



UNIVERSITY OF MASSACHUSETTS DARTMOUTH PROCUREMENT MANUAL

Section 5.7 - Non Competitive Award Justifications (NCAJ)

1. All Contracts for Services in excess of **\$50,000** shall be competitively bid through the Procurement Department or a detailed Non-Competitive Award Justification shall be provided using the Non Competitive Award Justification for Services form. All Non-Competitive Award Justification must receive prior approval of the Procurement Department.

***Justification for visiting speakers and lecturers may consist of a brief explanation of the individual's expertise on the subject matter.**

2. A Non-Competitive Award Justification is used when only one individual or firm is able to provide a service required by the University. For services, this usually occurs when a very specific set of skills are required pertaining to specialized research, specialized equipment configuring/maintenance or specialized consultant services.
3. In order for a Non-Competitive Award Justification to be used in place of a competitive bid process. The vendor (individual or firm) for whom the NCAJ will be completed must be the only vendor who is capable of providing the service(s) required by the University.
4. Best price alone cannot be used as a basis for a NCAJ as it implies that at least 2 vendors are available who can provide the service and therefore the appropriate competitive bid process should be completed.
5. **Requirements for a NCAJ Request:** There are two types of NCAJ that can be requested, the details and requirements for each are described below.
 - a. **Sole Source** means that the product/service is unique and that the vendor is the only one in the world from whom the product/service can be purchased. Justifications for Sole Source shall include the following: (1) a statement to the effect that the requester has thoroughly researched the purchase, and to the best of the requester's knowledge and belief, the vendor for the product/service is the only one in the world from whom the product/service can be purchased; (2) a detailed explanation of what the product/service is, its purpose, and what it is about the product/service that makes it unique. If unique technical features or accuracy are the basis for sole source, the justification must so include.
 - b. **Sole Acceptable Source/Brand** means that similar types of products/services may exist, but that the vendor/brand, for reasons of expertise, and/or standardization, quality, compatibility with existing equipment, specifications, or availability, is the only source/brand that is acceptable to the requester or the University. Sole brand may be available from more than one source of supply, and, if so, shall be competitively bid to those sources in accordance with the purchasing policy established by the University for the particular type of procurement.



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Justifications for Sole Acceptable Source/Brand shall include the following: (1) a statement to the effect that the requester has thoroughly researched the purchase and that the vendor/brand is the only acceptable vendor/brand to fit the particular need; (2) a detailed explanation of the particular need; (3) a list of the other vendors/brands considered; (4) why the vendor/brand was selected over other vendors/brands, including a detailed comparison of features, if applicable; (5) what the requester has done by way of cost comparison to determine that the charge is not out of line with the current market pricing for the product/service.