

Sole/Single Source Justification and Public Notice Form

Statutory Authority: Pursuant to *Marshall University Board of Governors Policy No. FA-9 Purchasing Policy, 2.1.17*, the University may award a contract directly to a vendor without competitive bidding if certain requirements are met. Those requirements include documenting justification to support the Sole/Single Source Award, along with public notice for a period of no less than five (5) business days.

Definitions:

Single Source: A non-competitive method of procurement used when two or more Vendors can supply a required product or service but there are material and substantial reasons to prefer one vendor over the others. Such reasons include the need to upgrade current equipment or to obtain software from the original manufacturer or to select a consultant for a particular expertise.

Sole Source: A non-competitive method of procurement used when only one Vendor possesses the unique ability or capability to meet the unique requirements of the entity or because only one supplier is practicably available.

Vendor Interest: Any Vendor interested and able to provide the commodity or service in question must make their interest known, prior to the deadline published in *Bonfire*, and in the local newspaper of largest circulation, by expressing such interest in writing to the Office of Purchasing identified as the appropriate contact in *Bonfire and/or the public advertisement*. If interest is expressed and deemed to be valid by the Office of Purchasing, this Sole/Single Award will be converted to a competitive bid.

The Department as identified below intends to make a Sole/Single Source Award. The support for the Sole/Single Source Award, and any additional documentation has been included in this form or as an attachment.

Single/Sole Source Award Information:

Department: _____

Purchasing Liaison: _____

Date of Request: _____

Bidding is precluded for reasons indicated below:

SINGLE SOURCE:

Single Source Manufacturer; (Requires a letter from manufacturer; must be specific to this purchase and must include reason(s) why it is single source. This letter must be signed and dated by the Manufacturer)

Vendor Contact Name, Email Address and Phone Number:

- Single Source compatibility requirement: e.g. parts replacement/equipment, warranty requirements, software upgrades, etc.; Describe the commodity you have now and how the request must match with the existing:

- Single Source Exclusive Rights/Government Grant/Official Document: e.g., patent, copyright, proprietary and unavailable from any other resource; (*Attach supporting document*):

- No other source would be willing or able to replace the existing source without a detrimental effect on the Department (Please describe the detrimental effect in detail):

Department must state technical reason(s) why no other product can be used:

If requesting software as a single source, is this software as a service (SaaS / Subscribeware / Rentalware)?

_____ Yes _____ No

NOTE: Justification showing that the Single Source Award is in the best interest of the University must be included and a copy of any proposed contract documents.

