# GOODS AND/OR SERVICES SINGLE/SOLE SOURCE JUSTIFICATION FORM

This form is to be used when a Principal, Dept /Program Manager, or Contract Administrator believes an

acquisition is a single/sole source and the acquisition dollar amount is above $3,000. The form must be submitted for approval, prior to the purchase of goods or services to: Purchasing & Contract Services Department, 360 Colborne Street, Rm. 114, St. Paul, MN 55102 or Fax number 651.293.5965, Attn: Purchasing Manager. The signed form shall be retained in the purchasing file.

*[Note: Double click on check boxes to access pop-up box for completion.]*

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| PROGRAM/DEPARTMENT NAME | SCHOOL NAME |
| PROPOSED CONTRACT VENDOR Company: Address:  Telephone: Web Address: Contact:  E-mail: | NEED IDENTIFIED **(date)** |
| REQUESTED DELIVERY DATE |
| QUOTED PRICE $ |

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| DESCRIPTION OF GOODS AND/OR SERVICE REQUIRED: | |
| SINGLE/SOLE SOURCE CATEGORY **(Check applicable box and attach documentation or provide explanation below.)** | |
| * Legislation or appropriation mandates use of contract vendor (Legislation attached) * Warranty voided if service provided by other contract vendor * Other | * Software license renewals, additions, or upgrades available from only one source * Brand compatibility available from only one source (no other [type product here] distributors) * Other proprietary situation |
| THIS PROCURMENT IS A SINGLE/SOLE SOURCE BECAUSE **(attach additional page if needed):** | |

GOODS**:**

MANDATORY**:** Attached is a Signed Statement with proper rationale from the manufacturer certifying that one or more of the conditions are true:

♦The Vendor is the only source of the item in question and they hold the production and copyrights to them

♦The Vendor holds the exclusive distribution rights for the item in question

♦This is the only product/service that can be used and why

♦Compatibility – Must match existing brand or system (performance based)

♦Repair/Replacement – available only from OEM or designated service dealer

(Note: A Vendor who holds territorial rights does not mean they are sole source. There could be similar or equal items, for example - John Deere has reseller that can only sell their tractors in Minnesota, but you can purchase another manufactured tractor such as a Ford Tractor)

**NOTE: The following are NOT sufficient single/sole source justifications:**

 Personal preference for a product or Vendor

 Perception that the vendor is the best qualified (this should be determined through a competitive process)

 Lack of planning resulting in limited time to conduct a competitive procurement

 Past or existing relationship with the vendor

 Special incentive or deal offered (can be assessed in open and competitive solicitation)

 Convenience

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| **SEARCH**  Minnesota Statute § 16C.02 subdivision 18 states: "Single/Sole source" means an acquisition where, **after a search,** only one supplier is determined to be reasonably available for the required product, service, or construction item. | |
| A search was conducted consisting of (check all that apply):   * Internet search * Market research / other vendors contacted * Public notice given on SSPS website * Other | **RESULTS**  AFTER THE SEARCH…   * No alternatives were identified * No alternatives were deemed acceptable because (explain below): |
| **Describe the search from above in detail (attach search results):** | |

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| **PRICE**  Minnesota Statute § 16C.10 subdivision 1 states: The solicitation process described in this chapter is not required when there is clearly and legitimately only a single/sole source for the goods and/or services and the  commissioner has determined that the price has been fairly and reasonably established. | |
| **Price has been fairly and reasonably established by:**   * Comparison to previous comparable purchase * Independent estimate * Market survey | * Comparison to other public or private sector contract pricing * Discount off published catalog pricing * Other, explain: |
| **Describe methodology and results (attach any written supporting data, e.g., survey or market analysis):** | |

## APPROVALS NEEDED:

 Program Supervisor/Manager or School Principal must review ALL requests. All requests above

$3,000 must be completed and signed and routed to Purchasing & Contract Services for final approval.

 All requests above $25,000 must be routed to Senior Administration (i.e. Dept Director or Superintendence) for signature; then routed to Purchasing & Contract Services for approval and signature by the appropriate SPPS Purchasing staff.

 All requests above $100,000 must be routed to Senior Administration (i.e. Dept Director or Superintendence) for signature; then routed to Purchasing & Contract Services for approval and signature by the appropriate SPPS Purchasing staff. This also requires Board approval prior to the purchase of any goods or services at a Board meeting via a Board Agenda Item (BAI). Legal Dept will sign for form and execution.

## CERTIFICATIONS: Each signer must certify to the following:

 I recognize that State law requires the use of competitive solicitations unless exempted by law. I have reviewed the information and materials relevant to this procurement of goods and services, and am requesting approval of an exception to the competitive process for the reasons described;

 The price to be paid to the proposed single source vendor is fair, reasonable, and provides the best value to the Saint Paul Public Schools; and

 This request for an exception to the competitive solicitation process is not the result of inadequate advance planning or for purposes of securing the services of a preferred Vendor.

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| **SIGNATURES** | |
| **Person Requesting the Single/Sole Source Status:** By signing this document, I certify that the statements in the Certifications section above are true. | |
| **Signature:** | Date |
| Printed Name | Phone No. |
| Title | Fax No. |
| E-mail |  |

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| **Principal/Dept Manager:** By signing this document, I certify that the statements in the Certifications section  above are true. | |
| **Signature:** | Date |
| Printed Name | Phone No. |
| Title | Fax No. |
| E-mail |  |

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| **Over $100,000 Senior Administration (i.e. Dept Director or Superintendence) and Legal Dept Review** | |
| **Signature:** | **Signature:** |
| Printed Name: | Printed Name: |
| Title: | Title: SPPS Legal Counsel |
| Date: | Date: |

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| PURCHASING APPROVAL ONLY:  * The Requester is given a one-time special delegation to process this Single/Sole Source acquisition. Any terms and conditions proposed by vendor must be approved in writing by Dept Supervisor/Manager or School Principal and retained in file, before a Purchase Order will be issued. * The Requester is given a one-time special delegation to process this Single/Sole Source acquisition. A   solicitation document containing the SPPS’S terms and conditions for the Vendor to sign when providing the firm price quote must be attached to a requisition in PeopleSoft; then a purchase order will be issued.   * A solicitation document containing the SPPS terms and conditions must be created and advertised/posted on the SPPS website. * Please submit/enter a requisition in People Soft for Purchasing & Contract Services to process. * **OVER $100,000. REQUIRES BOARD APPROVAL**, **PRIOR** to purchase. Board Agenda Item (BAI) must be done and routed to appropriate Senior Administrator (i.e. Dept Director or Superintendence) and Board Secretary for inclusion in Board Agenda. * **Not Approved.**   Reason: | |
| **Purchasing & Contract Services Manager:** | |
| **Signature:** | Date |
| Printed Name | Phone No. |
| Title | Fax No. |
| E-mail |  |