



## **SOLE SOURCE / COMPETITIVE BID WAIVER JUSTIFICATION FORM FOR UNIVERSITY AND NON-FAR FUNDED PURCHASES**

Pursuant to Stevens Institute of Technology's purchasing policies, all goods and services equal to or exceeding Stevens' bid threshold of **\$39,400** must be procured via competitive means (a minimum of three competitive quotes). The University may waive the competitive process requirement and approve sole source procurement for goods/services if such goods/services meet one of the eight criteria listed below and adequate justification is provided. **Lack of planning is not an acceptable reason for sole sourcing.**

**Processing time: Approx. five (5) business days after Finance's initial receipt of the correctly completed form. Requisitions with incomplete forms/insufficient back-up documentation will not be processed.**

### **INSTRUCTIONS ON HOW TO REQUEST AN EXCEPTION TO THE COMPETITIVE BIDDING REQUIREMENTS:**

**STEP 1: DETERMINE IF THE INTENDED PURCHASE MEETS THE ACCEPTABLE CRITERIA FOR SOLE SOURCING.**  
*(Note that price, quality, and emergencies are not valid sole source justifications).*

1. The product will be used for **existing equipment** and is:
  - a repair part, accessory or optional part that must be procured from the manufacturer's designated distributor.
  - a component to be interfaced to match existing equipment.
  - required by the manufacturer. Use of other parts or services would cause existing equipment to function improperly or would cause Stevens to lose warranty coverage.
2. The product is essential to maintain **experimental or administrative continuity/uniformity**.
3. Requestor and/or staff have **specialized training or extensive experience** with the product. Retraining would incur added costs to the project.
4. Similar products/services/vendors **lack the necessary unique specifications/expertise/qualifications**.
5. The product is part of a **building-wide/campus-wide standardization** project.
6. The product is **widely used in the field** and the department wants to **mimic real field experience** in training/preparing students for the workplace.
7. The product/service is **included in Exhibit A – acceptable exceptions to the competitive bid requirement**.  
[No forms or approval are needed unless otherwise specified in Exhibit A. Requisitioner must include the vendor's quote and reference the exception name and number in the description field of the requisition.](#)

**STEP 2: COMPLETE THE SOLE SOURCE JUSTIFICATION REQUEST (starting page 2 of this form)**

- i. Complete pages 1 and 2 of the sole source form.
- ii. Obtain all necessary approvals / signatures.

**STEP 3: CREATE YOUR REQUISITION FOR THE PURCHASE OF THE SERVICE / PRODUCT.**

- b. Attach the completed (and executed) Sole Source form (per a. or b. of Step 2 above) and
- c. Attach all back up documents (quote/contract, certificate of insurance, etc.).



REQUEST FOR APPROVAL OF SOLE-SOURCE JUSTIFICATION

AND LIST OF ACCEPTABLE EXCEPTIONS – EXHIBIT A - TO THE COMPETITIVE BID REQUIREMENT

For University and Non-Far Funded Purchases- Page 1 of 2

Stevens Institute of Technology requires that all material, equipment, and supplies be procured via competitive means (a minimum of 3 quotes) when the amount is greater than \$39,400.00. The sole source justification must be completed as instructed under Steps 1-3 of "Instruction on how to request an exception to the competitive bid requirement".

SECTION 1

Value of the Purchase \$ [ ]

Date: \_\_\_\_\_ Contractor Name: \_\_\_\_\_
Name: \_\_\_\_\_ Title: \_\_\_\_\_ Department: \_\_\_\_\_
Email \_\_\_\_\_ Phone \_\_\_\_\_

1. What are you buying: Provide the name and description of the good or service you intend to purchase.

[Empty text box for item 1 description]

2. For what purpose: Describe the intended purpose of the good/service.

[Empty text box for item 2 purpose]

3. Type of Exception: check the appropriate Stevens approved exception(s) for the good/service described in #1 above.

\*An asterisk denote that more information is needed and must be provided in section 3 of this form.

- 1. The product will be used for existing equipment and is:
- a repair/replacement part, accessory or option that must be procured from the manufacturer's designated distributor
- a component to be interfaced to match existing equipment
- required by the manufacturer. Use of other parts or services would cause existing equipment to function improperly or would cause Stevens to lose warranty coverage.
\*2. The product is essential to maintain experimental or administrative continuity/uniformity.
\*3. Requestor and/or staff have specialized training or extensive experience with the product. Retraining would incur added costs to the project.
\*4. Similar products/services/vendors lack the necessary unique specifications/expertise/qualifications
\*5. The product is part of a building-wide/campus-wide standardization project.
\*6. The product is widely used in the field and the Institute wants to mimic real field experience in training/preparing students for the workplace.

# REQUEST FOR APPROVAL OF SOLE-SOURCE JUSTIFICATION

## For University and Non-FAR Funded Projects- Page 2 of 2

### SECTION 3 ADDITIONAL REQUIRED INFORMATION

If number 2, 3, 4, 5, or 6 of Section 1 was-selected as the exception provide more info as detailed below. Otherwise, indicate N/A.

- #2 explain the unique features or characteristics. (This explanation must address the critical importance of the unique characteristic[s] as it applies to its intended use and/or purpose in your operation)
- #3 explain what additional training would be required if using a different product and its impact on business operations
- #4 identify other sources (brand name/company name) whose product\service(s) have been reviewed and briefly explain why they are not satisfactory. Provide back-up documentation with the sole source request
- #5 Provide further information on field use of the good/product and why it is important for Stevens to mimic field experience
- #6 Describe the building-wide or campus-wide standardization project

### SECTION 3 AFFIRMATION CERTIFICATION AND APPROVAL SIGNATURES

Affirmation by Requestor and Requestor's Department Head or Dean are required for compliance with Stevens Sole Source Justification Policy. Your signature below affirms that the below statements are true and that no other material fact or consideration offered or given has influenced your approval for a sole source purchase.

- No employee/employer relationship exists (*IRS regulations and guidelines*).
- The cost for the product/service is within the range of like products/services.
- The vendor is not related to anyone who has authority over this purchase and has not been employed by Stevens within the past 12 calendar months (*Government Code; Section 2252.901*).
- Vendor has not been paid by Stevens to develop/recommend specifications or requirements (*Government Code; Section 2155.004*).

\_\_\_\_\_  
#1 Requestor (Print Name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
#2 Dept Head / Dean (Print Name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### SECTION 4 FINANCE APPROVAL SIGNATURES

Approval from Finance is required for all purchases. Purchases of \$250,000 and above require a second Finance signature. Allow for additional processing time when a second signature if needed.

\_\_\_\_\_  
#1 Procurement (print name)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
#2 AVP for Finance or CFO  
(for \$250,000 +)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## EXHIBIT A

### LIST OF ACCEPTABLE EXCEPTIONS TO THE COMPETITIVE BIDDING REQUIREMENT

If you are purchasing a good or service that is listed hereunder, you must reference the exception in your question (reference must include the exception number and name (the name is in bold letters). No other requirements apply unless specifically noted in this Exhibit.

- 1 **Art.** Acquisition of artifacts or other items of unique intrinsic, artistic or historic character.
- 2 **Contracts employing funds created by student activities fees** charged to students or otherwise raised by students and expended by student organizations.
- 3 **Creative services.** Services rendered in the provision or performance of goods or services that are original and creative in character in a recognized field of artistic endeavor.
- 4 **Cooperative or Consortium.** Purchase of services/goods through the use of a national or state cooperative, or a consortiums agreement. *(Must follow Stevens Procurement's Standard Operating Procedure for Cooperative purchasing)*
- 5 **Entertainment.** Including without limitation theatrical and sporting events, bands and concerts, movies and other similar productions.
- 6 **Graduation Materials.** Purchase of graduation caps and gowns and award certificates or plaques.
- 7 **Legal Services**
- 8 **Library materials** including without limitations student produced publications and services incidental thereto, books, textbooks, copyrighted materials, published printed or digital subscriptions, audio visual, pictorial or graphic works, maps, databases, binding materials, and other printed or published matter and audiovisual and materials of similar nature.
- 9 **Printing.** including without limitation **catalogs, yearbooks, course announcements** and the production of such material in electronic and digital formats. **Legal notices, briefs, records and appendices** to be used in any legal proceeding to which the University may be a party.
- 10 **Public utility.** The supplying of any product or the rendering of **any service by the Public Utility which is subject to the jurisdiction of the Board of Public Utilities**, in accordance with tariffs and schedules of charges filed with that board.
- 11 **Personnel recruitment.** Advertising, including without limitation advertising seeking student enrollment.
- 12 **Software (Information Technology).** Purchase or Renewals and Maintenance Services for existing software.
- 13 **Subscriptions, Memberships, Trade organizations, etc.**
- 14 **Hotel and Travel.**
- 15 **Consulting services** (IT, Academics, Facilities, Operations). – *requires pre-approval from the requisitioner's Department Head and from Procurement.*
- 16 The product/service is **mandated by an association in which the University is a member or an entity with whom the University has a contract.**
17. **Marketing Media** (billboards, train stations, search engines, buses, newspapers, magazines, etc.).
18. **Used / Previously Owned Furniture.**