



NECC SOLE SOURCE JUSTIFICATION FORM

This form MUST accompany the requisition form

Final responsibility in determining sole source purchases rests with the procurement department.

Sole source procurements are to be avoided unless no other alternative exists. A “sole-source” procurement is a purchase of supplies or services without advertising or competition. **Documentation will be required from the requisitioning unit to justify purchase of sole source items.** Note that “best price” alone cannot be used as a basis for sole source.

The Procurement Department **may** award a sole source order if it is determined that:

- The items or rates are fixed by law, or;
- The items are specifically stipulated by grantors for grant projects, or;
- The items have unique features that are essential and not available from any other source or must be compatible with existing equipment;
- Other buying situations may qualify for sole source based on the nature of the item or service, its usage, product testing or prior decisions based on competition.

Contracts under \$50,000

You may make sole-source procurements of any supply or service under \$50,000 when a reasonable investigation shows that there is only one practicable source for the required supply or service. Your determination that only one practicable source exists must be in writing.

Contracts of \$50,000 or more

You may **not** make a sole-source procurement of \$50,000 or more **except** for the following:

- **Software maintenance, library books, and educational materials:** You may make non competitive purchases in any amount for software maintenance, library books, school textbooks, or educational programs, courses, or curricula in any media, including educational software, newspapers, serials, periodicals, and audiovisual materials, if you determine in writing, after reasonable investigation, that there is only one practicable source for the items.
- **Utilities:** You may purchase water, gas, electricity, sewer, and telephone services in any amount without competition from a regulated industry company if you determine in writing that there is only one practicable source for the services.

Record-Keeping

Procurement will maintain a written record of every sole-source procurement, specifying the contractor’s name, the amount and type of contract awarded, a listing of the supplies or services procured, and the basis for the determination that there was only one practicable source for the purchase.

Sole Source Explanation/Justification:

- I have thoroughly researched the purchase referenced and determined the vendor/brand is the only acceptable vendor/brand for the product/service that will fit the particular need.
- List other vendors/brands that were considered for this purchase. If no other vendor/brands were considered, please describe your research efforts to determine that the vendor/brand is unique (attach extra sheet if needed)
- Vendor/brand was selected for the unique product/service/features above all others because: **Note:** Cannot use cost as basis. Compare products/service/features of all vendors/brands considered, detailing uniqueness of product/vendor selected (attach extra sheet if needed).
- Prices are fair, reasonable and in the best interest of the College based on **(circle all that apply, attach quote):**
 - Vendor’s current catalog or list price
 - Established Commbuys/MHEC, E&I or other competitive consortiums.
 - Current market price or value
 - Item ordered before – price history fair & reasonable
 - Other (provide detail) _____

Requester (Print Name) _____ Requester (Signature) _____

*Signature of individual claiming purchase is Sole Source is same individual writing the justification