



### 3.2.1.1 Sole Brand Restrictive Specifications

#### Policy Statement

A sole brand solicitation is a competitive solicitation, which includes specifications restricting offered goods to a specific manufacturer or owner's brand. Before making a determination that only one specific brand of goods will meet the University's critical business requirements, research must be conducted by the end-user to determine if other brands exist which can also satisfy procurement requirements in a timely manner. Sound procurement practice requires that a sole brand solicitation be used only when it is the last justifiable option, and not as an attempt to contract for a favored brand of goods. A valid sole brand justification allows the procurement specialist to process a competitive bid with the insertion of "No Substitute" after the good is specified by brand name, model number or some other designation identifying a specific good of a manufacturer.

#### Reason for policy

To establish the requirements necessary to restrict a purchase to a particular, or sole, brand and to ensure compliance with governing regulations.

#### Procedures

There will be situations where only one brand/model will meet the needs of the end user. If the purchase equals or exceeds \$25,000, and the items are not available under statewide or agency contract, and the need exists to limit the procurement to one brand/model, the sole brand/sole source form must be completed and submitted with the requisition. This form is available on the Administrative [Forms](#) Web Site. Preference for a particular brand is insufficient reason for restricting the purchase to one brand, unless the preference can be supported by objective written justification. Acceptable reasons for sole brand are: components of a major assembly; compatible items to be added to an existing system; compatibility with substantial parts inventory and or service capabilities; physical design characteristics to satisfy aesthetic requirements; matching and inter-membering with preponderance of existing equipment, e.g. office or school furniture; one-of-a-kind equipment, especially high-technology or scientific; many utilities, services, postage, cable television, fees, membership fees, etc.; pre-prepared a/v materials such as video's, CD's, etc.; books, publications, subscriptions, etc. on paper, CD-ROM, microfilm, etc. An approved Sole Brand request allows for the insertion of "No Substitute" after the item identification. A matrix will be required if the unit price of the item(s) is \$10,000 or greater and the total requisition price is \$25,000 or greater

#### Forms/Instructions

Sole Brand Form: [http://www.busfin.uga.edu/forms/sole\\_source.pdf](http://www.busfin.uga.edu/forms/sole_source.pdf)

(To be completed by the end-user with signatures from the department head and originator)

#### Additional contacts

Procurement Office Staff 706-542-2361

#### Policy definitions

Sole brand – a competitive solicitation, which includes specifications restricting offered goods to a specific manufacturer or owner's brand.

#### Responsibilities

**Responsible University Senior Administrator:** Vice President for Finance & Administration

**Responsible University Administrator:** Procurement Officer

**Policy Owner:** [Procurement](#)

**Policy Contact:** [Annette Evans](#)

**Phone Number:** 706-542-2361

**Responsibilities:** *The end-user is responsible for creating the initial set of sole brand specifications to ensure their needs are met. However, the procurement specialist will review the specifications and determine if the specifications are too restrictive. In this situation, the end-user will be expected to assist the procurement specialist in modifying the specifications so their need is able to still be met but without being too restrictive.*

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#### Record Retention

Specifications are maintained with the purchase orders and their record retention requirements

may vary by the method of purchase (construction, public works, product, services, etc.)

Retention: 7 years, BOR 072-03-009; 11 years or 7 years after expiration, BOR 0472-14-002

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#### FAQs

**Question 1:** If I am purchasing in a sole brand environment which may be competitive or sole source, do I still need to provide a matrix showing a comparison of products to support the sole brand need?

**Answer 1:** Yes, however, this is only required if the unit price of the item(s) is \$10,000 or greater and the total requisition price is \$25,000 or greater.

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#### Related information

For matrix examples, please click on the following link:

[http://www.busfin.uga.edu/procurement/pdf/Matrix\\_Examples.pdf](http://www.busfin.uga.edu/procurement/pdf/Matrix_Examples.pdf)

Date Reviewed: 02/01/2018

[< Unrestricted Competitive Specifications | Encumbering Funds/Liabilities Against a Purchase Order >](#)

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#### Policy Dates

Effective Date: 01/01/2016

Date Last Updated: 06/17/2016

Date of Last Review:

Date of Approval:

Previous Version of Policy: