

BOISE STATE UNIVERSITY
Request for Bidding Exemption for Sole Source
(Purchase Request Estimate is \$10,000 or Greater)

To: Director of Purchasing – Terri Spinazza

Requestor Name: _____ Department: _____

Request for the Purchase of: _____

Requested Vendor: _____ Cost Estimate: \$ _____

Requisition #: _____ Grant Proposal #: _____ OFC Award # _____

Will federal funds will be used for this purchase (partially or fully)? Yes No

If this purchase involves use of federal funds, please check all boxes below that apply to the identified Vendor.

- Small Business
- Small Disadvantaged Business
- Minority-Owned
- Woman-Owned
- Veteran-Owned
- Service-Disabled Vet-Owned
- HUBZone Small Business

Boise State University Purchasing Policy #6130, Section IV states that the University Purchasing Director may waive the competitive bid process on a request by a department to restrict a purchase to one potential Vendor. Sole source purchases are normally not allowed except when based upon strong technological grounds such as operational compatibility with existing equipment and related parts or upon a clearly unique and cost effective feature requirement.

Sole source purchases are defined as clearly and reasonably limited to a single Vendor. The use of sole source purchases shall be limited to those specific instances that are justified to satisfy compatibility, technical performance needs, or other unique circumstances where only one Vendor possesses the unique and singularly available capability to meet the product or service requirement.

Procurements of products/services for which the requesting department has established a standard by designating a brand or manufacturer or by pre-approving via a testing does not justify a sole source purchase if there is more than one potential Bidder or Offeror for the item(s). Rather, this is a sole product or brand-name-only request which shall be competitively bid since there is more than one potential Vendor of the item.**

1. This is a sole source (only one Vendor possesses the unique and singularly available capability to meet the product or service requirements) because:

- Sole provider of products/services for which the Department has established a standard**
***Procurements of items for which the Department has established a standard by designating a brand or manufacturer or by pre-approving via testing shall be competitively bid if there is more than one Vendor of the item.*
- Sole provider of a licensed or patented product/service
- Sole provider of items that are compatible with existing equipment, inventory, systems, programs or services
- Sole provider of factory-authorized warranty service
- Sole provider of products/services that will meet the specialized needs of the Department or perform the intended function (provide details in questions below or in an attachment)
- Vendor is a holder of a used item that would represent good value and is advantageous to the Department (please attach information on market price survey, availability, etc.)
- Sole manufacturer and distributor (attach manufacturer's letter to this effect)

Please answer each of the following questions in detail. Use a separate sheet if necessary, referencing each question by number

2. Describe the product/service you wish to purchase and its function:

3. What required features/functionality does this product/service provide which are/is not available with other products/services? Please be specific.

4. What steps were taken to verify that these features are not available elsewhere?

- Other brands/manufacturers were examined (List phone numbers and names, and explain why these were not suitable).

- Other Vendors were contacted (List phone numbers and names, and explain why these were not suitable).

5. What is it about this product/service that makes it unique? (Patents/copyrights, need compatibility with existing—why? Space constraints, must match equipment with another agency or department, consequences if this were put out for bid, etc.)

6. What steps were undertaken to determine that this is the only product/service that will meet the particular needs? (Professional opinions/correspondence, trade publications, trade shows, visits to, or correspondence with, other institutions that have installed the same product, site visitations, etc.) **Include phone numbers, contact names, dates, and attach quotes where applicable.**

7. Will this purchase tie us to a particular Vendor for future purchases? (Either in terms of maintenance that only this Vendor will be able to perform and/or if we purchase this item, will we then need more “like” items in the future to match this one?)

8. Will this purchase tie us to a particular Vendor for software and or software maintenance? (Does it need to be renewable and for how long?)

STATEMENT OF NEED

My recommendation for sole source is based upon an objective review of the product/service required and appears to be in the best interest of the University. My personal familiarity with particular brands, types of equipment, materials or firms has not been a deciding influence in my request to sole source this purchase when there are other Vendors known to exist.

CONFLICT OF INTEREST

I know of no conflict of interest on my part or personal involvement in any way with this request. No gratuities, favors or compromising actions have taken place. I certify that no personal advantage will accrue to me or any member of my immediate family as a result of this procurement.

REQUESTER AFFIRMATION

I am aware Boise State Purchasing Policy requires procurements (exceeding \$10,000) to be competitively bid. The supporting statements are complete and accurate, based on my professional judgment and investigations. I affirm that no other Vendor can provide the same or a similar product/service.

Requester Signature

Requester Printed Name

Date

Authorized purchasers must use prudent judgement in evaluating the value of exercising bid exemptions in lieu of competition. In our judgment use of this Purchasing Policy exemption is in the best interest of Boise State University.

Approved Rejected

Purchasing Department Buyer

Date

Approved Rejected

Terri Spinazza, Director of Purchasing

Date