

Sole Brand / Sole Source Justification

INSTRUCTIONS: Use this form whenever a specific brand product is required and no other alternative brand is acceptable or when a specific vendor is required and no other vendor is available and/or acceptable. See last page of this form for more information. Route completed form (pages 1-2) to Contract Services and Procurement.

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	pe of Justification
Check only box be	elow. Do not check both boxes. See last page of this from for more information.
\square Sole Brand .	Justification: The item being requested has unique performance features not found in other items ble on the open market from multiple sources.
	Justification: The item being requested has unique performance features not found in other items ble only from a single manufacturer or from a single dealer with distribution rights.
	quired Information
All questions belo if necessary.	w must be fully completed to support a sole brand or sole source procurement. Attach further documentation
1. What is	the particular product and/or vendor chosen?
	re the unique performance features of the product or brand you have specified that are not available from st/brand? (Services: What are the unique qualifications that this vendor possesses?) Please be specific.
3. Why are	these specific performance features required to perform its intended function?
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	her comparable models currently available were evaluated, rejected and why? Provide brand name, model d contact, and date contacted. (Services: What other vendors were evaluated, rejected and why?)

SECTION 3: Certification

I am aware of the State of California requirements for competitive bidding and the established criteria for justification of sole brand and sole source purchases. As an authorized department representative, I have gathered the required technical information and have made a concentrated effort to review comparable products for this purchase. This is documented in this justification. I hereby certify the validity of the information and feel confident this justification for sole brand/sole source meets the State's criteria and would withstand an audit by the State Board of Control or a vendor protest.

Requestor's Signature:	Date:
Requestor's Name:	Phone:
Department Name:	Email:
Procurement Use Only: Procurement to approve up to \$100,000.00. Vice Presents approve \$250,000.00 or more.	ident Administration must approve \$100,000 or more. Chancellor's Office
Procurement to approve up to \$100,000.00. Vice Pres	ident Administration must approve \$100,000 or more. Chancellor's Office \square Disapproved
Procurement to approve up to \$100,000.00. Vice Press must approve \$250,000.00 or more.	
Procurement to approve up to \$100,000.00. Vice Pressmust approve \$250,000.00 or more. Approved	□Disapproved

Note: The State requires that CSUM purchase on a public competitive bid basis and award orders to the lowest responsible bidder meeting specifications. Sole source procurement is permissible only when a determination has been made and approved in writing, that only one source exists for the required product or service in accordance with the requirements set forth in the CSU Integrated CSU Administrative Manual, Section 5206.100 and 5206.200.

Sole Brand Guidelines

Sole Brand items have unique performance features not found in other items but are available on the open market from multiple sources.

Sole Brand purchasing is an exception to the procuremkent policies. Such requests should **not** be made unless you are certain there is a valid requirement and adequate documentation to qualify for this exception. The brand name product is:

- Unique and essential to the CSU's requirements, thereby precluding consideration of a product manufactured by another company, or
- 2. Required to match other similar product already procured through a competitive process and the use of an alternate product would cause the CSU to incur substantial additional costs, and you provide specific information regarding the equipment you are matching.

In order for Procurement to consider a request for *Sole Brand,* the justification form must be completed and signed. This justification, if approved, will remain on file in purchasing for review by the State Auditors.

Factors which do not apply to sole brand: The following should not be included in your justification as they will not be considered:

- 1. Personal preference for product or vendor.
- 2. Cost, vendor performance, local service, maintenance and delivery. (These may be considered award factors in competitive bidding.)
- 3. Explanation for the actual need and basic use for the equipment, unless the information relates to a request for *unique factors*.
- Lack of advanced planning.
- 5. The statement "No Substitution" will not be considered without completion of the justification form.

Sole Source Guidelines

Sole Source items have unique performance features not found in other items *and are available only* from a single manufacturer/dealer with exclusive distribution rights.

Sole Source purchasing is an exception to the procurement policies. Such requests should **not** be made unless you are certain there is a valid requirement and adequate documentation to qualify for this exception. The sole source request must clearly demonstrate:

- 1. There is only one source or only one supplier that can provide the goods or services in accordance with the requirements of the CSU.
- 2. Addition of new work that was not within the scope of or incidental to the original contract scope of work, either as part of the base contract or as an option, requires sole source justification and approval.
- 3. To *match and intermember* is an acceptable justification of sole source when you provide specific information regarding the equipment you are matching.

In order for Procurement to consider a request for Sole Brand, the justification form must be completed and signed. This justification, if approved, will remain on file in purchasing for review by the State Auditors.

Factors which do not apply to sole source: The following should not be included in your justification as they will not be considered:

- 1. Personal preference for product or vendor.
- 2. Lack of advanced planning.
- 3. Concerns related to the amount of funds available for the acquisition of the goods or services (e.g. funds will expire).
- 4. Explanation for the actual need and basic use for the equipment, unless the information relates to a request for unique factors.
- 5. The statement "No Substitution" will not be considered without completion of the justification form.

Note: If you need assistance in completing your justification, please contact the Procurement.