

ATTACHMENT 3
Sole Source or Brand Name Justification
(Applicable to Requirements <\$250K)

The material or service listed on ERP PR _____ represents the minimum requirements of the government. There are no substitutes available for this material and competition is precluded for reasons indicated below.

1. Description of supplies or services required to meet agency needs. *{Provide a description of the supplies or services required, to include intended use, and the expected delivery date/period of performance.}*

2. Identification of the single source or the brand name to be solicited. *{Provide name, address, POC, phone number & email address.}*

3. If item is not available directly from manufacturer, provide authorized reseller's contact info. *{Provide name, address, POC, phone number & email address of reseller when a manufacturer distributes via authorized distributor/reseller. If none, enter N/A.}*

4. Supporting rationale. Only one source or brand name is reasonably available as detailed below. Check all applicable boxes and provide supporting rationale under the selection.

☐ **Brand Name** - This particular brand name is essential to the requirement and market research indicates similar products do not meet or cannot be modified to meet agency needs. With a brand name product, the item may be available from numerous dealers/distributors.

{Identify the brand name item(s) or feature(s) and describe how the particular brand name item(s) or feature(s) is essential to the Government's requirements. Provide details on mission impact if the requirement is not solicited for the brand name. Explain why a "brand name or equal" description cannot be used (see FAR 11.104). Describe why other companies' similar product(s) do not meet, or cannot be modified to meet, the agency's needs (see FAR 11.105). If the determination is to cover only the portion of the buy which is brand name, then it should so state; the approval level requirements will then only apply to that portion.}

☐ **Compatibility to existing systems or equipment** - The required supplies or service must be compatible in all aspects (form, fit, and function) with existing systems or equipment and the source is uniquely qualified to meet the requirement. *{Describe the current system or equipment and the manner in which the new item/service must coordinate, connect, or interface with the existing system or equipment. Describe how other companies' similar product(s) do not meet, or cannot be modified to meet, the agency's needs}.*

☐ **Exclusive Licensing Agreement/Restrictive Rights/Authorized Reseller** - The source has one or more of the following: an established exclusive licensing agreement, proprietary data, limited rights in data, patent rights, OEM required certifications or OEM authorized reseller, copyrights or secret processes with regard to the supplies or services required. *{Describe the existing exclusive licensing agreement or other applicable restrictions and why the agreement or restrictions make the required supplies or services available from only one source. Explain why another company could not satisfy the Government's need.}*

☐ **Sole Source - Only one source is capable** *{Identify any other reason not identified above as to why only the single source is capable of providing the supplies or services required at the level of quality required because the supplies or services are unique or highly specialized. Provide details on mission impact if the requirement is not solicited from the single source.}*

Technical/Requirements Certification:

I certify that the information provided and that the statements checked are complete and accurate to the best of my knowledge. I understand that the processing of this sole source justification precludes the use of full and open competition.

Customer Signature: _____ **Code:** _____

Date: _____

Approval:

Based on the above, I have determined that the circumstances of the contract action deem only one source reasonably available can fulfill the requirements. I certify that this justification is accurate and complete to the best of my knowledge and belief.

Contracting Officer Signature: _____ **Date:** _____

**When a contract action will include brand-name specifications or is sole source, the contracting officer shall include this justification with the solicitation the documentation required by FAR 13.106-1(b), redacted as necessary.*

***For Federal Supply Schedule (FSS) orders, when a requirement contains brand-name specifications, the contracting officer shall post the RFQ on e-Buy along with the justification or documentation, as required by FAR 8.405-6.*