

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 Sheila Johnson, District Director of Business and Procurement Services for further instruction via email at sjohnson3@ccc.edu or phone (312) 553-3336.

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: Brittany Jackson Kairis
 Department/School: Adult Education - District Office
 Project Title: _____

Email Address: bjackson192@ccc.edu
 Bulletin or Reference Number: _____
 Vendor: Cengage

Value of Initial Term, or if a Renewal, Value of this Renewal: \$ \$75,000 Actual Estimated
 (Attach the proposal received)

Number of Potential/Remaining Renewals: 0

Length of Each Renewal in Months: _____

Value of All/Remaining Renewals: \$ _____

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: Purchase of student access to MyELT online workbook for Stand Out ELS Series for ESL students October 2022 - July 21, 2023; Additional National Geographic textbooks.

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

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 checked="" 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 type="checkbox"/> Software License/Upgrade/Maintenance |
| | <input checked="" type="checkbox"/> Other (Explain): <small>National Geographic is the publisher and sole provider of the Stand Out Series which is the Language Arts content aligned with federal and state standards for Adult Education students.</small> |

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	Jan 2022	July 2022	\$5,000	myELT seats for FY22	Bid recap - sole source
Two	February 2021	July 2022	\$22,000	MyELT seats for FY21 & 22	Bid Recap - sole source
Three	Fall 2019		\$138,908	Additional textbooks	Sole source
Four	August 2016	July 2019	\$250,000	Initial adoption of textbooks	Sole source
Five	July 2013	July 2016	\$100,000	ESL textbooks	Sole Source
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: We adopted this curriculum in Fall 2019; as students return to campus, we need to purchase additional textbooks to support ongoing instruction aligned with our Brightspace course shells
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: National Geographic is the publisher and sole provider of the Stand Out Series which contains both online and face-to-face content aligned with the federal and state standards
3. If professional services, what are the unique qualifications this vendor possesses? Provide specific, measurable factors/qualifications: _____
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: Alternative textbooks did not sufficiently cover the scope of learning outcomes set forth by federal and state standards.
 b. If no, why were alternatives not evaluated? _____
5. What efforts were made to get the best possible price? The price is considered fair and reasonable as it is significantly discounted due to volume
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: We will review curriculum this academic year; assuming success of implementation, we will likely renew myELT subscription
7. Why is the price for this purchase considered to be fair and reasonable? _____
The price is considered fair and reasonable as it is significantly discounted due to volume
8. If this is a renewal, describe why circumstances are such that competitive selection is still not an alternative since awarding the original contract: See #2 & #4
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? Students will not have access to textbooks currently aligned to the master courses; We would not be able to offer ESL courses in compliance with standard syllabi submitted to ICCB for our course approval

Department/College Representative Signature Required

I know and understand the contents of this Sole Source /Bid Waiver Justification and attest that all statements are true and correct.

Signed by: <u>Brittany Jackson Kairis</u> Department/College Representative Signature	<u>Brittany Jackson Kairis</u> Printed Name	<u>8/30/2022 7:08:28 AM CDT</u> Date
Signed by: <u>Luis Narvaez</u> Department/College Representative Signature	<u>Luis Narvaez</u> Printed Name	<u>8/30/2022 7:15:26 AM CDT</u> Date
Signed by: <u>Mark Potter</u> Department/College Representative Signature VC/ College President Signature	<u>Mark Potter</u> Printed Name	<u>8/30/2022 5:19:11 PM CDT</u> Date

CPO Approval and Signature Required
