

Newly Revised Sole Source (Non-Standard) Procurement Process Request Form

Frequently Asked Questions

1. What is new? The addition of section D titled **ADDITIONAL EXCEPTIONS/CIRCUMSTANCES IN WHICH THE STANDARD PROCUREMENT PROCESS IS IMPRACTICAL**. These are approved per Board of Regents rule r571-8 or University of Utah procedure 3-100c. Please contact the Purchasing Department if you have questions.
2. Who completes the sole source request form and how is it submitted? The requesting department completes the form and attaches it to the requisition.
3. Who approves a sole source request? The purchasing department reviews and approves the request.
4. Can I complete a sole source request because I have an urgent need? Having an urgent need is not a valid justification for a conducting a sole source process.
5. Can I complete a sole source request after doing research and determining that I've found the best source or the best price? No. Sole source justification cannot be based on 'best source' or lowest price available. Finding the best source or lowest price is accomplished by conducting a competitive process. If conducting a competitive process, you may provide price estimates you have obtained and a list of suggested vendors along with their contact information to aid in the bidding process.
6. What constitutes a sole source (Section A: **ONLY ONE SUPPLIER**) justification? The department must explain in detail why the service or product is only available from one source and, if applicable, define in detail the proprietary specifications. The explanation must also include a statement that the requestor validates that this is the only source. The department must complete Section A items 1. – 4. of the sole source (nonstandard) process request form.
7. Do I have to complete a Cost Benefit Analysis to demonstrate that transitional costs are significant and unreasonable or cost prohibitive when making a claim based on compatibility? Yes. You must demonstrate that the estimated transitional costs are unreasonable or cost prohibitive and complete Section B: **COMPATIBILITY/TRANSITIONAL COSTS** items 1. – 5.
8. Can I use the cost of a trial use or testing of an item for transitional costs? No, per Part 8 Utah Procurement Code 63G-6a-802 (2), we may not use costs associated with trial use or testing as a consideration of transitional costs.
9. Is the University obligated to negotiate terms, including price and delivery, that are in the best interest of the University of Utah? Yes. Per Part 8 of the Utah Procurement Code, the Purchasing Department is required to negotiate with the vendor to ensure that the terms, including price and delivery, are in the best interest of the University.
10. How does the department submit the quote? Attach it to the requisition. The quote must match the requisition line items and total.
11. Who completes the Conflict of Interest Disclosure section? Each decision maker involved in directing the sole source selection to the vendor chosen must complete and sign a separate COI disclosure. Attach multiple forms if applicable.
12. May we request award of a contract based on circumstances that make awarding a contract through a standard procurement process impractical or not in the best interest of the University? Yes, but we are limited to circumstances described in rule. Those circumstances are

outlined in Section D of the sole source (nonstandard) process request form. Confer with the purchasing department if you have questions.

13. **What is covered in unique research materials?** Radioactive isotopes and unique specimens are covered. Discuss the validity of other items with the purchasing department. Equipment and services used in research is not eligible for this exception.
14. **May we select the vendor when purchasing instructional materials?** You may select the instructional materials, but if that material is available from multiple sources, then we will conduct a competitive process. You will submit a requisition in Ushop instead of completing the sole source form. Confer with the Purchasing Department if you have questions.
15. **Is all travel covered by the Section D exception?** No. Only group travel hotels. Please contact the Travel office to make arrangements for individual business travel.