

Sole Source or Restrictive Justification for Commodities

Materiel Division
1526 K Street, Suite 130
Lincoln, NE 68508
402-471-6500

Sole Source – Commodity: When an item is available from only one source due to the unique nature of the requirement, its supplier, or market conditions.

Restrictive Source: Restrictive is defined as "a specification or purchase description that limits competition". This method of procurement is utilized when only one product is suitable for the agency's needs, but it is sold through distributors/resellers.

Agency must clearly justify why this product cannot be competitively bid, or why only a certain brand is acceptable. Use the following form to provide a justification.

If this is a Sole Source Request, there must be a letter attached from the manufacturer, not a sales representative, on their company letterhead, stating they are the only provider of the product.

If this is a Restrictive Request, there must be a letter attached from the manufacturer, not a sales representative, on their company letterhead, listing their servicing dealers/resellers.

Requisition Number: _____ **Agency:** _____

Agency Contact: _____ **Title:** _____

Indicate if Sole Source or Restrictive: Sole Source Restrictive

1. Explain why this product is necessary and what specifications are required to meet the need.

2. Explain how and why ONLY the designated product meets the need. In general, what is there about the equipment/supplies which require that it be procured only from a single source? Why is the manufacturer or source uniquely qualified to provide the required item?

3. Specifically name, by manufacturer and model, or by provider, other products that were researched.
(If fewer than 3, please explain)

4. State specifically how and why the other products researched do not meet the need.

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5. Describe any effort to identify other sources to furnish the required items. If no efforts were undertaken, state the reasons for not doing so. If other sources were contacted, state by whom and briefly, results.

6. Are the specifications for the item or equipment proprietary (i.e. patented, trademarked, exclusive) to the single source? If so, how was this determined?

7. Can generic specifications which set forth the minimum requirement for the needed purchase be developed? If not, explain why this cannot be competitively bid.

8. What steps are being taken to insure that future acquisitions of these supplies are made competitively?

By signing below, I am aware of and do justify the reasons as shown above for this purchase. The requesting agency is solely responsible for the determination of facts supporting this request, and acknowledges Materiel Division will rely on the requesting agency's accurate and complete reporting of facts when making a decision to approve or not to approve this request.

(Agency Contact Signature)

(Date)