



**WEBER STATE UNIVERSITY
Purchasing & Support Services**

Request for Sole Source Procurement

Sole Source Procurement is appropriate only if a purchase requirement is reasonably available from a single supplier or if it otherwise qualifies under the attached Utah Procurement Code 63G-6a-802.

Additionally, PPM 5-25e, III E 2 States: Sole Source Contracts - A contract may be awarded for a supply, service, or construction item without competitive bidding, when the Director of Purchasing, with the approval of the Vice President for Administrative Services or his/her designee, determine in writing that there is only one practicable source for the requisitioned item.

ATTACH THIS COMPLETED FORM TO THE PURCHASE REQUISITION WHEN SUBMITTING A REQUEST FOR SOLE SOURCE PURCHASE BY PURCHASE ORDER.

Department Requesting Authorization _____

Contact Person _____ Phone _____

Item(s) to be Purchased: _____

Approximate Cost (Including the cost of renewal options) _____

Recommended Vendor or Contractor: _____

Contact Person: _____ Phone Number: _____

Address: _____ City: _____

State: _____ Zip: _____

Federal ID# (TIN) or Social Security #: _____ - _____ - _____ (9 digits-numeric) (If SS#, must have person's name as it appears on social security card)

-
- Corporation
 - Medical Provider (all types)
 - Proprietorship/Individual
 - Partnership
 - Government-exempt
 - Other _____

1. Explain in detail below why the service or product is only available from a single supplier.

This Sole Source request is based on which of the following? (Check all that apply)

- Compatibility of equipment/service (please complete sections A and B)
- Trial or Testing (please complete section C)
- Equipment/service is only available from a single supplier in the U.S. (Please complete section A)
- Compatibility of professional services (please complete section A)

Section A. GENERAL INFORMATION

1. What is unique about this product/service to justify a sole source?
2. Could the product/service be reasonably modified to allow for competition?
3. Explain the market research performed to make the sole source recommendation?
4. List the names of suppliers contacted, contact person and a summary of their response?
5. Complete disclosure must be included with the request if the requestor has any personal, financial or fiduciary relationship with the recommended supplier. (Please attach)

Section B. COMPATABILITY OF EQUIPMENT/SERVICE

1. Describe the existing equipment that this purchase must be compatible with; original purchase price and date of purchase.
2. What is the remaining life expectancy of the existing equipment?
3. What procurement method was used to purchase the existing equipment? (RFB, RFP, Sole Source)

Section C. TRIAL OR TESTING

1. Why is the trial use or testing necessary?
2. What is the anticipated end result of the trial or test?
3. Do any other suppliers provide this product or service? If yes, please list the company names. Will their products be tested?
4. What criteria were used to choose this supplier?
5. What is the scope/size and location of the test or trial?

Requested By:

Approved:

Approved:

Dept Signature
Title:
Date:

Nancy E. Emenger
Director of Purchasing
Date:

Vice President
Administrative Services
Date:

63G-6a-802 Sole source -- Award of contract without competition -- Notice.

- (1) As used in this section:
 - (a) "Transitional costs" mean the costs of changing from an existing provider of, or type of, a procurement item to another provider of, or type of, procurement item.
 - (b) "Transitional costs" include:
 - (i) training costs;
 - (ii) conversion costs;
 - (iii) compatibility costs;
 - (iv) system downtime;
 - (v) disruption of service;
 - (vi) staff time necessary to put the transition into effect;
 - (vii) installation costs; and
 - (viii) ancillary software, hardware, equipment, or construction costs.
 - (c) "Transitional costs" do not include:
 - (i) the costs of preparing for or engaging in a procurement process; or
 - (ii) contract negotiation or contract drafting costs.
- (2) The division or a procurement unit with independent procurement authority may award a contract for a procurement item without competition if the procurement officer, the head of the procurement unit, or a designee of either who is senior to the procurement officer or the head of the procurement unit, determines in writing that:
 - (a) there is only one source for the procurement item; or
 - (b) the award to a specific supplier, service provider, or contractor is a condition of a donation that will fund the full cost of the supply, service, or construction item.
- (3) Circumstances under which there is only one source for a procurement item may include:
 - (a) where the most important consideration in obtaining a procurement item is the compatibility of equipment, technology, software, accessories, replacement parts, or service;
 - (b) where a procurement item is needed for trial use or testing;
 - (c) where transitional costs are unreasonable or cost prohibitive; or
 - (d) procurement of public utility services.
- (4) The applicable rulemaking authority shall make rules regarding the publication of notice for a sole source procurement that, at a minimum, require publication of notice of a sole source procurement, in accordance with Section 63G-6a-406, if the cost of the procurement exceeds \$50,000.
- (5) The division or a procurement unit with independent procurement authority who awards a sole source contract on behalf of another procurement unit shall negotiate with the contractor to ensure that the terms of the contract, including price and delivery, are in the best interest of the procurement unit.
- (6) The division or a procurement unit with independent procurement authority may extend a contract for a reasonable period of time without engaging in a standard procurement process, if:
 - (a) the award of a new contract for the procurement item is delayed due to a protest or appeal;
 - (b) the standard procurement process is delayed due to unintentional error;
 - (c) changes in industry standards require significant changes to specifications for the procurement item;
 - (d) the extension is necessary to prevent the loss of federal funds;
 - (e) the extension is necessary to address a circumstance where the appropriation of state or federal funds has been delayed; or
 - (f) the extension covers the period of time during which contract negotiations with a new provider are being conducted.