

Single Source/Sole Source Justification Form

Complete this form for general equipment and service requisitions where competition may be restricted. Completing this form does not guarantee that the proposed vendor will be selected. The Purchasing Department may require additional information. **It is the requisitioner's responsibility to provide all the required information and documentation indicated on this form.**

Please return this completed form with requisition, attached cover sheet and any additional back-up to the Purchasing Department.

Ordering Department

Requisition

Vendor No.

Name

A. Explanation of Sole Source

Select one or more of the following statements (check the box) to support why the requisition attached and noted above should be a sole source purchase. Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under small purchase procedures, sealed bids, or competitive proposals and at least one of the following circumstances are present:

Any selection requires explanation in the additional space provided.

Unique or Innovative Concept. The offeror demonstrates a unique or innovative concept or capability not available from another source. Unique or innovative concept means a new, novel, or changed concept, approach, or method that is the product of original thinking, the details of which are kept confidential or are patented or copyrighted, and is available to the recipient only from one source and has not in the past been available to the recipient from another source.

Patents or Restricted Data Rights. Patent or data rights restrictions preclude competition.

Substantial Duplication Costs. In the case of a follow-on contract for the continued development or production of highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in substantial duplication of costs that are not expected to be recovered through competition.

Unacceptable Delay. In the case of a follow-on contract for the continued development or production of a highly specialized equipment and major components thereof, when it is likely that award to another contractor would result in unacceptable delays in fulfilling the recipient's needs.

B. Explanation of Single Bid or Proposal

Upon receiving a single bid or single proposal in response to a solicitation, the recipient should determine if competition was adequate. This should include a review of the specifications for undue restrictiveness and might include a survey of potential sources that chose not to submit a bid or proposal.

Any selection requires explanation in the additional space provided.

Adequate Competition. FTA acknowledges competition to be adequate when the reasons for few responses were caused by conditions beyond the recipient's control. Many unrelated factors beyond the recipient's control might cause potential sources not to submit a bid or proposal. If the competition can be determined adequate, FTA's competition requirements will be fulfilled, and the procurement will qualify as a valid competitive award.

Inadequate Competition. FTA acknowledges competition to be inadequate when, caused by conditions within the recipient's control. For example, if the specifications used were within the recipient's control and those specifications were unduly restrictive, competition will be inadequate.

Unusual and Compelling Urgency. The Common Grant Rule for governmental recipients permits the recipient to limit the number of sources from which it solicits bids or proposals when a recipient has such an unusual and urgent need for the property or services that the recipient would be seriously injured unless it were permitted to limit the solicitation. The recipient may also limit the solicitation when the public exigency or emergency will not permit a delay resulting from competitive solicitation for the property or services.

Authorized by FTA. FTA authorizes noncompetitive negotiations (letter of authorization is attached).

Explanation for section (A) or (B) is required for any selection statement. Information might include research performed or subject matter expertise detailed to justify the use of this particular vendor and their product. This must clearly indicate why the proposed vendor is the **ONLY** vendor that will meet your requirements.

C. Establishment of the Non-Competitive price

Select one or more of the following statements (check the box) to support why the accepted noncompetitive price was fair and reasonable. **Any selection requires explanation in the additional space provided.**

The price was obtained from a catalog or standard price list for items sold to the general public in substantial quantities (catalog or price list must be provided or be on file).

The quoted prices minus the vendor’s discounts are lower than prices available to the general public and reflect substantial savings.

The quoted prices compare favorably to market prices, or to previous prices obtained and found to be fair and reasonable, which were paid for the same or similar items on:
(Date) _____, (PO) _____, (Bid) _____

The vendor has certified that the prices offered are equal to or lower than those offered to any government agency for both like items/services and quantities.

Cost Analysis (i.e., labor hours, overhead, materials, and profit.)

Explanation for section (C) is required for any selection statement. Information provided might include a catalog price page, pricing for similar products or other price comparison information gathered to justify non-competitive price.

Please attach any additional justification that would support the above explanations.

I certify that to the best of my knowledge I have investigated and found that the above reasons and explanations justify this requisition as a single/sole source purchase, and that the non-competitive price is adequately confirmed. I am the individual who has gathered and provided this detailed information (a copy of which is attached to this form) and any further questions regarding these details can be directed to my attention. I also certify that neither I nor any member of my family or household will receive a financial benefit from the use or engagement of this Vendor.

Signature _____

Date _____

Print Name _____

Title _____

E-mail address _____

Phone _____

To be completed by Purchasing Department

Justification appears appropriate.

Justification appears inappropriate.
Agent has contacted the department representative and advised the status of the order. Explanation is attached.

Agent’s Signature _____

Date _____