**Minnesota State Colleges and Universities Request for**

**Single Source Exception to Board Policy**

***System Procedures 5.14.5, Part 4 and 5.14.2, Part 6 require completion of this form for purchasing goods and services (including professional technical and service contracts) over $50,000***

***Bemidji State University and Northwest Technical College require completion of this form for purchasing goods over $10,000 and Services (including professional technical and service contracts) over $50,000 if you are unable to obtain multiple quotes because the goods or services are sole source in nature***

|  |  |
| --- | --- |
| **REQUESTING SCHOOL/DEPARTMENT** | **REQUESTER**  Name:  Phone #:  Email: |
| **PROPOSED CONTRACT VENDOR**  Company:  Address:    Telephone:  Web Address:  Contact:  E-mail: | **NEED IDENTIFIED (date)** |
| **REQUESTED DELIVERY DATE** |
| **QUOTED PRICE**  $ |

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **NEW REQUEST** | | | | | | | | | | | | | | | |
| Please attach any required documents, such as supplier quote, proposal or professional service contract | | | | | | | | | | | | | | | |
| **Requisition #:** | | |  | | | | **Describe Attachments:** | | | | | | | | |
|  | One-Time Purchase Order | | |  | Blanket Order/Time Period Contract | | | | | | Price per attached firm quote: | | | **$** | |
|  | | | | | | | | | | | | | | | |
| **AMENDING EXISTING PO or Contract** | | | | | | | | | | | | | | | |
| Instructions: complete this section each time you are amending an existing single source PO bringing the total over $50,000. | | | | | | | | | | | | | | | |
| PO#: | |  | | | |  | | | Change Order/Amendment #: | | | |  | |  |
| Current Amount of PO: | | | | | $ | | | Amount Added: | | $ | | Total Amount: | | | **$** |

**BASIS FOR REQUEST FOR EXCEPTION TO PURCHASING POLICY.** Please indicate below the justification for this request for Single Source by completing Part A, B and/or C.

**NOTE: The following are unlikely to be sufficient single 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)**,** and/or convenience.

**Part A. Justifiable Exceptions to Bidding – Describe in ‘Justification for Single Source’ section below. (If using this option, skip Part C1. Part C2 is required for all exception requests.)**

|  |  |  |
| --- | --- | --- |
| **1** | Equipment that requires brand compatibility with existing equipment or supplies and is available only from manufacturer or sole authorized distributor. |  |
| **2** | GRANTS. Funding source or granting agency specified a single supplier (attach documentation) |  |
| **3** | Bookstore resale services |  |
| **4** | Food service resale services |  |
| **5** | Service available only from another governmental agency or public entity or (2) required by law to be provided by another governmental entity (Inter or Intra Agency) |  |
| **6** | Service/maintenance agreements with the original manufacturer/developer for equipment and software. If beyond 5 years, go to Part A. 11. |  |
| **7** | Software license renewals and software upgrades available only from developer. This includes adding licenses to an existing license agreement. If beyond 5 years, go to Part A. 11. |  |
| **8** | Legislation or appropriation mandates use of contract vendor (legislation attached) |  |
| **9** | Warranty voided if service provided by other contract vendor |  |
| **10** | Entertainers, lecturers, speakers and honoraria |  |
| **11** | Other: **Must complete Justification for Single Source, Part C1 and C2** |  |

**Part B. Emergency Justifiable Exceptions to Bidding – Describe in ‘Justification for Single Source’ section below. (If using this option, skip Part C1. Part C2 is required for all exception requests.)**

|  |  |  |
| --- | --- | --- |
| **1** | A threat to health, welfare, safety. |  |
| **2** | A significant loss to the College/University. |  |
| **3** | A failure to provide core services to College/University students/faculty/staff. |  |
| **4** | Emergency equipment repairs and parts or emergency facility repairs and parts under $100,000. |  |
| **Note**: The emergency/urgency cannot be caused by department's own lack of planning. | | |

**JUSTIFICATION FOR SINGLE SOURCE**

|  |  |
| --- | --- |
| . THIS PROCUREMENT IS A SINGLE SOURCE BECAUSE (attach additional page if needed): | |
| **Part C1. SEARCH (required only for Part A. #11)**  Minnesota Statute § 16C.02 subdivision 18 states: "Single 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  Publishing a two week notice (example on p.5)  Other | | **RESULTS**  AFTER THE SEARCH…  no alternatives were identified  no alternatives were deemed acceptable because (explain below): |
| **Describe the search in detail:** | | |

|  |  |
| --- | --- |
| **Part C2. PRICE (required for all exception requests in Part A and Part B)**  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 source for the goods and services and [college/university/system office] 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 public 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):** | |

CERTIFICATION from REQUESTER

The undersigned states that he/she has prepared the above documentation and that the facts and data set forth are complete and accurate to the best of the undersigned's knowledge and belief.

CONFLICT OF INTEREST: The Requestor certifies that to Requestor's knowledge, no elected or appointed official or employee of MnSCU has benefited or will benefit financially or materially from this award.

|  |  |
| --- | --- |
| **Person Requesting the Single Source Status (signature required)**. By signing this document, I certify that the statements in the Certification section above are true. | |
| **Signature:** | Date |
| Printed Name | Phone No. |
| Title |  |
| E-mail |  |

|  |  |
| --- | --- |
| **College/University/System Office Delegated Approval Authority.** By signing this document, I certify that the statements in the Certification section above are true. | |
| **Signature:** | Date |
| Printed Name | Phone No. |
| Title |  |
| E-mail |  |

|  |
| --- |
| **Approved**:  A one-time special delegation to process this Single Source acquisition. Any terms and conditions proposed by vendor must be reviewed by MnSCU Office of General Counsel and/or State of MN Attorney General’s Office.  .  **Not Approved.** Reason:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ |

|  |  |
| --- | --- |
| **College/University/System Office CFO or Delegate (signature required)** | |
| **Signature:** | Date |
| Printed Name | Phone No. |
| Title | Fax No. |
| E-mail |  |

**EXAMPLE OF A PUBLIC NOTICE (TWO WEEKS)**

**PURCHASING AGENCY:** MnSCU School

**TITLE:** Maintenance & Support Renewal

**REFERENCE #:** XXXXXX  
  
  
**RESPONSE TO THIS SOLICITATION IS DUE NO LATER THAN** 6/15/2015 **AT** 2:00 PM Central Time

**SHIP TO INFORMATION:**  
MnSCU School  
123 Anywhere St.   
Somewhere, MN 55155

**TO RECEIVE A PRINTED COPY OF THE SOLICITATION, call:** Happy Buyer at xxx.xxx.xxxx or contact at happy.buyer@mnscu.edu, **Attn:** Happy Buyer.

**NOTES:** This is a single source posting notification; there are no solicitation documents. MnSCU School intends to enter into 12 month maintenance and support agreement with Company Y. Company Y provides the first level of support for the Software Solution 1 which includes three main components/products; Z Software, X Software and the W Client Manager with Software Solution 1 Reports. The integration of the software products into a cohesive set of applications has been designed specifically for the MnSCU School. For this reason, this renewal has been deemed a single source due to inability to receive the mandatory support from a 3rd party vendor. If anyone has any concerns regarding this single source opportunity you must contact Happy Buyer via e-mail to happy.buyer@mnscu.edu before 06/15/15 AT 2:00PM Central Time. Note: All correspondence must include reference number.

**Date This Solicitation Was Posted:** 6/1/2015 10:36:46 AM Central Time