(From CSU Contracts and Procurement Policy, II.B.5.a. Sole Brand Sole Source Procurements (Rev. 12/13/2022)

COMPLETE THE FOLLOWING:

SECTION I. SOLE BRAND/SOLE SOURCE
(Check applicable box below for Sole Brand or Sole Source, then complete Section II)

It is the policy of the CSU to promote fair and open competition to the maximum extent possible. Sole brand and sole source are two procurement methods that limit competition. These methods should only be used when it has been determined that a competitive procurement will not fulfill the requirements of the CSU. Each sole brand or sole source request must include a written justification explaining why the sole brand/source is necessary to satisfy the needs of the CSU.

The following are NOT appropriate causes to warrant sole brand/sole source and you should not proceed.

- Personal preference for a product or vendor.
- Lack of advanced planning.
- Utilization of unnecessarily restrictive specifications (features that exceed the minimum department requirements).
- Review and evaluation of features and factors without open competition, is prohibited.

☐ Sole Brand: is unique and essential to requirements, or required to match already procured items. This must also be a competitive process.

☐ Sole Source: determination has been made and approved in writing that only one source exists for the required product or service.

SECTION II. SOLE BRAND/SOLE SOURCE INFORMATION

Please provide specific responses to each of the following points. If there are questions, call Contract & Procurement Management, ext. 45243 for assistance.

I. Unique performance factors of the product and/or service required:

II. Specific justification why these factors are essential:

III. Justification as to why other products and/or service providers have been rejected and cannot be considered:
IV. Attach documents, which support that the item is available from only one source (i.e., letter from manufacturer stating only one source of supply, proprietary statement from manufacturer).

V. Technical specifications or scope of services are attached. □ Yes □ No

Sole Source/Sole Brand orders will be processed based on the clear merit of the justification required by law. Appeals for reconsideration may be made by the approving official to the Director of Contract & Procurement Management, who is responsible for the final decision regarding moving forward with noncompetitive purchases.

CERTIFICATION: The undersigned acknowledges the State of California requirements for competitive bidding and the established criteria for justification of sole source/sole brand purchases requirements. As the authorized division/college/department representative, I certify to the validity of the sole source request and have verified efforts to review comparable and/or equal equipment/service as documented in this justification. This information meets the state’s criteria for sole source/sole brand requirements, would withstand a supplier’s protest of such statement, and any subsequent audit by the state.

Required Signatures for Sole Source/Sole Brand Justification (All Dollar Amounts). Route for Approvals after CPM Draft review:

Signed: ______________________________
Requesting Department Official
Name: _______________________________________________
Title: ___________________________ Date: ____________

Signed: ______________________________
Name: _______________________________________________
Title: CPM Buyer Review Date: ____________

Signed: ______________________________
Name: _______________________________________________
Title: CPM Director or designee Approval Date: ____________

Signed: ______________________________
BFA Approving Official - Approval Required if Greater Than $100,000.00
Name: _______________________________________________
Title: Vice President of BFA Approval Date: ____________

Signed: ______________________________
Chancellor’s Office Approving Official – Approval Required if Greater Than $250,000.00
Name: _______________________________________________
Title: ___________________________ Approval Date: ____________