

SOLE SOURCE CHECKLIST (5 G.C.A. §5214)

1. Written determination of need for the required supply, service, or construction item.

2. Written determination finding that there is only one source for the required supply, service, or construction item and the written determination must be made by UOG's President, or the President's designee who must be above the level of the Procurement Officer.

a. Prior to and as a condition of making the written determination, UOG shall prepare a written report for the person making the determination, which shall include a detailed analysis of the minimum needs of UOG upon which the contract is based, findings from thorough market research, and a conclusion that will certify accurate and complete necessary data to support their recommendation that there is no other source that will satisfy the minimum needs of the government. The report must be signed by the person or persons conducting the market research and analysis, and shall be made part of the procurement record.

3. A package to market and present to prospective vendors or service providers, which shall be based on the written determination of need and market research, which contains a purchase description, evaluation factors, delivery or performance schedule, inspection and acceptance requirements, the contract terms and conditions, and any warranty, bond, or other security requirement of the sole source contract. NOTE: With this requirement, you might as well issue an IFB or an RFP.

a. The sole source contract shall not exceed a term greater than one year, with four successive annual options to renew.

b. The sole source contract's options to renew shall not exceed a term greater than one year, and the options may only be exercised when, at the time exercised, UOG's President or the President's designee above the level of Procurement Officer determines in writing that there is only one source for the required supply, service, or construction item.

(1). Prior to and as a condition of making the written determination, UOG shall prepare a written report for the person making the determination, which shall include a detailed analysis of the minimum needs of UOG upon which the contract is based, findings from thorough market research, and a conclusion that will certify accurate and complete necessary data to support their recommendation that there is no other source that will satisfy the minimum needs of the government. The report must be signed by the person or persons conducting the market research and analysis, and shall be made part of the procurement record.

4. A sole source contract can be awarded and executed by UOG's President or the President's designee above the level of Procurement Officer, after the President or the President's designee has made a written determination that the contract price is fair and reasonable and consistent with UOG's Procurement Regulations and the determination must include relevant cost and price information from the sole source and comparable or substitute supplies, services, or construction items.

5. Within fourteen days of awarding the sole source contract which cost more than \$50,000, UOG must publish a notice in a newspaper of general circulation on Guam, and on it's website.

a. The notice must identify UOG as the awardee of the contract, and it must identify the awardee, the contract award amount, the term, and the nature of the contract.