

## Mines Sole Source Justification Guidelines for Goods/Services

### **Sole Source:**

-A Sole Source procurement is where the Good, Service or Construction is so unique in character that there is no other available source to acquire similar Goods, Services or Construction. . **A Sole Source is not the same as a Sole Brand.**

### **Sole Brand:**

-A Sole Brand is where you are requesting the purchase of a specific brand. When requesting a Sole Brand, there needs to be sufficient justification as to why you need that specific brand.

-If you are requesting a Sole Brand, then it is likely that a Sole Source request is not appropriate. An example of this is the Microsoft Suite, only Microsoft manufactures the Microsoft Suite, however you can buy it from many different vendors (i.e., Best Buy, Target). If you want a Sole Brand, it is likely we can bid this out so there is adequate competition.

### **Please note that a Sole Source does not include:**

- Requirements for a particular proprietary product or service if there is more than one potential bidder or offeror for that item.
- Unique or proprietary goods or services where equivalent or better alternatives may be available from other sources.

### **What Procurement evaluates when reviewing a Sole Source Justification:**

- That the good(s) or service(s) you are requesting are not available from other sources/vendors.
- That you are not requesting a Sole Brand (see paragraph above titled Sole Brand).
- To see if your request can be put out to bid with minimum specifications so companies can offer equivalent or better good(s) / service(s) that meet the specifications.

### **Other Information:**

-All Sole Source justifications are subject to public review and a Notice of Proposed Sole Source must be publically posted for **3 days** on BidNet Direct. Suppliers other than your proposed chosen supplier will have the opportunity to review the justification and may protest the purchase. If there is a protest on the Sole Source posting, then the Sole Source posting may be revoked and your item will need to go through a competitive solicitation process.

-Submission of this request is not a guarantee that a Sole Source will be approved.

-If after reading the guidelines you still feel as though your purchase request is a Sole Source, please fill out the attached Mines Sole Source Justification Certification for Goods/Services. Procurement will review your request and let you know the next steps in the process.

-The individual requesting the goods/services is responsible for filling out the Mines Sole Source Justification Certification for Goods/Services. Procurement will not accept any paperwork from the vendor stating the product is a sole source.

-If you have any questions, send an email to [procurement@mines.edu](mailto:procurement@mines.edu).

## Mines Sole Source Justification Certification for Goods/Services

**Instructions:** Complete all sections. Send the completed form and the quote information to [procurement@mines.edu](mailto:procurement@mines.edu).

Date:		Vendor:	
Requestor:		Vendor Contact:	
Requestor Email:		Vendor Email:	
Department:		Cost of goods or services:	

*Describe in lay language the good(s) or service(s):*

*Please describe how you have investigated any similar or alternative goods(s) and/or services(s) that may meet the specifications of the item you are purchasing (additional documentation can be attached to this form). Note: Sole source paperwork from vendors is not accepted.*

*What feature or special condition of the good(s) and/or service(s) is unique and cannot be obtained from any other source?*

By submitting this Sole Source Justification Certification, I the undersigned, certify that:

- \* The above justification is accurate and complete to the best of my knowledge and belief.
- \* I do not, nor does any member of my family, have any financial interests in the supplier under consideration.
- \* I am complying with the Mines policies and guidelines governing outside interests, conflict of interest and conflict of commitment found in the Mines Faculty Handbook.
- \* I understand a protest could significantly prolong the time of the procurement.
- \* I understand this Sole Source Justification will be a public document available for public inspection.

Requestor Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

***For Procurement and Contracting use only:***

Purchasing Agent:

I have reviewed the sole source justification. It is approved based on the certification above as well as independent research. It is in the best interest of Mines to purchase the goods or services as a Sole Source.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Director Signature: for purchases of \$50,000.01 and above, signature by the Director of Procurement and Contracting is required. This Sole Source is approved based on the certification(s) above. This Sole Source must be posted on the selected electronic solicitation system for at least three (3) days.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_