

## SGASD NON-COMPETITIVE METHOD (SOLE SOURCE) JUSTIFICATION FORM

In accordance with Uniform Grant Guidance (UGG), competitive methods of procurement are the preferred method for all procurement transactions. Under UGG, non-Federal entities must comply with the more restrictive of Federal, state, and entity-level requirements. This form must be used as justification for a purchase from a single or sole source without open competition when the purchase is in excess of \$3,500 (or current small purchase threshold).

The Non-Competitive Method (Sole Source) of procurement is to be used only as an exception when attempts to pursue competitive purchasing practices have failed **or** when it is determined there are circumstances where the sole source is appropriate, i.e., provision of FAPE, location of classroom services, bundled services, etc. Suitability of sole source procurement must be examined on a case-by-case basis. The SGASD Representative will provide a final review of all Non-Competitive Procurement for appropriateness.

### STEP 1: IDENTIFY WHY THE SOLE SOURCE METHOD IS JUSTIFIED.

*(Please review the 4 reasons below and mark all that apply.)*

**REASON 1. The item is available only from a single source (check all that apply):**

**Exclusive Rights**

Item or service under patent, copyright, or exclusive territory held by a single vendor.

**Provision of Free Appropriate Public Education (FAPE)**

Service provides the expertise, skills, environment, and or location required to ensure the delivery of FAPE.

**Proximity of Service Site**

Service is provided at a site that is a reasonable distance to commute or transport and is not available from any other provider in the region.

**Consortia/Shared Services Approach**

Services are provided through a consortium/shared services approach with the objective of participating in a cooperative effort and/or a pooling of resources to provide/secure services that meet the need and where the actual cost of services are shared/allocated across members/participants.

*(CFR §200.318 (e) To foster greater economy and efficiency, and in accordance with efforts to promote cost-effective use of shared services across the Federal Government, the non-Federal entity is encouraged to enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services.)*

**Bundled Services**

Service is appropriate or necessary to bundle and only one vendor is capable of providing all requested services. *(Refer to "Updated PDE Guidance Concerning Use of Intergovernmental Agreements in Procurements Involving Federal Funds, Effective July 1, 2017" memo emailed on March 31, 2017.)*

**Exclusive Design**

Item or service possesses a unique feature or capability critical in the use of the item or service and is not available from any other sources.

**Unique Expertise**

Individual or firm possesses and/or provides a unique knowledge and expertise based on education, training, research and/or a published body of knowledge, i.e., the individual or firm is of national prominence and/or a thought leader in the particular subject area.

**Exclusive Intellectual Property**

Individual or firm possesses copyright, trademark, patent, design rights and/or provides unique capabilities or body of knowledge critical to the provision of the services required.

**Replacement Equipment**

The purchase is for equipment associated with the use of existing equipment where compatibility is essential for integrity of results.

**Replacement Accessories**

The purchase is for accessories sought for enhancement of existing equipment where compatibility with equipment from the original manufacturer is paramount.

**Technical Service**

The purchase is for technical services associated with the assembly, installation or servicing of equipment of a highly technical or specialized nature.

**Continuation of Prior Work**

Additional item, service or work required, but not known to have been needed when the original order was placed and is not feasible or practical to contract separately for the additional need.

**Delivery Date**

Only one supplier can meet the necessary delivery requirements; or

**REASON 2. The public agency exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation. An emergency exists whenever the time required for the Board to act in accordance with regular procedures would endanger life or property or threaten continuance of existing school classes; or**

**REASON 3. The awarding agency or pass through entity expressly authorizes proposals in response to a written request from SGASD; or**

**REASON 4. After solicitation of a number of sources, SGASD determines the competition is inadequate.**

Please document all sources contacted.

**STEP 2: COMPLETE THE FOLLOWING INFORMATION CONCERNING THE PURCHASE.**

1. Vendor Name:
2. Vendor Contact Name:
3. Vendor Contact Email:
4. Vendor Address:

5. Goods or services to be purchased:
6. Are there any other providers of these goods or services?
7. State in definitive terms why this source is the only one who can provide the goods or services (rationale for the method of procurement):
8. Is the price determined to be reasonable?
9. Additional information about the situation that is applicable to this purchase method:

**STEP 3: REQUEST A SOLE SOURCE LETTER (IF APPLICABLE) FROM THE VENDOR.**

**STEP 4: ATTACH THE XX SOLE SOURCE JUSTIFICATION FORM, VENDOR PROPOSAL, AND VENDOR SOLE SOURCE LETTER (IF APPLICABLE) TO THE PURCHASE TRANSACTION OR CONTRACT.**

**STEP 5: SUBMIT COMPLETED FORM TO THE RESPECTIVE FISCAL STAFF ALONG WITH TRANSACTION.**