

Sole Source Purchases

Louisiana Procurement Code R.S. 39:1597 | Purchase Order issued to vendor

SOLE SOURCE STANDARD

The Director of Purchasing or designee above the procurement-officer level must determine in writing that only one source exists for the required supply, service, or major repair item.

REQUIRED FORM

Complete the Sole Source/Proprietary Form and submit it with appropriate written justification.

CONDITIONS FOR USE

- The Budget Unit Head request must explain why no other source is suitable or acceptable.
- The requirement must truly be available from a single supplier.

PROPRIETARY IS NOT AUTOMATICALLY SOLE SOURCE

A proprietary item does not justify sole source procurement when more than one potential vendor or manufacturer exists.

ACCEPTABLE SOLE SOURCE CIRCUMSTANCES

- Compatibility with existing equipment, accessories, or replacement parts is the paramount consideration.
- An item from the sole supplier is required for trial use or product testing.
- The purchase is for resale.
- Public utility service is available from only one provider.

Choose the correct justification path

The source form distinguishes a true single-supplier purchase from a proprietary specification with multiple potential bidders.

SOLE SOURCE

The particular item or service is available from only one supplier, usually the manufacturer, and no other item or service is suitable or acceptable.

The request seeks waiver of the bid process under R.S. 39:1597 and applicable administrative rules.

PROPRIETARY

No other product or service is suitable or acceptable, but more than one potential bidder exists because the manufacturer sells through multiple distributors.

The purchase remains competitive, and the solicitation indicates that the proprietary specification is approved without inviting equal products.

JUSTIFICATION QUESTIONS

- Explain the specification requirements and why only the designated product or service meets the need.
- Identify the qualities or features that make the product or service unique.
- Name other products or services investigated by manufacturer and model or service provider. If fewer than two were investigated, explain why.
- Explain specifically how the alternatives are deficient in meeting the need.

PERMANENT RECORD

The completed form or letter becomes part of the permanent purchase record.

What to submit with the requisition

Documentation differs for a true sole source and an approved proprietary specification.

SOLE SOURCE DOCUMENTS

- Completed Sole Source/Proprietary Form or a letter addressing every required point.
- Signed letterhead quotation.
- Declaration of sole source from corporate marketing, not a sales representative, stating the product or service is not sold through distributors.
- Notarized or published price list or retail price verification for the items.
- Submit all documents to the NSU Purchasing Office.

PROPRIETARY DOCUMENTS

- Completed justification form.
- Submit the form with the requisition to the NSU Purchasing Office.

APPROVAL

- The requisitioner signs and identifies the requisitioner title.
- Purchasing approval is obtained when required.

PURCHASING DETERMINATION

A department preference or contact with only one vendor does not establish sole source status.
The written determination must support the applicable legal standard.

Sole Source Purchase

Standard comparison points used across NSU purchase-type guides.

Dollar Threshold	The source does not identify a dollar threshold. Eligibility depends on a written single-source determination.
Purchasing Authority	The Director of Purchasing or qualifying designee makes the written determination and Purchasing issues the Purchase Order to the vendor.
Department Responsibilities	Complete the justification form; explain why alternatives are unsuitable; identify alternatives investigated; provide the required quote, corporate declaration, and price verification for a sole source request.
Purchasing Responsibilities	Review the request and supporting record, determine whether the sole source or proprietary standard is met, and issue the Purchase Order when approved.
Receiving and Delivery	Complete the normal receiving process applicable to the resulting Purchase Order after delivery or performance.
Payment and Invoice Routing	Process payment against the resulting Purchase Order and retain the justification as part of the permanent purchase record.
Restrictions and Compliance	A proprietary item is not necessarily sole source. A sole source requires one supplier; proprietary specifications with multiple distributors remain competitive.