

Sole Source Certification Guideline

Code	Reason for Sole Source	Certification must clearly:
1	Only a specified make, model, or brand meets agency needs, even though the makes, models, or brands are available from multiple vendors. A brand name description or other purchase description to specify a particular brand name, product, or feature of a product, peculiar to one manufacturer does not provide for full and open competition regardless of the number of vendors solicited. This restricts competition in that only suppliers are able to supply a specified make, model, or brand are allowed to compete for state business.	State why the specified makes, models, or unique services are absolutely essential to the State's requirements.
2	Market research clearly shows there is only one responsible supplier and it can be demonstrated that no other supplies or services will satisfy agency requirements.	State why the specified makes, models, or unique services are absolutely essential to the agencies requirements, and what market research was accomplished to clearly establish that only one supplier can provide the supplies or services, copyright material.
3	Requirement is for additional units or replacement parts of specified makes and models of technical equipment and only one vendor is available.	State why the specified makes and models are absolutely essential to the agency requirements, and what market research was accomplished to clearly establish that only one supplier can provide the supplies or services.
4	Agency needs to purchase supplies or services from the original supplier in the case of a follow-on contract because award to any other supplier would result in substantial duplication of costs to the State that would not be recovered through competition, or in unacceptable delays in fulfilling agency requirements.	Provide data, estimated cost and how those costs were derived, extent of delay and impact of delay, and other rationale as to the extent and nature of the harm to the Government, i.e. License fee, software maintenance support, custom software. Question: Are same supplier personnel available from last project to work on this project?
5	Purchase of a brand name commercial item that will be used for authorized resale.	No additional information needed.
6	Agency has an unusual and compelling urgency for supplies or services and the State would be seriously injured unless the agency is permitted to limit the number of vendors from which it solicits bid/proposals. (i.e. - existing software)	Provide data, estimated cost and how those costs were derived, and other rational as to the extent and nature of the harm to the Government. (Justification may be prepared and approved within a reasonable time after contract award when preparation and approval prior to award would unreasonably delay the acquisitions.)
7	Agency needs to acquire services of an expert, such as expert services to support a current or anticipated litigation or dispute, involving the State in any trial, hearing, or proceeding whether or not the expert is expected to testify. Examples of such services include, but are not limited to, assisting the State in the analysis, presentation, or defense of any claim or request for adjustment to contract terms and conditions, whether asserted by a supplier or the State, which is in litigation or dispute, or is anticipated to result in dispute or litigation.	Indicate why the source for expert services is absolutely essential to the State's requirements, thereby precluding consideration of other sources.
8	A statute expressly authorizes or requires that the acquisition be made from a specified vendor, i.e., Oklahoma State Correctional Industries (OCI), State Use Committee.	Cite the referenced statute on the Sole Source/Sole Brand Certification and on the ePro requisition. A copy of the referenced statute may be attached.