

## Non-Competitive Procurement Justification Guidance

To assist in CPB's review, the outline below may be helpful in preparing your organization's sole source documentation and ensuring that all the necessary information is included. The documentation should include the following information:

### **Section I.**

A brief description of the project, the amount to be designated for the sole source procurement, the purpose of the contract and an itemized budget for the contract/price amount.

### **Section II.**

(a) An explanation as to why it is necessary to contract in a noncompetitive manner and (b) Which one (or more) of the three circumstances identified below, applies to the procurement transaction (include supporting information as identified below under the applicable section(s)):

- If the item or service is available only from one source, please include the following:
  - Uniqueness of items or services to be procured from the proposed contractor or vendor (e.g., compatibility or patent issues)
  - How the entity determined that the item or service is only available from one source (e.g., market survey results, independent agency research, patented or proprietary system)
  - Explanation of need for contractors' expertise linked to the current project (e.g., knowledge of project management, responsiveness, experience of contractor personnel, and/or prior work on earlier phases of project)
  - Any additional information that would support the case.
- If the public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation, please include the following:
  - Description of the public exigency or emergency
  - Need for the contract and period of performance
  - Impact on project if deadline/dates are not met.
  - How long it would take an alternate contractor to reach the same required level of competence (equate to dollar amounts, if desired)
  - Any additional information that would support the case

- If competition is determined inadequate after solicitation of several sources, please include the following:
  - Results of a market survey (or cost analysis) to determine competition availability; if no analysis is conducted, please explain why not
  - Any additional information that would support the case

**Section III.**

A declaration that this action/choice is in the best interest of the grant award and why.

***Please be advised that conflicts of interest are prohibited under the procurement standards set forth in 2 C.F.R. § 200.318(c). In addition, program funds should not be awarded to any party that is debarred or suspended from participation in federal assistance programs.***