



SOLE SOURCE PROCESS AND PROCEDURES

PURPOSE:

The purpose of this procedure is to define when the competitive bidding process may be waived to execute a sole source procurement request for equipment, goods, and services.

SCOPE:

A sole source purchase is one where there is only one vendor capable of providing an item or service, and therefore it is not possible to obtain competitive bids.

Preference for one vendor, product, or service, quotation, acquisition, or demonstration testing by a department does not constitute a sole source.

All purchases and contracts for equipment, goods (\$5000) and services (\$50,000 and over) are awarded through a competitive process to the lowest responsible, responsive bidder except in those instances when only one (1) vendor source exists for a needed good or service and is approved by the Superintendent or his / her designee.

AUTHORITY:

The Chief Financial Officer or designee has been delegated the authority to review, approve and challenge any sole source request for equipment, goods, and services, prior to issuance of purchase order unless a sole source justification is on file.

Note: A request for a proprietary item does not justify a sole source procurement if there is more than one potential bidder for the item (remember that if your requirement is available from more than one source, it is not considered a sole source). Additionally, budget considerations are not sufficient grounds to approve a sole source purchase.

SOLE SOURCE JUSTIFICATION:

Should you request that products/services be purchased on a sole source basis, it must meet one of the criteria shown below. The requisitioning department must provide a written explanation form, commonly referred to as a "sole source justification", to support your department's request.



Examples of Sole Source Purchases are:

Licensed or patented	The supplier has a license or patent that makes them the sole provider.
One-of-a kind	The commodity or service has no competitive alternatives available on the market and is available from only one supplier.
Sole Distributor	The supplier is the sole distributor for the region or municipality.
Compatibility	The commodity or service must match existing brand of equipment for compatibility and is available from only one supplier.
Replacement Part	For a specific brand or existing equipment.
Warranty	Sole provider of a factory authorized warranty service.
Unique Design	The commodity or service must meet physical design or quality standards and is available from only one supplier.
Emergency	URGENT NEED for the item or service does not permit soliciting competitive bids

SOLE SOURCE PROCEDURES:

1. A sole source purchase must be based on the requestor’s investigation and evaluation of the requested product and its availability (or lack of availability) from multiple sources.
2. The Sole Source Justification form must be completed and signed by the Deputy Superintendent or designee, Deputy Superintendent of Accountability & Technology (if required), Chief Financial Officer or designee, and Superintendent or designee, as indicated on the form.
3. Requisitioning departments are to submit a written justification as to why no other source of goods or services can be obtained to meet the district’s requirements to the Procurement department. The burden of proof is on the requester to justify sole source purchases.

DO NOT INCLUDE WRITTEN JUSTIFICATION ON PURCHASE REQUISITION.

4. No request will be processed without proper documentation, including a written quotation from the sole source vendor.



5. Upon receipt, Chief Financial Officer or designee will evaluate the sole source request and make a determination within five (5) business days whether there are other known vendors who can provide the requested equipment, goods, or services.

Note: Approximately five (5) business days are required to evaluate and process a sole source request. Please consider this when submitting a request, and allow sufficient time prior to deadlines (quote expiration, grant expiration, etc.) for the sole source request to be evaluated
6. If Sole Source form request is denied, the request will be returned to the requestor by email notification stating the reason why the rejection and documented by the Procurement department.
7. If Sole Source form request is approved, the Procurement staff, under the supervision of the Procurement Director, reviews the terms and conditions before processing the requisition request.
8. Any requisition for goods greater than \$5,000 or \$50,000 for services shall be presented to the Superintendent for review and Board approval.
10. Once Sole Source procurement is approved, the requester must enter a purchase requisition for the requested equipment, goods, and services.

SPECIAL NOTE: The Procurement Department will conduct periodic reviews of the use of Sole Source requests by the user departments to determine if the scope and intent of the sole source procedure is being followed. Failure by departments to utilize and follow the sole source procedure as it is intended, may be sufficient reason to withdraw the privilege of its continued use as a purchasing tool. **Sole sourcing is not a method of selecting a preferred vendor. It is a statement that no other vendors exist who can provide the needed commodity. All such statements become a part of the purchase contract file and must be defensible at times of audit.**