

**SOURCE JUSTIFICATION
& DETERMINATION**

This form is to provide relevant information necessary to document the source justification review and approval process for the purchase of services by an independent agency pursuant to the Procurement Code (62 P.S. §§ 301(b) and 515). Approval of this completed form by the Executive Director, or his/her designee, constitutes the final determination by the Contracting Officer that the sole source procurement described herein is justified and should be awarded to the identified Supplier. This completed and approved form shall be posted to PLCB's publicly available website for any procurements made under items 1, 2, 4, or 10 as defined in Section B, below and will be considered satisfaction of the posting requirements of the Procurement Code (62 P.S. §106.1(b)(5)). When public posting is not required, this form shall be completed and made a part of the contract file.

SECTION A

DESCRIPTION OF SERVICES BEING PROCURED:

ESTIMATED COST:	INITIAL TERM:	RENEWALS:
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FOR REQUESTS > \$100,000, A COST DATA CERTIFICATION SIGNED BY THE SUPPLIER MUST BE ATTACHED AS A PART OF THE SOLE SOURCE JUSTIFICATION.

SUPPLIER INFORMATION

FULL LEGAL NAME OF ENTITY:

CONTACT NAME:	PHONE NUMBER:	EMAIL ADDRESS:
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FULL ADDRESS:

LOCATION WHERE SERVICES WILL BE PROVIDED IF OTHER THAN NWOB:

SECTION B

Check the appropriate reason(s) for this source justification pursuant to 62 P.S. §515(a):

- 1. SINGLE SOURCE – SERVICE NOT AVAILABLE FROM ANOTHER SUPPLIER OR THE SERVICE MUST BE COMPATIBLE WITH EXISTING EQUIPMENT. **(PUBLIC POSTING REQUIRED)**
- 2. A FEDERAL OR STATE STATUTE OR FEDERAL REGULATION EXEMPTS THE SERVICE FROM THE COMPETITIVE PROCEDURE. **(PUBLIC POSTING REQUIRED)**
- 3. THE TOTAL COST OF THE SERVICE IS LESS WITHIN THE THRESHOLD FOR SMALL, NO-BID PROCUREMENTS UNDER SECTION 514.
- 4. IT IS CLEARLY NOT FEASIBLE TO AWARD THE CONTRACT FOR SERVICES ON A COMPETITIVE BASIS. **(PUBLIC POSTING REQUIRED)**
- 5. THE SERVICES ARE TO BE PROVIDED BY ATTORNEYS OR LITIGATION CONSULTANTS SELECTED BY THE OFFICE OF GENERAL COUNSEL, THE OFFICE OF ATTORNEY GENERAL, THE DEPARTMENT OF THE AUDITOR GENERAL OR THE TREASURY DEPARTMENT.
- 6. THE SERVICES ARE TO BE PROVIDED BY EXPERT WITNESSES.
- 7. THE SERVICES INVOLVE THE REPAIR, MODIFICATION OR CALIBRATION OF EQUIPMENT AND THEY ARE TO BE PERFORMED BY THE MANUFACTURER OF THE EQUIPMENT OR BY THE MANUFACTURER'S AUTHORIZED DEALER
- 8. THE CONTRACT IS FOR INVESTMENT ADVISORS OR MANAGERS SELECTED BY THE STATE EMPLOYEES' RETIREMENT SYSTEM OR A STATE-AFFILIATED ENTITY.
- 9. THE CONTRACT IS FOR FINANCIAL OR INVESTMENT EXPERTS TO BE USED AND SELECTED BY THE TREASURY DEPARTMENT OR FINANCIAL OR INVESTMENT EXPERTS SELECTED BY THE SECRETARY OF THE BUDGET.
- 10. THE CONTRACT FOR SERVICES IS IN THE BEST INTEREST OF THE COMMONWEALTH. **(PUBLIC POSTING REQUIRED)**

Note: This section should be completed to the extent it is necessary to justify the noted procurement for the reason(s) indicated in Section B. Not all sections are required to be completed.

SECTION C

1. DESCRIBE THE UNIQUE FEATURES OF THIS PROCUREMENT THAT PROHIBIT A COMPETITIVE ENVIRONMENT.

2. ARE THERE COMPATIBILITY REQUIREMENTS OR COMPLIANCE REQUIREMENTS WITH A WARRANTY OR SERVICE AGREEMENT? IF YES, PLEASE EXPLAIN.

3. HOW HAS THE MATERIAL OR SERVICE BEEN PROCURED IN THE PAST?

4. IF THIS IS AN UPGRADE, ADDITION, ALTERATION, ETC., TO AN EARLIER PROCUREMENT, PLEASE PROVIDE ADDITIONAL DETAIL.

5. WHAT ARE THE CONSEQUENCES OF NOT APPROVING THIS PROCUREMENT?

6. IF TIMING IS A FACTOR, WHAT IS THE TIME FACTOR AND WHY?

7. LIST ANY OTHER INFORMATION RELEVANT TO THE ACQUISITION OF THE SERVICES HERE OR AS AN ATTACHMENT.

SECTION D

When applicable, this completed Sole Source Justification and Determination form shall be posted to PLCB’s publicly available website for a period of seven calendar days in compliance with section 106.1 of the Procurement Code (62 P.S. §106.1(b)(5)). No contract for such procurements will be awarded by the PLCB until the expiration of the seven-day posting period.

In accordance with section 515(b) of the Procurement Code, the signature below of the Authorized Approver, or his designee, together with completed Sections A-C above, shall act as the written determination of the head of the Purchasing Agency that the sole source procurement is approved for the reasons set forth herein (62 P.S. §515(b)).

IMPORTANT: The printed names on this form shall constitute the signatures of these individuals. These individuals have reviewed the completed form and give their consent to apply their printed name on this form. No handwritten signatures shall be required in order for the form to be considered “signed” by those individuals whose names appear in the signature section of the form.

AGENCY CONTACT PERSON (PERSON TO BE CONTACTED FOR ADDITIONAL INFORMATION, ETC.):

NAME:	TITLE:	DATE:
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AUTHORIZED APPROVER (AS HEAD OF THE PURCHASING AGENCY AND AS CONTRACTING OFFICER): APPROVING AUTHORITY CONNOTES APPROVAL AND FINAL DETERMINATION OF THE SOURCE JUSTIFICATION AND THE COST OR PRICING DATA CERTIFICATION.

NAME:	TITLE:	DATE:
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ADDITIONAL APPROVALS* (IF REQUIRED BY AGENCY):

NAME:	TITLE:	DATE:
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NAME:	TITLE:	DATE:
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