

## NON-COMPETITIVE JUSTIFICATION FORM

<b>Department</b>		<b>Date</b>	
<b>S u p p l i e r</b>			
<b>Description of Items Wanted</b>			
<b>Total Cost</b>  \$ _____	<b><u>If purchase is:</u></b> <b>Less than \$5,000</b> – department will maintain justification and provide to Purchasing upon request <b>\$5,000 or more</b> – department will complete form and attach it plus copies of all bid and quote information in the SRM Contract or Shopping Cart.		
<b>Justification (select one)</b> <b>(see reverse of form for definitions)</b>			
<b>Product</b>	<b>Service</b>	<b>Both</b>	
Equipment/system compatibility Functional specifications Manufacturer/publisher-direct Only authorized distributor	Existing agreement Reimbursement to owner Specialized credentials/ expertise/training	Board approved Emergency/life or property threat mitigation Timing Constraint Government mandated/legal requirement Proprietary Sole source	
<b>Please provide a detailed explanation for the Justification selected above.</b>			
<b>Submitted by:</b>			
	<b>Signature</b>	<b>Print or Type Name</b>	<b>Date</b>
<b>Buyer Approval:</b>			
	<b>Signature</b>	<b>Print or Type Name</b>	<b>Date</b>

*Incomplete forms may result in the SAP document being rejected.*

## Justification Definitions for Non-Competitive Purchases

P R O D U C T	<p><b>Equipment/system compatibility</b> – Equipment or system has same compatibility, interoperability, technical application as that currently owned by County. May be a situation where the vendor has specific knowledge of the system, County premises, operations or requirements. May result in reduced expenses for training/maintenance and added efficiency Countywide; changing would require significant additional funding or training of staff. Department may be asked to specify a definitive period of time after which a competitive process will be initiated. <u>Examples: software; keycard access; fire alarm/security systems; breathing apparatus.</u></p> <p><b>Functional specifications</b> – Meets performance and quality requirements; other products lack one or more of the required material specifications. <u>Examples: hospital and/or lab equipment providing exact diagnostic specifications; bomb disposal robot.</u></p> <p><b>Manufacturer/publisher-direct</b> – Has no distributor network or is less costly than purchasing through a distributor.</p> <p><b>Only authorized distributor</b> – No other manufacturer-authorized distributor in geographical area can provide product. <u>Example: Caterpillar equipment can only be purchased from one distributor.</u></p>
S E R V I C E	<p><b>Existing agreement</b> – Essential in maintaining continuity of service. There is a significant cost benefit to the County to stay with the vendor. <u>Example: Lexis Nexis subscription for legal research and financing information.</u></p> <p><b>Reimbursement to owner</b> – County reimbursing owner for service or product (provided by third party) paid for by owner pursuant to agreement. <u>Example: tenant improvements for County-leased buildings.</u></p> <p><b>Specialized credentials/expertise/training</b> (replaces specialized services) – Meets requirements for certification, credentials, experience, expertise, training as requested.</p>
B O T H	<p><b>Board approved</b> – Board of Supervisors' authorized procurement.</p> <p><b>Emergency/life or property threat mitigation</b> - A purchase for: (i) the preservation of life or property, or (ii) if the Purchasing Agent or any assistant authorized to make purchases is not immediately available and the service, item or items, are immediately necessary for continued operation of the entity and undue delay would cause substantial loss to the County in the event of an emergency, is to be made pursuant to 14.0106 of the County Code.</p> <p><b>Timing constraints</b> – Compelling urgency; only vendor that can commit to delivery schedule of product/project/service. Departments are required to show that failure to meet such deadline will cause additional expense to the County or jeopardize public health or safety.</p> <p><b>Government mandated/legal requirement</b> – Mandated by local, state, county, or federal agency with jurisdiction.</p> <p><b>Proprietary item</b> – Used, made or marketed by one having the exclusive legal right (patented, licensed, copyrighted, etc.)</p> <p><b>Sole source</b> – Only one provider/supplier exists to fulfill County requirement.</p>