



Brigham Young University Purchasing Department
Sole Source Justification Form for Purchases

Date: _____ Department/School: _____

Requisition #: _____ Dept. ID: _____ Amount: \$ _____

Purchasing Policy and Procedures at Brigham Young University require that competitive bidding be conducted for purchases of \$10,000 or more (recommended for purchases of \$5,000 or more). "Sole source" means that a single vendor is uniquely qualified to meet the department's or school's procurement objective and therefore the purchase should be exempt from the competitive bid process. The University's Purchasing Department is the single point of contact for central procurement activities and is therefore responsible for enforcing this policy.

This **Sole Source Justification Form** is to be used by departments and schools to document sole source purchase requests of \$10,000 or more, in an effort to make sure purchases are being made in compliance with University Policy and Procedures. If a department or school has determined that their purchase qualifies as a sole source, follow the instructions below:

- Request a quote from the vendor or have Purchasing request a quote and negotiate with the vendor on your behalf (involving Purchasing early to make sure all necessary forms are properly completed will expedite the approval process). Competition, whether real or perceived, ensures that suppliers keep their prices reasonable.
- Complete the Sole Source Justification Form.
- Create a Purchase Requisition using Y-MARKETPLACE and submit. An electronic copy of the Sole Source Justification Form must be attached to the requisition. If the selected vendor's quote references terms and conditions, the quote and terms should also be electronically attached to the requisition.
- Copies of all quotes and other supportive documentation shall be maintained by the department/school in accordance with University record retention guidelines. Purchasing reserves the right to request and review documentation related to the purchase, or to conduct additional negotiations.

A Purchase Order (PO) will be issued and sent to the vendor when the Requisition has received all applicable internal department/school and purchasing approvals through electronic workflow.

1. To be considered a sole source, and therefore exempt from the competitive bid process, one of the following conditions must be met (check appropriate boxes):

The actual product or service needed is the only one that will meet the department/school's requirements and it can only be purchased from one source (manufacturer or distributor).

The public exigency or emergency for the required purchase will not permit a delay resulting from competition.

Product needed is specifically required for use in conjunction with grant or contract, and the sponsor has given written approval of sole sourcing. In this case, a copy of the written approval must accompany the requisition.

After solicitation of a number of sources, competition is deemed inadequate.

2. Vendor Name:

3. Provide a Detailed explanation below of the “need” that has to be fulfilled, focusing on the requirements (not a description of the company’s product or service). Also explain what activities related to this purchase have already occurred prior to submitting this request, what other products or services in the market were considered and why they did not fulfill your need, has the vendor already done any work related to this project, etc. Finally, explain why this vendor is uniquely qualified to meet your needs.

4. Conflict of Interest. It is the policy of Brigham Young University that its employees conduct the affairs of the University with the highest ethical, legal, and moral standards. An employee must not be in a position to make a decision for the University if his or her personal, professional, or economic interests may be directly influenced or affected by the outcome. Refer to the **BYU Conflict of Interest Policy** and **Financial Conflict of Interest in Sponsored Research Policy** for more information. Please answer the following questions as they relate to the relationship or activities between the individual who selected the vendor and the proposed vendor. A "Yes" answer does not necessarily constitute a conflict of interest. However, without complete disclosure, a fair and reasonable assessment of whether this vendor is an appropriate business partner of the University cannot be made.

Name of individual who selected the vendor:			
To the best of your knowledge:	Yes	No	Comments
Is the individual who selected the vendor, immediate family member, or extended family member (e.g. spouse, child, sibling, parent, niece, nephew, or in-law) employed by, acting as a consultant, or have a financial interest in the vendor?			
Has the individual who selected the vendor, immediate family member, or extended family member received any gifts (other than promotional items or an occasional meal) or more than incidental hospitality from the vendor within the last 12 months?			
Has the individual who selected the vendor, immediate family member, or extended family member given a gift or provided more than incidental hospitality to the vendor within the last 12 months?			

Purchasing decisions are business decisions made on behalf of the University and therefore should be made with the utmost consideration for what is in the best interest of the University. Department/school personnel take full responsibility that the information on this form and all related documentation is accurate and truthful and that Purchasing Policies and Procedures were followed. Departments/schools, as well as individuals, that are not handling purchases according to Policy and Procedures are subject to disciplinary action.

Individual who filled out the Sole Source Justification Form:

Name:

Phone:

Title:

E-mail:

Individual who selected the vendor:

Name:

Phone:

Title:

E-mail: