**Sole Source** is procurement in which only one vendor is capable of supplying the commodity or service. This may occur when the goods or services are specialized or unique in character. ***'Sole' means 'the one and only.'*** Sole source procurement is procuring a product or service without competition.

A requirement for a proprietary item does not justify a sole source purchase if there is more than one potential bidder or offeror for that item. Examples of circumstances which could necessitate a sole source purchase are: 1) Where the compatibility of equipment, accessories, replacement parts or service is the paramount consideration; 2) Where a sole supplier’s item is needed for trial use or testing; 3) Purchase of resale items; or 4) Purchase of public utility services.

**Single Source** is procurement in which, although two or more vendors supply the commodities or services, the department selects one for substantial reasons, eliminating the competitive bidding process. ***'Single' means 'the one among others.'***

Making the determination that there is a single source of supply is a two-step process, and should be done with the assistance of someone from purchasing:

1. Determine whether there is only one brand which can meet your requirements. Use your list of requirements to examine competing products available in the marketplace to determine how many can meet your pertinent needs. You may conclude there is only one brand which can meet your requirements.
2. Determine if this brand can only be acquired from a single source of supply. When there is a legitimate reason to restrict competition to a single brand, there may be several sources of supply for the brand selected. You have not determined there is a sole source meeting your requirement until you have addressed both the issue of sole brand and whether that brand is available from only one source of supply.

Sometimes the two step process above can be time consuming. And, the time invested should be commensurate with the price of the service or product. Typically someone should be searching the marketplace to find out what is available. Several phone calls may be sufficient to document a sole source for a purchase totaling $5,000. For a purchase involving several hundred thousand dollars, the Department may wish to send out a Request for Information (RFI) to potential suppliers, asking for details about the product they supply.

If you already have enough information about what is available to determine that there is only one possible source of supply, briefly describe the process you used.

1. List the requirements which could not be met by other sources; and
2. State which vendors were contacted, and how their product was deficient in meeting your requirements.

Keep in mind that the common thread through each type of purchase is that justification to procure from a sole or single source cannot be based solely on quality or price; 'quality' can be a subjective evaluation and 'pricing' is subject to the level of competition.

Sole Source and Single Source requests are not valid when:

* Personal preference for a product, brand or vendor exists.
* The statement of 'no substitution' is the only rationale.
* Lack of planning exists on behalf of the requesting office.
* Vendor has been the exclusive contractor or authorized vendor.

In contrast to the two above, **Emergency Purchases** are only to be used when urgent and unexpected circumstances come to pass and require formal authorization by the Director or other authorized state official.

It is important to sufficiently address the major reason for conducting a noncompetitive procurement, avoiding peripheral issues which detract from the main reason and reduce the credibility of the justification. The rational must be clear and convincing, avoiding generalities and unsupported conclusions.