

Title: SOLE SOURCE PROCUREMENT CONTRACTS

- Initial Action: 12-5-96
- Board Resolution: 96-125, 23-040d
- Last Revised:
 - Policy: 09/05/2023
 - Procedure: 09/05/2023
- Last Reviewed: 09/13/2023
- Effective: 09/28/2023
- Next Review: 09/21/2026
- Responsibility: Finance

Policy:

Pursuant to Md. EDUCATION Code Ann. §16-314, whenever the Vice President of Finance and Administration has determined that there is only one source for a procurement contract of \$100,000 and over that would otherwise require a formal bid, the procurement officer may award the contract, without competition to that source. Before awarding the contract, the purchasing officer must first obtain the approval of the Board of Trustees, and any other approval required by law. Sole source contracts for “small procurement” purchases between \$15,000 and \$99,999, may be awarded by the procurement officer without Board of Trustees approval.

Procedures:

The Annotated Code of Maryland requires that buildings, improvements, equipment, and supplies of \$100,000 and over be purchased by sealed competitive bid or bona fide state or county contract. A sole source procurement may be awarded with the approval of the Board of Trustees. A sole source procurement may be awarded by the purchasing officer for “small procurement” purchases of less than \$100,000.

1. Requisitioner must complete a “Request for Sole Source Procurement” form. Include appropriate documentation substantiating the sole source procurement request.
2. Attach a completed, departmentally approved purchase requisition to the “Request for Sole Source Procurement” document and forward to the Purchasing Department.
3. The purchasing office will obtain the necessary approvals from the Board of Trustees and any other approval required by law. The purchase order will be placed after all approvals are received.

REQUEST FOR SOLE SOURCE PROCUREMENT

To request a purchase (or lease/purchase) of \$15,000 and over from a sole source, please submit the following information along with a completed purchase requisition to the Purchasing Department. In addition, sole source purchases of \$100,000 and over require Board of Trustee approval.

- 1. _____ Attach a typed technical description of the requested item or fill out the form on the reverse side. Sole source justification cannot be based subjectively on quality or on price alone. Sole source justification must contain clear, in-depth, and accurate information. Please attach additional sheets as needed to provide appropriate information and documentation.

To be justified as a sole source procurement, the product must meet one or more of the following qualifications:

- 1.a. _____ The requested product, part or accessory is an integral part or accessory compatible with existing equipment. (Please provide explanation and state the manufacturer and model number of existing equipment).
- 1.b. _____ The requested product has special design/performance features which are essential to the College and only one product meets the requirements. These features are:

- 2. _____ In addition to the product requested, I have contacted other suppliers and considered their product of similar capabilities. I find their product unacceptable for the following reasons (identify companies contacted, model number and specific technical deficiency):

Check and initial above items provided on reverse or attached.

Signature of Requestor _____
Date _____

Title _____

TO BE COMPLETED BY PURCHASING DEPARTMENT:

AWARDED TO VENDOR _____

BOARD APPROVAL--BOARD RESOLUTION
NO. _____ DATE _____

PURCHASING APPROVAL _____ **DATE** _____

REQUEST FOR SOLE SOURCE PROCUREMENT

1. DESCRIPTION OF REQUESTED ITEM:

**1.A MANUFACTURER_____MODEL
NO._____**

EXPLANATION OF COMPATIBILITY:

1.B. ESSENTIAL DESIGN/PERFORMANCE FEATURES:

2. OTHER SUPPLIERS WITH SIMILAR PRODUCTS/CAPABILITIES.

VENDOR - MODEL NO. TECHNICAL DEFICIENCY
