

# New Caney Independent School District

## Sole Source Justification Form

**Section A:**

Name of Requestor:	Department:
Recommended Vendor (s), if any:	Date:
	Estimated Cost:
	Contact Person:
New Purchase <input type="checkbox"/>	Budget Code:
Ongoing Purchase/Renewal <input type="checkbox"/>	
If an ongoing purchase/renewal, what was the prior year expenditures total? \$ _____	

**Instructions:** Completion of this form is required in advance of all Sole Source purchases.

Requesting Department must complete this form stating that the product is exclusively sold by the vendor and cannot be purchased from any others. The written justification is not a justification to purchase. The Texas Law requires that the decision to purchase sole source products be justified. This form is a justification of the need for something that is unique about the product that precludes competition with other vendors that provide same or similar products.

**I hereby certify that Only One source (vendor) exists for the required product (“sole source”).**

Compliance with Texas Education Code 44.031 is not required for purchases that are available from only one source, including:

1. An item for which competition is precluded because of a patent, copyright, secret process, or monopoly.
2. A film, manuscript, or book.
3. A utility service, including electricity, gas, or water.
4. A captive replacement part or component for equipment.

The sole source exception shall not apply to mainframe data processing equipment and peripheral attachments with a single-item purchase price in excess of \$15,000.

**Section B:**

1. In "common terms", describe the purpose or function of the required product.

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2. If the particular product was not available or could not be purchased, what would be the substantial risks for the department? How would the department proceed with its work?

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3. Identify the unique feature(s), characteristic(s) and specification(s) of the requested product that makes the product a sole source.

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4. Provide an explanation of the need for the unique specifications. This explanation must address the critical importance of the unique specifications related to the intended use of the product. (Why is this product the only product that will meet your needs?)

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5. Attach and provide evidence of the research that was completed to insure that no other product can meet your needs. Identifying all other sources that were evaluated (including the names, manufacturers, model numbers, etc.) and the reason they were found to be unsatisfactory for the intended use or in meeting project goals. Sufficient detail must be included to show that the marketplace has been canvassed to locate acceptable competitive products. This section must relate to the explanation of need for the unique specifications and should serve to support a finding that the stated need cannot be met with competing products.

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6. Will this purchase obligate New Caney ISD to a particular vendor/provider for future purchases? These purchases could either be in terms of maintenance that only this vendor will be able to perform and/or if we purchase this item will New Caney ISD need more "like" items or services in the future to match this one? If YES, please describe possible future needs that will be caused by this purchase.

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7. Describe the actions the department will take to overcome the present barriers of not allowing competition of other vendors and using only one provider. Insure that this will be accomplished prior to any future procurement of this product.

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8. With regards to the estimated cost that was provided on the first page, explain why the suggested price for this product is considered to be fair and reasonable.

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**Section C:**

Name of the person who prepared this request and justification:

Name: \_\_\_\_\_ Position: \_\_\_\_\_

Department: \_\_\_\_\_ Date: \_\_\_\_\_

I hereby certify that the above request and Justification is accurate and complete to the best of my knowledge and belief.

\_\_\_\_\_ Date: \_\_\_\_\_

Signature

Procurement Approval: A good faith review of available vendors for the request noted on this form has been completed.

\_\_\_\_\_ Date: \_\_\_\_\_

Signature – Director of Purchasing

Approved as to funding/business terms.

\_\_\_\_\_ Date: \_\_\_\_\_

Signature – Executive Director of Finance

Superintendent of Schools: I hereby approve the above request and justification.

\_\_\_\_\_ Date: \_\_\_\_\_

Superintendent or Deputy Superintendent of Schools