



## DEPARTMENT OF TRANSFORMATION AND SHARED SERVICES OFFICE OF STATE PROCUREMENT

### OSP Procedures Sole Source Procurement

The State of Arkansas seeks to promote increased economy in state procurement by fostering fair and open competition. Arkansas favors competitive procurement where practicable; however, Sole Source Procurement of commodities and services are procurements which, by virtue of the performance specifications, are available only from a single source and cannot be competitively procured.

Arkansas Code Annotated § 19-11-232 provides the legal basis for Sole Source Procurements. Sole Source Procurements require written approval by the Director of the Office of State Procurement (OSP) or head of a procurement agency prior to initiating. Term Sole Source Procurement contracts will be approved on a one-year basis.

Agencies initiating a Sole Source Procurement will:

1. Determine only one source exists for the goods or services to be procured. Brand name or design specifications are not sufficient justifications for Sole Source Procurement.
2. Complete the [Sole Source Procurement Justification Form](#) located on the Forms and Reporting page of the OSP website.
3. Save the completed form as *Sole Source Procurement Request—Department/Agency Name*.
4. Submit an email with the subject line: *Sole Source Procurement Request—Department/Agency Name*, with the completed form as an attachment, to the OSP review mailbox at [osp.review@arkansas.gov](mailto:osp.review@arkansas.gov) or to the head of the procurement agency for determination.
5. Upon receiving approval for the Sole Source Procurement, AASIS-using agencies will:
  - a. Name the signed approval document *Sole Source Procurement Approval* and save to the contract file.
  - b. Create a purchase requisition for the procurement and process as normal.
    - i. If the purchase requisition requires Department of Information System Review or Governor's Office review, attach the signed approval document to the purchase requisition.
  - c. Attach the signed approval document to the purchasing document and code the purchasing document SS in the *Our Reference* field to route the purchase to OSP for release.
  - d. If a contract is a type, amount, or both that requires to be submitted for review prior to execution, then it is still subject to such review prior to execution. Special Procurement is merely a procurement method and does not excuse non-compliance with any other applicable laws subjecting particular types of contracts to prior review.

Non-AASIS using agencies (i.e., institutions of higher education, Arkansas Highway and Transportation Department) will:

1. Create an initial procurement document (requisition or purchase order)
2. Submit a *Sole Source Procurement Justification Form* and a copy of the purchasing document to the head of the procurement agency or designee above the level of agency procurement official.
  - e. Attach a copy of the signed *Sole Source Procurement Justification Form* to the requisition or purchase order and process as normal.