This document must be completed by the requesting responsible party in the Department for all federally funded purchases **≥$10,000** (including tax and shipping) & non-federally funded purchases **≥$10,000** (excluding tax, but including shipping), to substantiate the appropriateness of source selection and price reasonableness. Locations are strongly encouraged to seek competition even in cases where the goods and/or services are exempt from the requirement to competitively bid.

**Requisition #:** **Dollar Amount:**

**Desired Supplier:** **Campus Department:**

1. **source selecTion** (**REQUIRED**)**:** Check the applicable box from one of the funding sections below. For mixed funding, check Federal side only.

**Federal Funds: Non-Federal Funds:**

New/Existing Formal Competitive Bid/Contract#        New/Existing Formal Competitive Bid/Contract#

Informal Quotes≥$10K-≤$100K (Complete II & VII)  Informal Quotes ≥$10K-≤$100K (Complete II & VII)

Sole Source (Complete III, IV, & VII)  Sole Source (Complete III, IV & VII)

Registered Small Business (Only <$100K; Complete III & VII)  Professional/Personal Services (Complete III, V, & VII)

Unusual & Compelling Urgency (Complete VI & VII)

1. **INFORMAL QUOTES** (Complete only if **Informal Quotes**, is checked in Section 1)**:** Please use price or rate quotations from three (3) qualified sources. This section is required by 2 CFR § 200.320(b) for Federal Funds.

NOTE: If you are selecting the lowest-priced supplier, skip Sections IV-VI. If selecting a higher-priced supplier, state your justification in Section III.

**Please obtain three (3) competitive proposals. Attach copies of comparisons and complete the following:**

Supplier A:       Price:

Supplier B:       Price:

Supplier C:       Price:

**Comparison Discounts:**

Has the supplier applied any educational, state, or other discounts? Yes  No

If yes, what is the total dollar savings or percentage of savings?

1. **PRICE REASONABLENESS** (Complete only if **Sole Source**, **Small Business**, **Professional/Personal Services** is checked in Section I)**:** This section is required by the CA Public Contract Code and FAR provision Subpart 15.4.
2. **How did you determine this is a fair and reasonable price**? Base price reasonableness on comparable/similar quotes, market research, or compare the price to historical prices paid for the same or similar items.
3. Complete only for **sole-sourced Federal grant orders ≥ $250,000**: 2 CFR § 200.323 requires Supplier profit listed as a line item. If Supplier’s profit is included in overhead, this is not required. Have the Supplier fill out the [UCOP Sole Sourced Federal Grant Purchases, Suppliers Profit - 2 CFR § 200.323](https://supplychain.berkeley.edu/procurement/procurement-forms) and return it with this justification form.
4. Complete only for **sole-sourced Federal non-commercial contract orders ≥ $750,000**: FAR subsection 15.403-4 requires Suppliers to submit certified cost or pricing data. Have the Supplier fill out the [UCOP Certified Cost or Pricing Data for Federal Contract Purchases form](https://supplychain.berkeley.edu/procurement/procurement-forms) and return it with this justification form.
5. **SOLE sOURCE** (Complete only if **Sole Source** is checked in Section I)**:** Check the applicable box from one of the funding sections below. For mixed funding, check Federal side only.

**Federal Funds Non-Federal Funds**

One-of-a-kind  One-of-a-kind/Unique

Emergency  Match existing - list UC PO#/Property#

Awarding Agency Approval

No Competition (Grant Funds Only)

**Detail the unique circumstances and/or specifications** that make this the **only supplier** capable of meeting your requirement and why other suppliers were not selected (i.e. specifications that didn’t meet performance requirements). NOTE: Pre-work with the selected supplier (customize the equipment or starting services before a PO is issued) excludes competition and is not an allowable justification. Price and brand names are not allowable justifications. For Federal funds only, geographical preferences are not an allowable justification.

1. **PROFESSIONAL OR PERSONAL SERVICES** (Complete only for **non-Federal Funds**)**:** Highly specialized functions, typically of a technical nature or unique ability, performed by a supplier that is distinctly qualified to render the services. Services are of a nature that the University would consider the supplier’s experience, qualifications and skills to be more important than comparative cost when selecting a supplier. Define the unique qualifications that the selected supplier will provide.
2. **UNUSUAL AND COMPELLING URGENCY** (Complete only for **non-Federal Funds**)**:** Failure to act immediately on this purchase might result in: significant bodily harm, significant property loss or damage, violations of law or University policies, or cause significant liability to the University or to members of the University community. Describe how you determined that this is an Urgent and Compelling situation, if checked above.
3. **CONFLICT OF INTEREST STATEMENT** (**REQUIRED**)**:** To the best of my knowledge, no UC employee or near relative of a UC employee is the supplier or holds more than a 10% ownership or controlling interest in the supplier OR the UC employee is exempt because he/she has teaching or research responsibilities and the goods or service is not commercial. I am the individual who has gathered and provided this detailed information and any further questions regarding these details can be directed to my attention.

I certify that this purchase will not present a conflict of interest as defined by university policy and that I have received no income, gifts or gratuities from or have an investment in this supplier. **Agree**

If you do not agree with the above statement, please provide an explanation:

1. **Does this purchase have any of the following** [**Special Considerations**](https://supplychain.berkeley.edu/procurement/special-considerations)**?** **Required if applicable.**

Will the services be performed on UC owned, leased or rented properties?

1. Will the services displace UC represented or non-represented employees?
2. For non-represented employees, what percentage of the labor will be performed on site?
3. Will the Supplier drive on campus?

[Capital Strategies](http://realestate.berkeley.edu/construction-design) - campus facility services, alteration or construction

Intellectual Property

1. Who will own the work or product resulting from the service provided; UC, Supplier or both?
2. What is each party bringing into the project in terms of equipment, pre-existing materials, pre-existing intellectual property (IP) or proprietary information?
3. How will these items be used for this agreement?
4. Will the access and use of any such equipment, materials, IP or proprietary information be confined to the owning/controlling party or will the other party be accessing and using it?
5. Are there any restrictions on the use of the equipment, materials, IP or proprietary information?
6. Will the University be creating any new materials from scratch that require a copyright, or any inventions potentially requiring a patent?

[Use of the UC names and marks](https://bcbp.berkeley.edu/brand-protection/using-berkeley-name-and-trademarks) - merchandise or services will use a derivative of the UC name and/or logo.

1. Brand Protection and/or Product Licensing has reviewed and approved the request.

Software as a Service (SaaS, Cloud Platform, etc) or embedded software.

1. Select the UC data types the Supplierwill have access to:

[Protected information](http://www.ucop.edu/information-technology-services/policies/it-policies-and-guidelines/information-security/protection-of-personal-information.html)

[FERPA](http://policy.ucop.edu/doc/2710533/PACAOS-130)

[Credit card data](http://controller.berkeley.edu/financial-operations/cash-handling-and-banking-services/credit-card-merchant-services/payment-card)

GDPR

[Health](http://cphs.berkeley.edu/hipaa/hipaa18.html) - HIPAA

1. Is any of the data that will be created, stored, managed, used or transmitted sensitive information? Reference the [IT data classification table](https://security.berkeley.edu/data-classification-standard). What level is the data?
2. Will a third party create, store, manage, use or transmit UC information? If so, estimate how many records will be involved?
3. Would UC or others be harmed if the information is compromised?

[IT Electronic Accessibility](http://policy.ucop.edu/doc/7000611/IMT-1300)

[Environment, Health and Safety](https://ehs.berkeley.edu/) - hazardous materials, radioactive, research & medical lasers

[Restricted Item](http://supplychain.berkeley.edu/campus/card-programs/restricted-items)s - explosives, firearms, ammunition

[Specialized Equipment](http://property.berkeley.edu/equipment-management) - with a useful life of one year or more and an acquisition cost of $5,000 or more

1. Federal Funds & Title Vesting with the Federal Agency: I certify that this equipment is not intented for general use and that no other similar equipment that currently belongs to the Universityif available for the intented use.
2. Federal Funds & Title Vesting with the Federal Agency: Agency approval has been obtained for this equipment acquisition and is identified in the budget within the approved threshold.  If not, written agency approval must be obtained for all items in the budget that are in excess of agency specified threshold.
3. [CA Partial Sales Tax Exemption](https://controller.berkeley.edu/faq/california-partial-sales-tax-exemption-process#t21n467) for research & development equipment in biotech, engineering or life sciences (If selected, a filled out [certificate](https://www.boe.ca.gov/pdf/boe230m.pdf) must be uploaded in BearBuy as an external attachment- UC Berkeley permit number is SR-CH-21-135302 - list the name of purchaser as “The University of California, Berkeley”).

Does this contract/project involve minors?

1. If yes, what are the details of the project/program?
2. What is UC's responsibility for the minors?
3. What is the third party's responsibility for the minors?

**None of these special considerations apply**.

1. **REPRESENTATION** (**REQUIRED**)**:** By signing below, I hereby certify the foregoing is true and correct to the best of my knowledge.

**Dept. Responsible Party Signature:** **Date:**

**Dept. Responsible Party Name:**

**Email and Phone number:**