

## Sole Source/Bid Waiver Justification

**Below are the following Sole Source /Bid Waiver Criteria. If your purchase does meet any of the following criteria, please complete the form and submit to Procurement Services at [procurementservices@ccc.edu](mailto:procurementservices@ccc.edu)**

### What is a Sole Source Procurement?

A “sole source” procurement can be defined as any contract entered into without a competitive process, based on a justification that only one known source exists or that only one single supplier can fulfill the requirement. Although states generally do not permit non-competitive procurements by statute, exceptions are allowed where competition is not feasible.

Examples of acceptable exceptions from the competitive procurement process may include:

- Only one known source exists for supplies of services or products as determined by documented research.
- No other reasonable alternative source exists that meets the CCC requirements.
- Only one source meets the business needs of the CCC (e.g., compatibility, unique feature to meet CCC’s business need, etc.)
- Procurement of public utility services.

### What’s not a Sole Source Procurement?

- A CCC requirement for a particular proprietary product or service does not automatically justify a sole source procurement if there is more than one potential bidder or offeror for that item.
- A CCC preference for a brand name product does not justify a sole source procurement.
- A good’s or service’s “uniqueness” alone may not qualify the producer or supplier of the good or service as a sole provider of a good or service.

### What are acceptable considerations for sole source procurements?

CCC reasons for sole sources vary greatly but should fall within the following:

- Only one known source that can provide the commodity or service.
- Unique source (commodity/service is unique/special in nature)
- Compatibility (e.g., a public safety CCC requiring a specific piece of equipment to be compatible with an existing equipment system)
- Limited or proprietary systems (i.e. additional licenses, updates, specialized replacement parts, etc.)
- A professional expert is requested.
- Sales territories or product availability within limited geographic boundaries.

## Sole Source/Bid Waiver Justification Application

Name of Requestor: Maria E. Sanchez  
 Department/School: Child Development Lab Schools  
 Project Title: ChildCare Food Services

Email Address: msanchez248@ccc.edu  
 Bulletin or Reference Number: Board Report 33454  
 Vendor: FOODA, Inc.

Value of Initial Term, or if a Renewal, Value of this Renewal: \$ 500,000  Actual  Estimated  
 (Attach the proposal received)

Number of Potential/Remaining Renewals: 2 additional-3 year period

Length of Each Renewal in Months: Yearly

Value of All/Remaining Renewals: \$ 500,000 yearly

Choose one of the following:

- New Sole Source  
 Sole Source Renewal  
 Change Order or Amendment to an Existing Sole Source

Provide a description of the supplies or services required: Catering services for the Child Development Lab Schools

Select the Type of Funding to be Used:  Educational Funds  Capital Funds  Grant Funds  
 Other (Explain): Enterprise Account

This purchase is economically only available from a single source because it is:

- |  |   |
|--|---|
| <input type="checkbox"/> Art or Entertainment Services or Athletic Events  | <input type="checkbox"/> Items Are Needed for Trial Use or Testing  |
| <input type="checkbox"/> Compatibility with Existing/current Equipment, Accessories, Replacement Parts or Service                              | <input type="checkbox"/> Media for Advertising  |
| <input type="checkbox"/> Critical Changes to the Existing Contract Are Necessary and Best Accomplished by the Original Contract Holder         | <input type="checkbox"/> Organization Memberships (Dues, Fees, Conference Charges Including Mandated Travel and Related Expenses) |
| <input type="checkbox"/> Federal/CCC Grant Requires Contract with Vendor (attach Grant Award Agreement)  | <input type="checkbox"/> Public Utility Regulated Services  |
| <input type="checkbox"/> Item is Copyrighted or Patented and the Item is Only Available From the Holder – Copyright or Patent Number(s): _____ | <input type="checkbox"/> Radio and Television Broadcast Rights  |
|  | <input checked="" type="checkbox"/> Other (Explain): <u>Other vendors must subcontract through Fooda</u>                          |

Has CCC purchased these supplies/services in the past?  Yes  No

If yes, STARTING WITH THE MOST RECENT CONTRACT AND WORKING BACKWARD, for the entire relationship with this vendor for this supply or service, list each term, value, short description and type of procurement of each:

Term	Term From:	Term To:	Value	Description	Vendor Selection
One	May 3, 2022	May 2, 2023	\$500,000	Catering Services	FOODA, Inc.
Two	May 3, 2021	May 2, 2022	\$500,000	Catering Services	FOODA, Inc.
Three	May 3, 2020	May 2, 2021	\$500,000	Catering Services	FOODA, Inc.
Four	May 3, 2019	May 2, 2020	\$500,000	Catering Services	FOODA, Inc.
Five	August 23, 2018	May 2, 2019	\$500,000	Catering Services	FOODA, Inc.
Six					
Seven					
Eight					
Nine					
Ten					

If more than 10 years, explain: \_\_\_\_\_

## Business Rationale

1. Provide a detailed explanation of the need for the supplies or services: CCC is seeking Sole Source exemption for Fooda to provide meals to the Child Development Lab Schools because they hold an active contract, license, and exclusive rights to CCC's kitchen space.
2. What are the unique features of the supplies or services that are not available in any other product or by any other vendor? Provide specific, quantifiable factors/qualifications: Fooda provides a full-service meal program to the Child Development Lab Schools. Sharing the licensed kitchen space with another vendor could be challenging and disruptive to both food programs. Fooda is best-equipped to serve as the sole provider for childcare meals.
3. If professional services, what are the unique qualifications this vendor possesses? Provide specific, measurable factors/qualifications: Fooda is licensed to provide CCC with cafeteria, catering, vending and childcare meals to CCC and is best is best-equipped to be the Sole Source vendor for childcare meals.
4. Were alternative supplies or services evaluated?  Yes  No If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility: \_\_\_\_\_  
 b. If no, why were alternatives not evaluated? \_\_\_\_\_
5. What efforts were made to get the best possible price? Each year, Fooda is required to submit a price for the meals and the price cannot exceed the Consumer Price Index.
6. Will this purchase obligate the CCC to this vendor for future purchases such as maintenance, licensing or continuing need?  Yes  No  
 a. If yes, please provide details regarding future obligations and/or needs: The Child Development Lab Schools share the kitchen space and rely on Fooda to maintain Food Establishment licenses and are required to comply with all city inspections.
7. Why is the price for this purchase considered to be fair and reasonable? We renew our ChildCare contract yearly and meet ISBE-CACFP requirements and meet the Consumer Price Index.
8. If this is a renewal, describe why circumstances are such that competitive selection is still not an alternative since awarding the original contract: N/A
9. What will be the financial or other impact to the CCC if this sole source is not approved and a competitive bid is required? If these services are not fulfilled, we may lose our childcare license as we would fail to meet ISBE-CACFP grant requirements and we would not be able to serve our families.

### Department/College Representative Signature Required

I have read and understand the contents of this Sole Source /Bid Waiver Justification and attest that all statements are true and

<p>Document ID: 121DAF70EF494B8...</p> <p>Signed by: <u><i>Maria E. Sanchez</i></u></p> <p>Department/College Representative Signature</p>	<p>_____                  Maria E. Sanchez                  Printed Name</p>	<p>_____                  1/25/2023                  Date</p>
<p>Document ID: 1AED97E7DF6A432...</p> <p>Signed by: <u><i>Kiana Keys</i></u></p> <p>Department/College Representative Signature</p>	<p>_____                  Kiana Keys                  Printed Name</p>	<p>_____                  1/25/2023                  Date</p>
<p>Document ID: E9D04D0EF7A847A...</p> <p>Signed by: <u><i>Jeffrey Wong</i></u></p> <p>Department/College Representative Signature</p>	<p>_____                  Jeffrey Wong                  Printed Name</p>	<p>_____                  1/25/2023                  Date</p>

### CPO Approval and Signature Required

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