



POLICY & PROCEDURE DOCUMENT

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DIVISION: Finance & Administration

TITLE: Purchase by Non-Competitive Negotiation/Sole Source

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Issued by: Department of Purchasing

I. Purpose and Scope

To establish guidelines for purchase of products and services that are only available from one supplier.

II. Policy

A contract may be established by non-competitive negotiation for sole source purchases where competition is not feasible as determined by the Department of Purchasing in accordance with KRS 45A.095. Sole source is a situation in which there is only one (1) known capable supplier of the commodity or service, created by the unique nature of the requirements, compatibility with existing equipment, the supplier, or market conditions. **Price is not a consideration in support of a sole source decision**, however the Department of Purchasing may negotiate various terms and pricing if they deem it to be appropriate.

III. Procedure

A. Initial Information and Cost Gathering

Individuals or departments requiring goods or services believed to be from a sole source will contact the WKU Department of Purchasing for assistance when seeking initial cost, specification information. Department prepares a sole source justification letter to the appropriate Buyer along with an electronic requisition in Banner. The letter explains the

nature of the commodity/service, describing uniqueness of situation and why this is the only item suited for their purpose. Attaches descriptive literature and any other supporting documentation.

B. Verification of Sole Source

The assigned Buyer in the Department of Purchasing will conduct research or may have the option to place a Public Notice on the wkuplanroom.com regarding the sole source. Notices placed on the wkuplanroom.com web page will remain available for potential vendors to challenge for a minimum of seven business days. Challenges to any sole source justification will be reviewed by the Director of Purchasing to determine whether the sole source is justified. If sole source is not justified, the Buyer will proceed with a competitive bid or negotiation, whichever is most appropriate.