



## **Sole Source Request**

### **CITY PURCHASING**

**Attach your Requisition or Blanket Contract Request and send to SMT-41-12  
Call 206-684-0444 for assistance**

**This form is for products, equipment, supplies or routine services.**

For Consultant Services see, <http://inweb/contracting/consultant.htm>

For Public Works, see <http://inweb/contracting/construction.htm>

This Request requires detailed information to justify the waiver of legal bid requirements. Fill this out completely with detailed information. City Purchasing will return those requests that do not provide sufficient information.

A sole source is a rare and unique exception to City purchasing regulations. Various Supreme Court decisions, regulations and statutes require competitive bidding unless that is not possible or the requirement is so unique, no other bidder could possibly fulfill the City requirements. The Department and Project Manager should submit all acquisitions for a competitive bid, unless a specific sole source situation exists.

- If there is any doubt, request a competitive bid.
- Specifications must be as expansive as possible to allow the greatest possible pool of bidders to compete. Specifications that narrow the field, especially to a sole source condition, must have a strong business purpose.
- A late start to the project does not justify a sole source.
- Prior work on a project is not necessarily an appropriate reason for a sole source.

If you have used expansive specifications and still find circumstances that establish a Sole Source, complete this Sole Source Request, route through your Department Procurement authority, and send to City Purchasing. These requests are usually attached to a Blanket Contract Request or a Purchase Order request. City Purchasing reviews sole source requests and makes the final determination.

Date of this Request:

Your Name:

Your Phone:

Your Department:

Your Mail Stop:

Requested Vendor:

Vendor Representative:

Vendor Phone Number:

Vendor E-mail:

Contract Cost Estimate:

Desired Contract Start Date:

1. Describe the product, service or system.

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2. The following section is to explain why only this particular brand, product or service is suitable. Check the boxes and attach detail to make the business case for the product and services you consider to be sole source. Document a convincing case based on one or more of the following reasons, to clearly explain why it is not possible to use an alternate. This should not rely upon arguments about the time or expense of preparing and conducting a bid. This should also not rely upon the time and expense of training a new vendor to take over the contract duties, because the bid selection process will have proper ways of factoring that element into the award decision.

- Compatibility to existing City standard or to existing equipment, inventory, systems, data, programs or service. Provide the business case for the standard and attach a copy of the standard if it is written.
- Licensed or patented product with only one dealer. Why is this particular licensed or patented product the only one suitable for your purpose?
- Authorized Service Provider, Repair and/or Warranty Services. The City requires service or repair support for products or equipment owned by the City, and the Vendor is either a factory authorized warranty service provider or else that particular Vendor is required for warranty services according to the conditions of a current City Contract.
- Unique design: Requires unique features that are essential aesthetic requirements, or not practical to match to existing design or equipment, such as artwork. Describe.
- Special bargain. This might include a surplus item, an auction sale, used equipment, returned "open box" purchase, or other similar one-time bargains. Describe.
- Delivery Date: Only one supplier can meet required delivery date. Explain why this delivery date is essential. This can only be used in limited circumstances, for delivery deadlines that are the result of an unanticipated situation, and not a circumstance that could have been reasonably anticipated or averted by advance City planning.
- Project or Research Continuity: Product, systems, services or data must comply with an ongoing project, research, data, testing or analysis without a compromise in the integrity of the project. Also, this should be a situation that can not be replicated by another company because there is a legal or physical obstruction to disclosing the project information to allow another company the opportunity to replicate. Examples include situations where a company has legal and/or proprietary rights to customization such as software code, or to data; or testing or data is collected through a unique measuring instrument that can not be accurately duplicated and offered by another vendor.
- Requirement by Funding Source: Lender, grantor (such as Federal government) or other provider of funds requires the specific product, service or system. Attach a copy of the document that clearly shows such a requirement is imposed by the funding source.
- Legal Monopoly: Only one supplier, such as electricity, water, or sewage.
- Trial and Evaluation projects: A limited duration, limited scope pilot, trial or evaluation of a product, range of products or services. A trial or evaluation project would typically be part of establishing a standard for a City Department, or to pilot a particular product or services for a City need. Describe the pilot, specify the scope of the pilot, and attach information to confirm that the pilot is part of a purposeful Department pilot initiative.
- Other. Describe.  
Why is this the only company that can provide the sole source product or service? The previous section explains why a particular product, manufacturer or service is necessary. The section below discusses why the company you request is the only available company.

3. Explain why only this one company can provide the products or services. Identify any unique specification, qualifications, experience or products which make this the only available company.
4. Describe the steps taken by the department to identify any other qualified companies to perform the work. This may include a website search or a verification from the manufacturer of a sole dealer.
5. If this is a service, confirm that you assessed in-house capability and availability to perform the work.
6. If this a service, is this work typically performed by civil service workers? If yes, you must provide notice to the Labor Union and the Labor Relations Unit of Personnel. Attach a copy of your notice.
7. To approve and negotiate a sole source contract, the Buyer will need to investigate pricing to ensure it is reasonable. If you have proposed pricing, please attach and provide any analysis you have completed to confirm the pricing is reasonable. If not, the Buyer will seek this information separately.
8. Specify whether the department anticipates any future budget that could expand the scope of this project request, or any other future phase or expansion that could occur once the work is underway. Identify the potential scope and estimated dollar value of such additional work.

City Purchasing seeks signature from your Department Procurement Coordinator, your Fiscal Director, or other Department agent with assigned responsibility for procurement approval, that indicates the Department has reviewed and agrees with the sole source request.

Department Procurement Coordinator: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Requestor: \_\_\_\_\_ Date: \_