**OVERVIEW**

Virginia law and regulations require that the Institution, as a state agency, procure goods and services subject to competition; however, this competition requirement is only waived under special circumstances and procurement methods. The Commonwealth recognizes several procurement methods, one of which is sole source procurement.

A sole source procurement is based on the need to procure a unique good(s) or service(s) and that unique good(s) and/or service(s) is not widely available or has limited availability. As a result, a sole source procurement represents a unique exception to the legal and regulatory requirements for competition. Completion of this form is intended to document and affirm that only a single product or service provided by a specific vendor will meet your business unit’s essential requirements.

Please note:

* Completion of this form does not guarantee approval of a sole source procurement, and the final determination of a Sole Source validity will be made by the Procurement Department
* Sole Source Procurement is subject to RBC policy, audit and public review
* Vendors are not permitted to complete this form for your business unit
* Price and delivery are NOT factors in determining if a product and/or service is a sole source
* Submission of this document constitutes acknowledgment that the requester has no personal, financial, or fiduciary relation with the recommended vendor

**DOCUMENTATION**  
Proposed Vendor Click or tap here to enter text.

Vendor Point of Contact (POC) Click or tap here to enter text.

Vendor POC email Click or tap here to enter text.

Vendor POC Phone Number Click or tap here to enter text.

Description of Product and/or Service Click or tap here to enter text.

Projected Cost Click or tap here to enter text.

1. Please provide a brief background summary of why you need the product/service. Why is the requested product/service the only one that can satisfy your requirements? Provide specific details on any unique features of the product/service that are not available in any other product/service and are essential to your required minimum performance. Click or tap here to enter text.
2. Why is this vendor the only practicably available source from which to obtain this product/service? Provide specific details on the expertise, experience and/or capabilities that support why the requested vendor is the only one that can provide the required product/service. Note that support why the requested vendor is the only one that can provide the required product/service. Note that if this product/service is available through multiple distributors, it is not justifiable as a sole source.

Click or tap here to enter text.

1. Alternative vendors and products/services should be researched to substantiate why there is only one practicable source. What were the names of the vendors and the products/services that were researched? What were the specific performance requirements that could not be met to make conducting a form solicitation unnecessary? Click or tap here to enter text.
2. If no other vendors were considered, please denote at least one of the following:

Exclusive distribution

Integral part or accessory compatible with existing equipment

Maintenance service for existing equipment

Upgrade or maintenance for existing software

Used in research and is required to provide continuity of results  
Curriculum specific need (Curriculum would need to change if not used)

Vendor specifically named in grant and/or grant proposal

Other: Click or tap here to enter text.

1. Will this purchase obligate the Institution to this vendor for future purchases (e.g., annual support/maintenance and/or future upgrade requirements)? If yes, provide details regarding the duration of any potential commitments as well as the estimated cost for such commitments.

Click or tap here to enter text.

1. Based on my professional experience and knowledge of the marketplace, submission of this document constitutes acknowledgment that the price offered is considered to be fair and reasonable based on at least one of the following (please attached documentation to support):

Historical/Past Pricing

Prices charged for similar items

Prices paid by other customers

A public price list or public catalog

Other/stakeholder justification Click or tap here to enter text.

1. In certain circumstances negotiations may have already taken place. Has the business unit already negotiated with the vendor or secured educational discounts? If so, please provide additional details.

Click or tap here to enter text.

**DEPARTMENT APPROVAL**

On behalf of my business unit, I certify that the information submitted is accurate and complete. I understand that this document is subject to RBC policy, audit and public review.

**Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_  
  
Business Unit: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Ext: \_\_\_\_\_\_\_\_\_\_\_\_\_\_ Email: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**SUBMISSION INSTRUCTIONS:**

Please send this completed form with all supporting documentation and email to aturner@rbc.edu.

**SOLE SOURCE CHECKLIST**

1. Public Procurement Ethics and Conflict of Interest Agreement (Annex 8-G) by agency employees having official responsibility with the sole source procurement.

2. Written determination approved by the agency head or designee as provided in 8.1, for procurements over $10,000 and up to and including $50,000.

3. Approval for sole source, non-technology procurements over $50,000 must be signed by the agency head or designee, as provided in 8.1 and sent to DGS/DPS for approval prior to commencement of the actual procurement. All requests for DGS/DPS approval must be submitted in eVA.

4. Noncompetitive negotiation shall be conducted. The file shall include the results of the negotiations.

5. Evidence that a determination of price reasonableness was conducted.

6. Prior to award, if a high risk contract, submit contract for external agency review (see 3.1). Post sole source notice of award and contract in eVA.

7. PO or contract issued.

e. **Authority to Sign Procurement Documents**.

(1) **Designations**.Agencies shall designate in writing those persons authorized to approve procurement documents. Dollar thresholds should be established, as applicable, for each signature authority. A copy of the written authorization shall be on file in the agency’s purchasing office. Agency personnel having “official responsibility” as defined in *Code of Virginia,* § 2.2-4368, for procurement must comply with the *Virginia Public Procurement Act* and the policies and procedures set forth in the most recent editions of the *Vendors Manual* and this manual. Intentional violations could subject the responsible party or parties to suspension or removal from office under the provisions of *Code of Virginia,* § 2.2-1115.

(2) **Designated signature authority is required for the following documents:** purchase requisitions submitted to DGS/DPS, agency purchase orders, contracts, , multi-colored printing, waiver of a prebid or preproposal conference, contract modification, and written determinations to support the use of emergency procedures. The agency head may delegate approval authority in writing, for sole source procurements up to and including $50,000 to the chief purchasing officer or a direct report to the agency head. Over $50,000 the agency head may delegate approval authority in writing, to a direct report to the agency head.

**Official Responsibility:** As defined in § 2.2-4368 as administrative or operating authority, whether intermediate or final, to initiate, approve, disapprove or otherwise affect a procurement transaction, or any claim resulting therefrom.