Sole Source/Emergency Procurement Justification

See Administrative rules **Chapter 11—105** for detailed information regarding 'sole source and emergency procurement'.

Sole Source Procurement

A sole source procurement shall be avoided unless clearly necessary and justifiable. The DAS director or designee may exempt the purchase from competitive selection processes when the purchase qualifies as a sole source procurement as a result of the following circumstances:

(1) One vendor is the only one qualified or eligible or is quite obviously the most qualified or eligible to provide the good; or
(2) The procurement is of such a specialized nature or related to a specific geographic location that only a single source, by virtue of experience, expertise, proximity, or ownership of intellectual property rights, could most satisfactorily provide the good; or
(3) Applicable law requires, provides for, or permits use of a sole source procurement; or
(4) The federal government or other provider of funds for the goods being purchased (other than the state of Iowa) has imposed clear and specific restrictions on the use of the funds in a way that restricts the procurement to only one vendor; or
(5) The procurement is an information technology device that is systems software or an upgrade, or compatibility is the overriding consideration, or the procurement would prevent voidance or termination of a warranty, or the procurement would prevent default under a contract or other obligation.

Posting Requirement for Sole Source contracts
All sole source requests must be posted on the bid opportunities website at:http://bidopportunities.iowa.gov for 5 business days before submitting to Procurement Services. The purpose of this posting is to advertise to the vendor community your desire to enter into a sole source contract.
If you need assistance posting to the bid opportunities website, please contact: pam.dickey@iowa.gov
Provide the dates the sole source request appeared on the bid opportunities website. Date(s):

Emergency Procurement

"Emergency procurement" means an acquisition resulting from an emergency need.

"Emergency" includes, but is not limited to, a condition:
1. That threatens public health, welfare or safety; or
2. In which there is a need to protect the health, welfare or safety of persons occupying or visiting a public improvement or property located adjacent to the public improvement; or
3. In which the department or agency must act to preserve critical services or programs; or
4. In which the need is a result of events or circumstances not reasonably foreseeable.

When completing the forms below, if you have more information than will fit in the provided space, please attach an additional page and e-mail with the form.

To be completed by Requesting Agency

Agency Name:
Contact Name:
Telephone:
E-mail:
Vendor :
Amount:

☐ Sole Source Procurement ☐ Emergency Procurement

Sole Source Only:

1. Has the vendor ever been an employee of the State of Iowa? ☐ Yes ☐ No If yes, please explain the nature of the employment and period of service.

2. Description of item(s):

3. Explain why the recommended vendor is the only one qualified to provide the requested item(s) at the exclusion of all others, i.e. what makes this vendor uniquely qualified?

4. Describe the research that has been completed to insure that no other competition exists. Provide names of vendors contacted who are unable to provide the item(s) or perform the service.

5. Have you requested a contract with the vendor at any time during the past twelve months? Yes No If yes, please describe the item(s) provided and the amount agreed to be paid..

6. How did you determine that the vendor's price was reasonable?

Which of the following best describes this sole source procurement? You may select more than one.

☐ 1. One vendor is the only one qualified or eligible or is quite obviously the most qualified or eligible to provide the good.

☐ 2. The procurement is of such a specialized nature or related to a specific geographic location that only a single source, by virtue of experience, expertise, proximity, or ownership of intellectual property rights, could most satisfactorily provide the good.

☐ 3. Applicable law requires, provides for, or permits use of a sole source procurement.

☐ 4. The federal government or other provider of funds for the goods being purchased (other than the state of Iowa) has imposed clear and specific restrictions on the use of the funds in a way that restricts the procurement to only one vendor.

☐ 5. The procurement is an information technology device that is systems software or an upgrade, or compatibility is the overriding consideration, or the procurement would prevent voidance or termination of a warranty, or the procurement would prevent default under a contract or other obligation.

Explain how this procurement fits the sole source situation(s) selected above.

Agency Contact:

Date:

Emergency Only:

1. Description of Item(s) (nature of work):

2. How did you determine that the vendor's price was reasonable?

Which of the following best describes this emergency procurement? You may select more than one. "Emergency" includes, but is not limited to:

☐ 1. That threatens public health, welfare or safety

☐ 2. There is a need to protect the health, welfare or safety of persons occupying or visiting a public improvement or property located adjacent to the public improvement

☐ 3. The department or agency must act to preserve critical services or programs

☐ 4. The need is a result of events or circumstances not reasonably foreseeable.

Other:

Explain how this procurement fits the emergency situation(s) selected above.

Agency Contact:

Date:

To be completed by DAS GSE Procurement Services

GSE Purchasing Agent Name:

Telephone:

E-mail:

Recommendation:

Approved Yes No

State Reason

GSE Purchasing Agent:

Date:

To be completed by DAS Legal Counsel

Recommendation:

Approved ☐ Yes ☐ No

State Reason

DAS Legal Counsel:

Date:

To be completed by DAS Director

Recommendation:

Approved ☐ Yes ☐ No

State Reason

DAS Director:

Date:

By clicking "Submit" below your form will be set for e-mailing to "purchasing.mailbox@iowa.gov". Click "Send"
If you prefer to mail, please mail through "Local" mail or send to:

Dept of Administrative Services
Procurement Services
Attn: Kenneth Paulsen
Hoover State Office Bldg, Level A
Des Moines, IA 50319-0105

Submit

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