3.5 Instructions for completing a Sole/Single/Proprietary Justification Form

**Sole Source**: A Sole Source Procurement is a procurement where only one source is practicably available for the goods or services required. The purpose of the written sole source determination is to show that competition is not practical because only one source is practicably available to meet a specific need. Competition is not available in a sole source procurement thus distinguishing it from a proprietary procurement where the product is restricted to that of one manufacturer. In addition, in sole source procurements, written documentation must be provided to demonstrate that the proposed price is deemed to be fair and reasonable.

**Single Source**: A Single Source Procurement is one in which two or more vendors can supply the commodity, technology and/or perform the services required by an agency, but the State agency selects one vendor over the others for reasons such as expertise or previous experience with similar contracts. Circumstances leading an agency to select this method of procurement may include, for example, an agency's need for a specific consultant firm where a number of firms are available to perform the work. In such a case, the agency can demonstrate a rational basis for selecting a single vendor because of specific factors such as past experience with a particular issue, familiarity with specific agency operations, experience with similar projects at other agencies or at other levels of government, demonstrated expertise, or capacity and willingness to respond to the situation.

**Proprietary Specification**: A Proprietary Source Procurement is a procurement where the desired good/service must be restricted to one manufacturer because the good/service is compatible with or is an integral component of existing equipment or products; is necessary to support a specific need of a program; is covered by patent or copyright; must yield absolute continuity of results, or is one with which a user has extensive experience, and the use of any other similar piece of equipment would require considerable reorientation and training. In such cases, an equitable evaluation of comparable products and/or services must be made and documented by the requester which shows that rejection of other products is based solely on their failure to meet that need. In cases where no other comparable source can be identified, a technical description of the product or service requested and a listing of those sources which were considered as alternates must be provided. Upon receipt of such documentation, a proprietary request may be granted and competition will be obtained among the distributors which carry the manufacturer's product.