

Sample Sole Source Justifications

Each sole source purchase must satisfy the following requirements:

- a. The good/service/construction is only available from a SINGLE Source.
- b. The good/service/construction has unique or special design/performance features, characteristics, or capabilities that are essential and required to accomplish the project. No substitute exists that can meet the needs of the project.

The intent of the Sole Source Justification form is to formally document and demonstrate that the above mentioned criteria have been met. Therefore, all sections of the form should be completed, as they are meant to address different aspects of the purchase. A signed copy should be retained in the official [Procurement File](#).

Due to the specialized nature of sole source purchases, a boilerplate justification or standard language is not available. However, the examples below illustrate how the above criteria can be met in different situations. The bolded and italicized text is excerpted directly from the Sole Source Justification form.

Sample 1: Purchase of Host/Maintenance Service for a Server

A. These are the unique or special features and the reasons why each is essential to my need:

Company X is one of only three (3) companies in Hawaii that provides complete co-location services, which includes a separate physical location of servers from the actual place of business, 24-hour access and support services to the servers, 24-hour virtual networking capability, and 24-hour security of the servers. Co-locating the data warehouse servers ensures that the data and information stored on the servers are safeguarded against fire, theft, flood, and damage. Co-locating with virtual networking capabilities is also required because it allows the data to be stored and retrieved as if the distant hardware was onsite. Creating redundancies in IT infrastructures is integral in maintaining and safeguarding information so that compromises to the physical location of a business will not affect the information and data stored on the servers.

B. In addition to the goods, services, or construction requested, I have contacted other suppliers and considered their product or service of similar capabilities. I find their product or service unacceptable for the following reasons. (Identify companies contacted, model number, if applicable, and specific technical deficiency.)

We contacted two other companies, Company Y and Company Z, that provide co-locating services, but they are unable to provide required virtual networking capabilities. Both companies also lack a 24-hour security guard whereas Company X provides both a secured facility and a 24-hour manned guard.

C. If sole source approval is deferred or denied, it will have the following impact on the program/project.

We will not be able to access the information and data stored on the servers to conduct our research.

D. The requested product or service is available only from:

Company X

Sample 2: Purchase of Specialized Equipment: Thermal Infrared Hyperspectral Imaging Instrument

A. *These are the unique or special features and the reasons why each is essential to my need:*

The objective of the project is to build a thermal infrared spectrometer that meets certain spectral resolution, spatial resolution, and sensitivity goals. The lenses to be designed and provided by Company X are required to route and focus the light. Without lenses the instrument would not function, and without lenses of the quality provided by Company X (which we have used in a prior purchase) and the re-design Company X must do in order to meet spatial resolution goals of this project, our key benchmarks for success could not be met. The lenses to be designed and provided by Company X will meet certain spatial resolution benchmarks, contribute to sensitivity and focusing light on the interferometer to meet spectral resolution goals, and will also be fully vacuum compatible and vibration-hardened, which is absolutely essential to this project.

B. *In addition to the goods, services, or construction requested, I have contacted other suppliers and considered their product or service of similar capabilities. I find their product or service unacceptable for the following reasons. (Identify companies contacted, model number, if applicable, and specific technical deficiency.)*

A similar lens design was offered for solicitation on UH SUPERQUOTE for PO Z10000000, and no bids were received. Company Y makes a 50mm infrared lens, but the lens is not designed for vacuum or vibration-hardened. There is no other company that can perform the required interferometer wedge, while also providing vacuum-compatibility and vibration-hardening for the lenses. The lenses that only Company X can design and provide are necessary for the success of this project.

C. *If sole source approval is deferred or denied, it will have the following impact on the program/project.*

If Sole Source is deferred or denied, the project will be unable to proceed. The lenses designed by Company X are an integral part of the instrument being built by this project, and without them we will be unable to focus light from the scene on the focal plane array and pass it through the interferometer which creates the infrared spectra, which is the key science goal of this project. The lenses Company X produces have been used in previous projects successfully and the re-designed lenses to be purchased for this project are vital to achieving the project's stated spatial resolution goal. The project's success is fully dependent on our ability to obtain the lenses designed by Company X.

D. *The requested product or service is available only from:*

Company X

Sample 3: Subcontract Utilizing Federal Contract Funds: (Note: When a subaward is executed using federal contract funds, a sole source form from UH ORS is required.)

A. *These are the unique or special features and the reasons why each is essential to my need:*

The Task Order requires research and development for the sealing of a Large Area Picosecond Photo Detector (LAPPD), developing a “flat seal” methodology, and testing the neutron detection capability of the seal system. This will involve x-ray imaging studies, experimenting with various chemical compositions for LAPPD sealing, and the development of a manufacturing solution for LAPPDs.

B. *In addition to the goods, services, or construction requested, I have contacted other suppliers and considered their product or service of similar capabilities. I find their product or service unacceptable for the following reasons. (Identify companies contacted, model number, if applicable, and specific technical deficiency.)*

Company X is uniquely qualified to provide the services described above for our project because the proposals for LAPPD sealing and the “flat seal” methodology for LAPPDs was developed largely by Company X. It would not be reasonable to approach other vendors who have no knowledge of these LAPPD sealing proposals, because the methodology and approach used by Company X is proprietary and requires special permissions to use or modify.

C. *If sole source approval is deferred or denied, it will have the following impact on the program/project.*

The project will not be able to complete the deliverables under the sponsor-required schedule (12 months), and the project will not have the guidelines for LAPPD productions and the data needed to complete the trade studies (which is another deliverable for the task). The Task Order cannot be completed without timely approval of a contract with Company X, which is critical (directly and indirectly) to several project requirements.

D. *The requested product or service is available only from:*

Company X.