

Justification for Sole Source / Brand Name Sole Source Form

Purpose of this form: Used to communicate to the Purchasing Agent that the request is for product/service which is:

Sole Source: Defined as selection of one particular supplier to the exclusion of all others. This decision may be based on lack of competition, proprietary technology, copyright or supplier's unique capability. Item is available from only one vendor. Item is one-of-a-kind item and is not sold through distributors. Manufacturer is the sole distributor or Manufacturer has a designated sole distributor. Product or service request will NOT be solicited for bid/quotation/RFP.

Brand Name Sole Source/Sole Brand: Defined as a name, term, symbol, design or any combination of these that identifies a seller's products and distinguishes them from competitive products. The manufacturer's product may be protected by a trade name or trademark. Various vendors can supply the specified brand and model. Competitive bids/quotations WILL be solicited for the brand requested only ("No Substitutes").

Factors which are NOT Justifications for Sole Source or Brand Name Sole Source: Personal preference for a product or vendor. Cost, vendor performance, local service, maintenance, and delivery (these are award factors in competitive bidding). Features which exceed the minimum department requirements, e.g. heavy duty. Explanation for the actual need and basic use for the equipment, unless that information relates to a request for "unique features."

GENERAL INFORMATION

Today's Date:	
Requisition #:	
Requesting Department:	

WCC REQUESTING DEPARTMENT CONTACT INFORMATION (Person to contact if WCC Purchasing has questions on this procurement)

Name:	
Campus Phone #:	
Campus Fax:	
Email Address:	

SUPPLIER/VENDOR INFORMATION (List at least three for BRAND NAME SOLE SOURCE)

Vendor Name:	1	2	3
Vendor Contact:	1	2	3
Phone #:	1	2	3
Fax:	1	2	3
Email Address:	1	2	3

GOODS/SERVICES INFORMATION

<p style="text-align: center;"><u>NEEDS STATEMENT:</u></p> <p>Describe in detail the goods or services to be procured and how these goods/products or services meet your needs.</p>	<hr/>
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<p style="text-align: center;"><u>FEATURES REQUIREMENTS:</u></p> <p>1. If the good (product) or service is one-of-a-kind, (lack of competition, proprietary technology, copyright or suppliers' unique capability) provide background information on how this was determined.</p>	<p style="text-align: center;">Answer each request in the order listed.</p> <p style="text-align: center;">1</p> <hr/> <hr/> <hr/> <hr/> <hr/>
<p>2. List the major features or capabilities for this good</p>	<p style="text-align: center;">2</p> <hr/> <hr/> <hr/> <hr/> <hr/>

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or service required.	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/>
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<u>FEATURES REQUIREMENTS: Continued</u>	Answer each request in the order listed.
3. Is the requested product for a repair or is it for an accessory to a current good? Must this good be compatible with existing equipment (matches existing equipment-consistency/continuity in results)? Identify the manufacturer and model number of existing equipment.	3 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <p style="margin-top: 10px;"><i>If yes, see BRAND NAME SOLE SOURCE.</i></p>
4. What unique design/performance features does this good or service provider have that are essential to your requirements?	4 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/>
5. Provide a brief technical explanation as to why these features are essential.	5 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/>

<u>COMPETING BRANDS INVESTIGATED:</u>	Answer each request in the order listed.
1. Did you consider other goods or service providers with similar capabilities?	1 <hr style="border: 0; border-top: 1px solid black;"/>
2. List specific brands or models or types of competitors' goods or services that were investigated and contacted.	2 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/>
3. Describe why each of these competitors' product or service does not meet the Features Requirements stated above.	3 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/>
4. For each competitor, list the sales representatives and his/her phone numbers you contacted so WCC Purchasing may verify their goods or services do not meet your department's needs.	4 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/>
5. To the best of your knowledge, state that these are the only competing companies making this product or who provide this service.	5 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <hr style="border: 0; border-top: 1px solid black;"/>

<u>BRAND NAME SOLE SOURCE:</u> (For Goods ONLY)	Answer each request in the order listed. <i>Note: See Factors which <u>are NOT Justification</u>s listed on page one</i>
1. Is the specific Brand and Model being recommended for procurement available from <i>more than one source</i> (i.e., more than one dealer, distributor or supplier) ? If YES, this will be processed as a Brand Name Sole Source procurement.	1
2. List known suppliers who sell/distribute this good/product; their sales representatives' names and their phone numbers (three suppliers if known).	2 1 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> 2 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> 3 <hr style="border: 0; border-top: 1px solid black;"/>

CONFLICT OF INTEREST STATEMENT
Defined as a clash between the public interest and the private pecuniary (money) interest of the individual concerned (Blacks Law Dictionary, 299, 1990).
The Conflict of Interest term identifies those situations where contractors or public officials may obtain a benefit from a public contract (purchase order).

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Conflict of Interest may result in a breach of ethics or an ethical code. Actual or Perceived Conflict of Interest: any action, decision or recommendation by an agent, public official, acting in an official capacity, the effect of which could be to the private pecuniary benefit or detriment of the person or person's relative.

1. Does the requestor/department have a Conflict of Interest with the identified Supplier/Vendor? Yes No
2. The department concurs there is no real or potential Conflict of Interest in recommending this good or service as a Sole Source or Brand Name Sole Source Procurement. Yes No

NOTE: If a real or potential conflict exists, contact WCC Purchasing at 734-973-3553.

REQUESTING DEPARTMENT'S APPROVAL

I am aware of the requirements set forth in the Washtenaw Community College (WCC) Board of Trustee Policy 6050-Policy on the Purchase of Goods and Services for competitive bids or quotations as well as the above stated criteria for Justification for Sole Source/Brand Name Sole Source. As an approved department representative, I have gathered technical information and have made a concerted effort to review comparable/equal goods or services.

This is documented by this justification. I hereby certify as to the validity of the information and feel confident that this justification for Sole Source or Brand Name Sole Source meets WCC's criteria and is accurate.

I understand the final determination of Sole Source or Brand Name Sole Source will be made by the WCC Director of Budget and Purchasing.

WCC Director/Dean's Name (printed):

WCC Director/Dean's Title (printed):

WCC Director/Dean's Signature: _____

Date: _____

PURCHASING DEPARTMENT USE ONLY

DETERMINATION:

Sole Source approved -purchase as requested.

Brand Name Sole Source approved - issue solicitation on a "No Substitutes" basis.

Sole Source NOT approved - issue solicitation using performance specifications.

WCC Purchasing Agent Signature: _____

Date: _____

WCC Director Purchasing Signature: _____

Date: _____