



## Non-Competitive Bid Request Proprietary Source Justification Instructions

State of Rhode Island, Department of Administration  
Division of Purchases  
One Capitol Hill, Providence Rhode Island, 02908  
[www.purchasing.ri.gov](http://www.purchasing.ri.gov) (401) 584-8100

Competitive procurement is the preferred method to obtain goods and services. If competition is to be restricted, or not utilized, the facts and justification supporting this must be documented in detail. Justification must be based upon unique technical or performance characteristics. Personal preference for certain brands or products does not adequately justify limiting competition.

### Key Points

1. If the procurement is \$2,500 or below, neither competition nor Sole Source or Proprietary justification is required to be submitted to the Division of Purchases but must be maintained within the agency.
2. If a procurement is considered to be Sole Source or Proprietary and is estimated to be above \$2,500, Sole Source/Proprietary Procurement justification must be submitted to the Division of Purchases along with the corresponding requisition.

### Definition

**Proprietary Specification:** A proprietary procurement is a procurement where the desired good/service must be restricted to one manufacturer because the good/service is compatible with or is an integral component of existing equipment or products; is necessary to support a specific need of a program; is covered by patent or copyright; must yield absolute continuity of results, or is one with which a user has extensive experience, and the use of any other similar piece of equipment would require considerable reorientation and training. In such cases, an equitable evaluation of comparable products and/or services must be made and documented by the requester which shows that rejection of other products is based solely on their failure to meet that need. In cases where no other comparable source can be identified, a technical description of the product or service requested and a listing of those sources which were considered as alternates must be provided. Upon receipt of such documentation, a proprietary request may be granted and competition will be obtained among the distributors which carry the manufacturer's product.

Although all sole source specifications are proprietary, all proprietary specifications are not sole source. Proprietary items may be available from several distributors through competitive bidding; however, competition has been restricted to this group of suppliers.

### Instructions

1. Complete and print the form. The form is in MSWord forms format.
2. Provide complete information. Forms lacking sufficient detail cannot be approved.
3. Sign and date the form and attach it to the purchase requisition.