

## **SOLE SOURCE**

### **Purpose and Requirement:**

The University's Procurement Regulations under Article 3.12 states: "A contract may be awarded for a supply, service or construction item without competition when the provisions of this section are met, provided that the President or his designee above the level of University of Guam Dean/Director determines in writing that there is only one source for the required supply, service or construction item." In view of that, the President has designated the Vice President of Administration and Finance (VPAF), or the Comptroller in the absence of the VPAF, to review and approve all sole source procurement requests.

SOURCE: GC § 6959.4. MPC § 3-205. Amended by P.L. 36-070:2 Dec. 27, 2021) effective 90 calendar days after enactment pursuant to P.L. 36- 070:3 (Dec. 27, 2021).

### **Request for Sole Source Procurement:**

Accordingly, any UOG unit or department seeking to procure via the provision of the sole source procurement shall provide the written justification for sole source procurement determination by indicating the need to purchase from a sole source vendor or an explanation as to why no other vendor will be suitable or acceptable to meet the need. Note: In cases of reasonable doubt, competition should be solicited by units or departments.

### **Required Documents:**

- 1) Abstract/Contract**
- 2) UOG's Sole Source Determination of Need Memo**
  - a) The Sole Source Determination of Need is available as a fillable form on our Procurement website. It outlines the circumstances in which sole source procurement may be necessary, signed by your Unit Head by the VPAF or Comptroller.
- 3) Written Determination of Need UOGPR Section 3.12.2**
  - a) This should state the minimum needs of such products/services and why no other form of procurement other than sole source procurement will suffice.
- 4) Solicitation Package**

a) Purchase Description	d) Inspection and Acceptance requirements
b) Evaluation Factors	e) Contract Terms and Conditions
c) Delivery/Performance Schedules	f) Warranty/bonds or other Security req
- 5) Sole Source Letter**
  - a) letters from vendors stating that they are in fact the sole provider and do not offer their supply or service through resellers.
- 6) Written Report**
  - a) shall include a detailed analysis of the minimum needs of the University upon which the contract is based on, findings from thorough market research, and a conclusion that will certify accurate and complete necessary data to support your recommendation that there is no other source that will satisfy the minimum needs of the University. This report must be signed by the Unit head and shall be made part of the procurement record.

Please note that sole sources of \$50,000 and over must be posted on our Procurement website and posted in a newspaper of general circulation.

**\*If more than one potential vendor can respond to your market research, the Sole Source method shall not be used.**

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