



BROWN

Strategic Purchasing, Contracts & Insurance

**Sole Source /Single Source Supplier Selection Justification Form:**

(Waiver of competitive bid requirements)

The Federal Uniform Guidance Procurement Standards identify "Procurement by non-competitive proposals" as an acceptable method of procurement under a limited number of circumstances. The University's purchasing policies incorporate the federal requirements.

When competitive pricing was not obtained on procurements of \$25,000 and over, additional documentation is required in order for Strategic Purchasing, Contracts & Insurance (SPCI) to review and approve the issuance of a purchase order. Services cannot begin, and goods may not be ordered, prior to the issuance of the purchase order. Adherence to these requirements is necessary to ensure compliance with University and federal policies related to procurement.

*A Price Analysis is required when a sole source/single source method of purchasing is utilized. The Price Justification Section must be completed, OR a [Price Analysis Form](#) must be included.*

As part of the OMB's Uniform Guidance, there are specific requirements for conflicts of interest within a procurement action and how the University must handle them.

The regulation states:

"No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in or a tangible personal benefit from a firm considered for contract."

Name and title of person completing this form: \_\_\_\_\_

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

Requested Single/Sole Source Supplier:

Name of Company/Consultant:

\_\_\_\_\_

Product or Service Description: \_\_\_\_\_

Manufacturer & Model Number: \_\_\_\_\_

ECCN: (for export control classification) \_\_\_\_\_

Expected Cost: \$ \_\_\_\_\_

**Explanation for Procurement by a non-competitive method (select one or more):**

(Purchases involving Sponsored Funding must meet at least one of the following four conditions in order for the use of a sole source to be approved).

- What is being purchased is available only from a single source / not available from other suppliers;
- The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- The Federal awarding agency or pass-through entity expressly authorizes non-competitive proposals in response to a written request from the non-Federal entity (OSP/BMRA should route such a request to the federal agency and will manage as an Agency "prior approval" request); or
- After solicitation of a number of sources, competition is determined inadequate.

For purchases **using University funds only**, the following conditions can also be considered as appropriate to justify non-competitive selection of a supplier/vendor. (If the transfer of this expense to a sponsored funding source is anticipated, one of the four conditions listed **above** must be met or, the expense will not qualify to be transferred):

- Continuity of existing research Provide explanation below.

- Compatibility/ Warranty / Compliance with existing equipment or system. Provide explanation below.

**Price Justification and Reasonableness/Supporting Documentation:**

Describe in the box below your efforts to determine price reasonableness and attach applicable documentation.

*Examples of appropriate efforts to describe in the box below and documents to attach include:*

- Cost Analysis / Completed Price Analysis Form
- Market research – Quoted price compares favorably to market prices.
- Quoted price incorporates discounts not available to the general public and reflects substantial savings.
- Screenshots, emails, and catalog prices
- Pricing information obtained from colleagues at peer institutions who have purchased the same or similar items
- Prices of similar items
- Historical price from previous purchase of similar items
- Supplier has certified that price offered is equal to or lower than those offered to any government agency or private institution for both like items/services and quantities.
- Independent sources verify that this price is reasonable (public contracts, GPO, Kelly Blue Book, consortiums).
- Other

The University's requirements for soliciting competitive bids for purchases of \$25,000 or more and the criteria for justification for Single Source/Sole Source purchases needs to be met in order for this sole source justification to be approved and accepted by SPCI.

\_\_\_\_\_  
Name and title of individual making supplier selection

\_\_\_\_\_  
Date