Unique to Requirement** - (Vendor has unique abilities, education, and expertise to meet ASU's needs).
- d) **Special Circumstances** - (Confidential investigations, copyright restricts, etc.)
- e) **Time Constraints** - (Contractor can meet necessary contract timeline requirements.)
- f) **Geographic Location** - (Contractor available in geographic area.)
- g) **Research Continuity** - (Needed to maintain continuity and is available from only one contractor.)
- h) **Specifically named** (provider was named by the funding source or granting agency to provide service(s)? If so, where