**SOLE SOURCE DETERMINATION GUIDELINES**

**(web page title)**

**(all the same right links on this web page as on the Purchasing web page)**

**(add Sole Source Guidelines as right link on Purchasing web page)**

**Overview**

In an effort to procure the required goods and services for the District, situations may arise, that require “Sole Source” procurement, where additional bids, although required by General Municipal Law, cannot be obtained due to the nature of the goods or services being provided.

**Sole Source Definition**

**SOLE SOURCE PURCHASE**

A “sole source purchase” means that the good/service is unique and that the vendor, to the best of the requester’s knowledge and belief, based upon the thorough research of the requester, is the only vendor from whom the goods/service can be obtained.

**SOLE SOURCE BRAND**

A “sole source brand” means that only a particular brand is acceptable for a particular reason, although the required brand may be obtainable from more than one source. Something can be a “sole source brand” and still not be a “sole source purchase” if more than one dealer can provide competitive quotes.

**Sole Source Determination**

An item can be deemed a “Sole Source Purchase” for several reasons. Several are as follows:

1. **Uniqueness**. The good or service being obtained can only be requested from one manufacturer and no other manufacturer make or provide comparable products or services that will meet your needs.
2. **Technical Specifications**. A highly technical piece of equipment can be deemed a “sole source purchase” if the technical aspects of the piece of equipment are required and necessary for your work or research and no other manufacturer can provide those required technical specifications in a similar or comparable piece of equipment.
3. **Standards**. If standards have been developed in an effort to streamline district processes, meet departmental needs, or reduce costs, then this could be an acceptable “sole source purchase” justification. However, development of standards usually involves detailed RFP proposals and supporting documentation, which will be maintained on file in the Purchasing Department.
4. **Compatibility**. A piece of equipment can be a “sole source purchase” due to its compatibility with existing equipment. For example, if you had 10 existing Hon chairs for your conference room and one broke, you obviously would want a matching piece of furniture to replace it. This would be a case of a “sole source brand”, in that only one brand is acceptable as a compatible replacement. If it is to be ordered directly from the manufacturer, then it would also be a “sole source purchase”. If we cannot order directly from the manufacturer, but only through various dealers of that manufacturer, then the “sole source brand” would still required competitive bids, in accordance with our bid guidelines.

Although a requesting department may view a good or service as a “Sole Source Purchase”, final determination as to what may be classified as a “Sole Source Purchase” shall be at the discretion of the Purchasing Department.

**Required Documentation for Sole Source Classification**

Should a good or service be classified as a “Sole Source Purchase”, then documentation that supports the sole source position, shall be attached to the requisition by the Department when creating the requisition for review by the Purchasing Department. Failure to attach adequate supporting documentation to the requisition will cause the Department’s requisition to be delayed until adequate documentation is provided.

This may include, but is not limited to:

* Sole Source Vendor Letter - letter from the vendor on the vendor’s letterhead documenting that the vendor is a sole source provider for the specific good/service and the reason for the sole source signed by a management level employee of the vendor.
* Approved grant award/application – Federal/State grant documentation that shows a particular piece of equipment was required in order to comply with the grant or a specific vendor was approved in the grant application.
* RFP’s that demonstrate a bid process was done previously to establish a standard.
* Documentation from a prior order that establishes compatibility requirements.
* Product brochures that identify technical specifications.