**SOLE SOURCE PROCUREMENT GUIDELINES**

**Definition**

In the simplest form, a sole source item is one that is one of a kind, has no equivalent, and is only available from one source.

**Regulation**

Sections 11-35-1560 of the S.C. Code of Laws and 19-445.2105 of the S.C. Code of Regulations provide guidelines and conditions for sole source procurements. Specifically, sole source procurements are only permissible when there is only a single supplier and one or more of the following circumstances are met:

* where the compatibility of equipment, accessories, or replacement parts is the paramount consideration;
* where a sole supplier’s item is needed for trial use or testing; and
* where the item is one of a kind.

The determination as to whether a procurement shall be made as a sole source has been delegated by the University’s president to the Senior Vice President for Finance and Administration. Such determination will be in writing and must be supported by documentation from the department (Sole Source Procurement Request) that contains sufficient factual grounds and reasoning as to why no other supplier is suitable or acceptable. The written determination must be authorized prior to execution of any agreement/contract and/or a University Purchase Order.

**What does NOT constitute a sole source procurement?**

* Something determined to be the “best” fit for a specific project (by determining what is “best”, you are actually going through a procurement or selection process).
* Something that is a “really good deal”.
* Something that is available from more than one source. A product or service that is unique but that is available from more than one supplier is not a sole source item. (For example, a Dell computer.)
* Something that has a comparable product or service that may just “not be as good”.
* Anytime there is reasonable doubt regarding whether something is a sole source.

**Procedure**

Any department seeking a sole source procurement is required to either:

Select the “Sole Source (over $10k)” sticker in the Non-Catalog Purchase Types section of ePro;

-OR-

Select “Non-Catalog Item” in ePro and attach a completed Sole Source Procurement Request form which is provided below.

With either selection, also attach any unsigned supplier-required agreement/contract if applicable.

**Tips for a good sole source request:**

* Do NOT say “see attached”; you must answer all questions in the space provided below.
* Do NOT provide more details that what is required. Indicating why it is a rush, why it is a good deal, and outlining specifications not unique to the purchase are irrelevant and should not be included.
* Do NOT use phrases such as “we selected”, “the committee chose”, or “better than” – these suggest an informal procurement process was used and raises significant doubt as to a true sole source.
* DO highlight any requirements for compatibility with existing equipment; explain existing equipment and/or services, why the desired equipment/service must be compatible with the existing, and explain why the new equipment/service is the only compatible item. Outline any ongoing research requirements if applicable.

Note that sole source procurements require the approval of the Director of Procurement Services as well as the Senior Vice President for Finance and Administration; therefore, allow for adequate processing time.

**SOLE SOURCE PROCUREMENT REQUEST**

This two-page form must be completed by the requesting department for all sole source procurement requests. Requestors and other approvers are reminded to review the Sole Source Procurement Guidelines accompanying this form. Incomplete forms will be returned, thereby delaying the approval process.

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| **Requestor Contact Information** |
| Requestor Name: Click or tap here to enter text. | Requestor Date: Click or tap here to enter text. |
| Requestor Department: Click or tap here to enter text. | Requestor Phone Number: Click or tap here to enter text. |
| Requestor Email: Click or tap here to enter text. | Purchase Requisition Number: Click or tap here to enter text. |

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| **Proposed Supplier Information** |
| Name: | Click or tap here to enter text. |
| Address: | Click or tap here to enter text. |
| General description of procurement type (e.g. software license, consulting fees, repair parts, annual maintenance agreement, etc.) | Click or tap here to enter text. |
| Estimated amount of the purchase for the current fiscal year, including shipping, freight, and taxes if applicable | $ Click or tap here to enter text. |
| If the purchase involves a multi-year contract or contains an option to renew, enter the total estimated value over the life of the contract, including shipping, freight and taxes if applicable.  | $ Click or tap here to enter text. |
| If the agreement is a multi-year contract, enter the proposed contract start date and end date. | Start date: Click or tap here to enter text.End date: Click or tap here to enter text. |

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| 1. **DESCRIPTION OF NEED**
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| Provide a description of the Department’s need that this sole source procurement will meet. |
| Click or tap here to enter text. |

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| 1. **DESCRIPTION OF MARKET RESEARCH PERFORMED**
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| Provide a description of the market research the Department performed to determine the availability of products or services that would meet the need. |
| Click or tap here to enter text. |

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| 1. **DESCRIPTION OF PRODUCT/SERVICE**
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| Provide a description of the supplies, construction, information technology, and/or services the Supplier will provide with this purchase. |
| Click or tap here to enter text. |

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| 1. **EXPLANATION OF SOLE SUPPLIER**
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| Provide a detailed explanation as to why no other supplier’s supplies, construction, information technology, and/or services will meet the needs of the Department.  |
| Click or tap here to enter text. |

I/we attest that the market has been researched with the results confirming the procurement is appropriate as a sole source, meeting one or more of the following circumstances: (1) where the compatibility of equipment, accessories, or replacement parts is the paramount consideration; (2) where a sole supplier’s item is needed for trial use or testing; or (3) where the item is one of a kind. (See Sole Source Procurement Guidelines.)

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| --- | --- | --- | --- |
|  | **Printed Name** | **Signature** | **Date** |
| **Requestor** | Click or tap here to enter text. |  | Click or tap here to enter text. |
| **Budget Officer** | Click or tap here to enter text. |  | Click or tap here to enter text. |

NOTE: The effective date of the contract/purchase order must be after the effective date of the sole source justification and the justification must be approved by a person with delegated procurement authority.