



THE VIRGIN ISLANDS DEPARTMENT OF EDUCATION
PROCUREMENT POLICY AND PROCEDURE

Policy/Procedure Title:	PRO 2.1 Obtaining Sole Source Bids
Purpose:	This procedure establishes the guidelines for purchasing goods or services without going through the competitive bidding process.
Definitions:	<p>Sole source – sole source purchases are defined as those purchases of goods or services that can only be obtained from one source in the marketplace. Such goods or services will usually be a unique nature and have performance characteristics and/or other attributes that can only be obtained from that source</p> <p>Single source – single source purchases are defined as those purchases of goods or services that, for justifiable reason such as compatibility or standardization, are obtained from one source among others in a competitive marketplace</p> <ol style="list-style-type: none"> 1. Transactions valued under \$2,000 for any item or group of items 2. Emergency purchases
Policy:	<ol style="list-style-type: none"> 1. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source, or after solicitation of a number of sources, competition is determined inadequate. 2. There must be sufficient funds and budget associated with the goods or services to cover the procurement. 3. There must be sufficient funds in cost category (e.g. supplies). 4. Vendor quotes must be submitted on authentic vendor's quote sheet or the vendor's letterhead identifying the vendor, the cost per item, the total cost of the proposed order and shipping costs, if any. 5. The Procurement Director has the right and the obligation of rejecting a selected vendor if it is determined that the selected vendor is not meeting the overall value, price or service criteria that is expected. 6. A non-competitive process (e.g., sole source), can only be used when: <ol style="list-style-type: none"> a) The item is available only from a single source b) The Public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation c) After soliciting from a number of sources, competition is determined inadequate. 7. In the USVI sole source procurement will most commonly be used for <ol style="list-style-type: none"> a) Books and other copyrighted materials that are only available from a single publisher; b) Services that have limited available providers on island,



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	<p>where it does not make sense to fly in providers from off-island (e.g., Steel Pan instructors for Safe & Drug Free Program); and</p> <p>c) Goods that are too costly to obtain off-island.</p> <p>8. Sole source cannot be used just because there is a brand preference. e.g., a requestor cannot invoke the sole source process to buy one brand of computer even if there is only one supplier on island, since other providers may sell other brands which meet the required specifications at a better price. Avoiding competition because of brand preference is SPECIFICALLY DISALLOWED in the EDGAR regulations (Title 34 CFR 80,36 (c) (vi)).</p> <p>9. Sole source cannot be used because the VIDE has a preference to a specific vendor. e.g. the vendor has been doing business with the VIDE for years or the vendor is a vendor of the GVI or the vendor is on the GVI's USGSA list.</p> <p>10. A vendor who can supply you with 'all' the items you may want to procure is not necessarily a sole source vendor. Convenience does not justify a sole source bid.</p> <p>11. If or when a noncompetitive process is used, the requestor must provide a justification letter explaining the reason for using a sole source vendor, citing the specific purchase requirements that make the competitive process unfeasible.</p> <p>12. The buyer must obtain a letter on the vendors letterhead stating that they are the sole source provider of the good/service.</p>
<p>Procedure:</p> <ol style="list-style-type: none"> 1. The Buyer submits requirements or scope of work document to vendors for work to be performed (e.g., goods or services to be purchased, volume, time frame required, etc.) 2. The Buyer identifies a sole source vendor and obtains a quote for the work to be performed. 3. The Buyer completes a Sole Source Justification Letter with the following detailed explanation for the non-competitive purchase: <ol style="list-style-type: none"> a) Cite specific purchase requirements that render the competitive process untenable b) Provide written documentation confirming that the item is available only from a single source (include letter from vendor) c) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation d) Competition is determined inadequate after following the guidelines for a competitive process 	



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4. In the case of a continued relationship with an existing vendor the sole source justification should not extend beyond a three year period.
5. New Vendors must complete and submit to the Procurement Office a Request for a Taxpayer Identification Number and Certification (W-9) form, and the New Vendor Request form.
6. Vendors based in the USVI must provide a valid business license.
7. The Buyer submits the Sole Source Justification Letter, bid forms and Vendor bid documentation to the Procurement Director
8. The Procurement Director reviews the bid form to determine if the bid is complete, accurate and meets local and federal procurement regulations.
 - a. If approved, the Procurement Director will send the approved justification letter back to the Buyer for requisition entry into the system
 - b. If not approved, the Procurement Director will return the justification letter with explanation for rejection
9. The Buyer enters the requisition into the MUNIS system attaching the supporting documentation.

Exhibits:

1. Sole Source Justification Letter