*[Verbiage in brackets and italics contain instructions or examples for completing the Sole Source Determination****.***  *Send this Determination to DAS through the OregonBuys eProcurement System by following the DASOBO Guidance for Agencies document, which can be found at* [*https://www.oregon.gov/das/ORBuys/Documents/OregonBuysDAS\_OBO\_Guide.docx*](https://www.oregon.gov/das/ORBuys/Documents/OregonBuysDAS_OBO_Guide.docx)*.* ***Delete the instructional text in italics*** *and remove highlights before sending the request to DAS]*

**SOLE-SOURCE DETERMINATION AND JUSTIFICATION**

**FOR SUPPLIES AND SERVICES**

**No. REQ-DASOBO-XXXXXXXX**

*[the number above is assigned by OregonBuys]*

**To:** State Chief Procurement Officer

Department of Administrative Services

**From:** [*Agency/Division/Office*]

**Designated Procurement Officer:** \_\_\_\_\_\_\_\_\_\_\_,DPO

**Agency Analyst/Procurement Specialist:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**Date**: \_\_\_\_\_\_\_\_\_\_

**Re:** Sole Source Determination pursuant to Oregon Revised Statute (ORS) 279B.075 and Oregon Administrative Rule (OAR) 125-247-0275

**Part A**

1. Authority to enter into a Sole-Source Contract: OAR 125-246-0170(2)(c)(H) and DAS Delegation Agreement No. REQ-DASOBO-XXXXXXXX [*delete highlighted text if there is no Delegation*]

2. Estimated Total Value of Contract: \_\_\_\_\_\_\_\_\_\_

3. Subject of Contract: \_\_\_\_\_\_\_\_\_\_

4. Background:

*[Example:*

* *Agency is preparing to purchase.....*
* *It’s the Agency’s intent to ...., by [date].*
* *This sole source justification applies to the purchase of ...*
* *Provide a brief description of the Contract or Contracts to be covered including contemplated future purchases*
* *Include an overview of previous competitive solicitations, if applicable.*
* *Use OregonBuys number when citing contracts or solicitations.*
* *Describe the product or service to be purchased.*
* *The estimated cost is.....*
* *Describe the reasons the agency is seeking this procurement method.*
* *Identify the prospective Contractor in your background statement.]*

5. Findings:

*[- The findings below must include factual information supporting the determination.*

*- If a Brand Name is involved, the Authorized Agency must also satisfy the requirements of the Brand Name Rule, OAR 125-247-0691, and the Brand Name determination may be included within this Sole-Source Determination. Please identify the Brand Name determination and the appropriate Rule sections.]*

A. Market Research Overall Finding.

*[Pursuant to ORS 279B.075 and OAR 125-247-0275(3), the State Agency must address the market research conducted that demonstrates there is only one source that can provide the goods or services. This would include research of the internet, trade journals, agency vendor lists, professional organizations, studies, catalogs/industrial periodicals, vendor sources, yellow pages, etc. For Information Technology Contracts any ownership or proprietary issues should be fully addressed and there must be written documentation to support facts. NOTE: The Sole Source notice in OregonBuys is a result of the Agency’s determination that only one source can provide the goods or services and is not considered market research.]*

And

**B. Findings of Fact pursuant to OAR 125-247-0275(2) must include, at a minimum, one of the following:**

1. Pursuant to OAR 125-247-0275(2)(a): Compatibility. Provide findings supporting your determination that the efficient utilization of existing goods requires the acquisition of compatible goods or services from only one source.

*[Provide clear and concise information to support this determination.)*

2. Pursuant to ORS 279B.075 (2)(b): Exchange of Software or Data. Provide findings supporting your determination that the goods or services required for the exchange of software or data with other public or private agencies are available from only one source.

*[Provide clear and concise information to support this determination.)*

3. Pursuant to ORS 279B.075 (2)(c): Pilot or Experimental Project. Provide findings supporting your determination that the goods or services are for use in a pilot or an experimental project.

*[Provide clear and concise information to support this determination.)*

4. Pursuant to ORS 279B.075 (2)(d): Other findings that support the conclusion that Supplies and Services are available from only one source may include but are not limited to considerations of: unique design, availability, geographic location, exclusive authorized representative, cost of conversion, and warranty services.

*[Provide clear and concise information to support this determination.)*

**Part B** - Conditions of Approval will be inserted by DAS.