

**Texarkana Independent School District
Sole Source Affidavit**

Before me, the undersigned official, on this day, personally appeared _____, a person known to me to be the person whose signature appears below, whom after duly sworn upon his or her oath deposed and said:

1. My name is _____, I am over the age of 18, have never been convicted of a felony and being competent to make the affidavit.
2. I am an authorized representative of the following company or firm: _____

3. The above named company or firm is the sole source of the following item(s), and no other company or firm in the United States of America sales or distributes the product(s) listed below:

4. Competition in providing the above named item(s) or product is precluded by the existence of a patent, copyright, secret process, or monopoly.
5. There is no other like item(s) or product(s) available for purchase that would serve the same purpose or function and there is only one price for the above named item(s) or product(s) because of exclusive distribution or marketing rights.
6. I understand that under Education Department General Administrative Regulations (EDGAR) an affidavit is not sufficient documentation that an item is only available from a single source and that Sole Source will seldom be used as a method for federal procurements and may have to be expressly authorized by the Texas Education Agency or other federal awarding or pass-through agency.
7. By signing below, I confirm that I have reviewed Section 44.031 of the Texas Education Code, and hereby represent and certify that our product (described below) is a "sole source" item pursuant to Section 44.031(j) of the Texas Education Code. [Note: the item below must be described without brand names, trademarks or other proprietary designations.]

Signature of Authorized Official

Title of Authorized Signature

SUBSCRIBED AND SWORN to before me on this _____ day of _____, _____.
(Seal)

Notary Public Signature

Printed Name:

My Commission Expires: _____

Company: _____ Address: _____

Phone: _____ Fax: _____ Email: _____

Contact Person: _____

Affidavit will be valid for two (2) years from date subscribed and sworn.

Tex. Educ. Code §44.031(j) states: Without complying with §44.031(a), the Board of Trustees of a school district may purchase an item that is available from **only one source** including:

- (1) an item for which competition is precluded because of the existence of a patent, copyright, secret process, or monopoly;
- (2) a film, manuscript, or book;
- (3) a utility service, including electricity, gas, or water, and
- (4) a captive replacement part or component for equipment.

Note: The exceptions provided by Subsection 44.031(j) do not apply to mainframe data-processing equipment and peripheral attachments with a single-item purchase price in excess of \$15,000.

It is a felony if a person knowingly makes a false entry in a governmental record. Texas Penal Code, section 37.10.