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**Sole Source Overview**

**SOLE SOURCE (19-445.2105)**

Exceptions: Sole Source procurement is not permissible unless there is only a single supplier. The following are examples of circumstances which could necessitate sole source procurement:

1. Where the compatibility of equipment, accessories, or replacement parts is the paramount consideration;
2. Where a sole supplier’s item is needed for trial use or testing;

(5) Where the item is one of kind

**Written Determination**

1. The written determination to conduct a procurement as a sole source shall be made by either the Chief Procurement Office, the head of purchasing agency, or designee of above the level of the procurement officer. Any delegation of authority by either the Chief Procurement Officer or the head of a purchasing agency with respect to sole source determinations shall be submitted in writing to the Materials Management Officer.
2. The written determination must include a purchase description that states the using agent’s actual needs, which shall not be unduly restrictive. In cases of reasonable doubt, competition should be solicited. The determination must contain sufficient factual grounds and reasoning to provide an informed, objective explanation for the decision and must be accompanied by market research that supports the decision. The determination must be authorized prior to contract execution.
3. Before submitting a sole source request the department should perform market research to ensure that there is only one source of supply, services, information technology, or construction. The market research that is provided with each request will be confirmed by the Buyer once the requisition is assigned.
4. Written justification from the department is required. This should be in the form of a memo detailing the factors that make the request a sole source.
5. For a request that exceeds $50,000.00, it will be considered as an “intent to sole source” and will require to be advertised in the South Carolina Business Opportunity (SCBO) for 5 business days. Intent to sole sources that exceed $250,000.00 will be advertised in SCBO for 10 business days.
6. If the procurement is greater than $500,000.00 a completed Contractor Certification of Cost or Pricing Data Form is required.
7. Purchasing will review and determine if the written justification meets the sole source criteria. If all requirements are met and approved, a purchase order will be issued to the vendor.

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| --- | --- | --- |
| **Logo, company name  Description automatically generatedSole Source Requisition Checklist**  Before submitting a purchasing requisition, please review the below checklist to ensure the requisition is complete and accurate. | | |
| **Task** | Checkmark with solid fill | **Things to remember/include:** |
| **Purchasing Threshold** | | |
| **Sole Source Procurements**  **Up to $50,000.00** |  | Attach quote from vendor with their letterhead. |
|  | Attach the Department sole source memo justification. See Sole Source Memo Template for details. |
|  | A Buyer will be assigned to assist the Department with the sole source request and write the written determination to seek approval. |
|  | The determination must be authorized prior to contract execution by Legal. |
|  | Provide the contact information of the end-user/ PI to use to request additional information if needed. |
|  | Does not require advertisement in SCBO. |
| **Over $ 50,000.00** |  | Follow process for sole source request under $50,000.00 |
|  | Notice must be posted in SCBO for 5 business days up to $250,000.00. |
| **Over $ 250,000.00** |  | Follow process for sole source request under $50,000.00. |
|  | Notice in SCBO for 10 business days for potential value greater than $250,000.00. |
| **Over $ 500,000.00** |  | Include a completed Contractor Certification of Cost or Pricing Data Form. Contact Purchasing. |

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**Sole Source Memo Template**

DATE: **Insert Date Here**

TO: Ms. Clarissa Clark, Director of Purchasing

FROM: **Insert Requestor’s Name and Email Address**

RE: **Insert Department Name- Sole Source Procurement Request**

Sole source procurements require a memo justification from the department explaining why a commodity should be procured as a sole source. The details in the sole source should cover the four (4) items below in detail. This information will be used by the Buyer to write a written determination to seek approval from the University’s Chief Procurement Officer.

Please use this information as a guide to provide as much information as possible regarding the department sole source request.

**Description of the Agency need that this procurement meets.**

* Provide what the department is requesting to procure as a sole source and from which company.

Example: The Department of Purchasing is requesting to procure annual software renewal from Peoplesoft.

**Description of market research Agency performed to determine the availability of products or services that would meet the Agency’s needs.**

* + Please provide what type of market research was performed to determine that no other source can provide the commodity the department is requesting.
    - Example: google internet search, past purchases, etc.
* The Department should provide details of the history of procurement.
  + The original procurement of software, the last approved sole source, etc.

**Description of supplies, construction, information technology, and/or services Vendor will provide under the contract and justification of need.**

* Provide a description of the items that the department is requesting, and how these items will be used in the department.

**Detailed explanation why no other vendor’s supplies, construction, information technology, and/or services will meet the needs of the Agency.**

* Provide a reason why no other supplier can provide this commodity.
  + Where the compatibility of equipment, accessories, or replacement parts is the paramount consideration.
  + Where the item is one of kind and there is no dealer network.