**Section 2600.320 Sole Economically Feasible Source Procurement**

a) The provisions of this Section apply to procurement from a sole economically feasible source (referred to as sole source) unless the estimated amount of the procurement meets the definition of a small purchase or an emergency procurement as defined this Part.

b) The determination as to whether a procurement shall be made as a sole source shall be made by the CPO or his designee. The determination and the basis for the determination shall be in writing and shall include an explanation as to why no other vendor will be suitable or acceptable to meet the need.

c) Sole source procurement is permissible when a requirement is available from only a single supplier or when only one supplier is deemed economically feasible. A requirement for a particular proprietary item does not justify a sole source procurement if there is more than one potential bidder or offeror authorized to provide that item. The following are examples of circumstances that could necessitate sole source procurement:

1) where the compatibility of equipment, accessories, replacement parts, or service is a paramount consideration;

2) where a sole supplier's items are needed for trial use or testing;

3) where a sole supplier's item is to be procured for commercial resale;

4) where public utility regulated services are to be procured;

5) where the item is copyrighted or patented and the item or service is not available except from the holder of the copyright or patent;

6) the procurement of the media for advertising; and

7) the procurement of art or entertainment services.

d) A change (whether in cost or rate) that does not exceed the applicable small purchase limit as defined in Section 2600.315 or that is an emergency as defined in Section 2600.325 may be made in accordance with those Sections and need not comply with these sole source procedures. A change in the length of the contact that does not exceed 30 days and other minor, immaterial changes to the scope or administrative provisions of a contract shall not be considered changes subject to these sole source procedures.