



Guide to Sole Source & Sole Brand Procurement

Use and Application: This guide is applicable in the following situation: 1) Purchase is ≥ \$25,000, 2) We are not using a statewide or agency contract, and 3) the items must be purchased in a manner that restricts competition (sole brand/sole source).

What is a Sole Brand? Only one manufacturer/brand is able to meet your needs, but the good/service can be purchased from more than one vendor. Usually, a Sole Brand requires competitive bidding.

What is a Sole Source? The vendor from which the good/service is being requested is the only source for those goods/services that meet the requesting department's needs. For example: the manufacturer does not have authorized distributors; a vendor is the only authorized provider for the manufacturer; or the distributors/resellers have exclusive rights for customers in a given territory. Sole source justifications may require a public posting (minimum posting period is 5 business days), under which time frame a non-selected vendor may file a protest.

There are two reasons for requesting a sole source:

- 1) Exclusive capability is when only one supplier can satisfy the technical requirements because of unique technical capabilities or expertise.
- 2) Excessive cost is when only one supplier can furnish the services because using an alternative source would result in excessive costs for the University.

Please Note:

- There are some purchases which do not follow the process outlined in this guide. If your purchase meets one of the below criteria, please submit your requisition in UGAmart along with a copy of the quote provided by the vendor:
 - Goods and Services identified by State Purchasing as [exempt from competitive bidding](#).
 - Emergency supplies of drugs, chemicals and sundries: dental supplies and equipment
 - Livestock for Slaughter
 - Technical Books & Other Printed Matter on Technical Subjects.
 - Technical Instruments and Supplies.
 - This process is not applicable to construction and public works services. These are handled via a separate process.
- If there is a mandatory statewide contract for the goods/services being requested, Procurement may need to submit a waiver to State Purchasing prior to approving a sole brand or sole source to a non-contract vendor.
- The [utilization of federal funds](#) may necessitate additional documentation. Procurement will contact your department to facilitate completion of any necessary paperwork.

Checklist for Sole Brand/Sole Source Purchases: The table below identifies required documents, the division of responsibilities between the requesting departments and Procurement, and the chronological order of the Sole Brand/Sole Source purchasing process:

Department Responsibility	<p>Section 1. When submitting the requisition in UGAmart, please include:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Sole Source/Sole Brand Justification Form <input type="checkbox"/> Quote obtained from the preferred vendor
Procurement Responsibility	<p>Section 2. Procurement staff conducts a review of the information provided by the department, coordinates posting (if required), and reviews/negotiates Terms and Conditions (if necessary). Procurement staff may need to obtain the following documents from the vendors, depending on what is being purchased, its dollar value, and the funding source:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Letter from the Original Equipment Manufacturer <input type="checkbox"/> Department of Revenue approval (also known as Tax Compliance Form approval) <input type="checkbox"/> Federal Debarment Form (when requisition is federally funded and the total cost is ≥\$35,000) <input type="checkbox"/> Immigration and Security Form (also known as E-verify Contractor Affidavit)