



# BAKERSFIELD CITY SCHOOL DISTRICT

EDUCATION CENTER – 1300 BAKER ST. BAKERSFIELD, CA 93305

## Department of Stores and Purchasing

### Sole Source Justification

#### OVERVIEW

Purchasing recognizes that schools and departments often invest a great deal of time and effort in selecting a source of brand prior to submitting a requisition to Purchasing. Even though the department's review process prior to the submittal of a requisition may be sound, departments may unknowingly discourage free and open competition by requesting a single vendor or product. Additionally, the district is bound by local and state laws of which faculty and staff may be unaware.

Please review the *Criteria for Sole Source/Brand* form herein. If you feel your request meets such criteria, follow the instructions in filling out the form and attach it to your requisition. If the sole source/brand justification is accepted by Purchasing, the requisition will be processed for the sole source/brand indicated.

This is an internal review process. School sites and Departments are requested to use discretion in their discussion with vendors so as not to compromise any competitive advantage the Buyer may utilize, regardless of the acceptance or rejection of the sole source/brand justification.

#### PROCEDURE

Sole source/brand purchasing is an exception to the normal procurement function and requires a detailed justification. Sole source is justified in very limited occasions. In processing sole source/brand requests for supplies, services and/or equipment, Purchasing adheres to and is governed by the principles set forth in the CA Education Code, Public Contract Code, and by the Board of Directors.

If you are requesting a particular vendor, brand or product, you must make this fact clear on your requisition. Such a request should not be made unless the request is reasonable and appropriately justified to meet legal requirements and can withstand a possible audit. The District's requirements and the format for submitting such request are contained herein. Please make copies of the Criteria for Sole Source/Brand form for your future use.

The following factors DO NOT apply to sole source/sole brand requests and should not be included in your sole source/sole brand justification. They will not be considered and only tend to confuse the evaluation process.

- I. Personal preference for product or vendor.
- II. Cost, vendor performance, and local service (this may be considered an award factor in competitive bidding).
- III. Features which exceed the minimum department requirements.
- IV. Explanation for the actual need and basic use for the equipment, unless the information relates to a request for unique factors (refer to questions 2 and 3 from the Criteria for Sole Source/Sole Brand form).
- V. A request for no substitution submitted without justification. This is a sole source/sole brand request requiring detailed justification including established sole source/sole brand criteria.

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## CRITERIA FOR SOLE SOURCE

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Please address by specific reference each question listed below (1-5) in your justification. Failure to respond to any of the questions could result in a justification on that is inadequate and may result in the rejection of your justification and delay of your request.

1. Why was this product and/or vendor chosen?

2. What are the unique performance factors (functionality) of the product/service specified?  
Provide detailed specifications and descriptions.

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3. Why are these specific factors required?

4. What other product/services have been examined and rejected?

5. Why are other sources providing like goods or services unacceptable? (Full meaningful explanation).

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I HEREBY CERTIFY THAT:

1. I am an approved department representative, and am aware of the District's requirements for competitive bidding, as well as the criteria for justification for sole source/brand purchasing.
2. I have gathered the required technical information and have made a concentrated effort to review comparable and/or equal equipment. Copies are attached.
3. There is validity as to the information contained herein.
4. There is justification for sole source/sole brand purchasing noted above as it meets the District's criteria.
5. A sole source/brand purchase in this case would withstand a possible audit or a vendor's protest.

**Principal/Department Head:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

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**Approved:** \_\_\_\_\_ **Denied:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Director of Stores and Purchasing Signature:** \_\_\_\_\_

**Comments:** \_\_\_\_\_

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**\*\*BUSINESS SERVICES DEPARTMENT USE ONLY\*\***

**Board Approval Date:** \_\_\_\_\_

**Approved By (print):** \_\_\_\_\_ **Signature:** \_\_\_\_\_

