



STATE OF ARKANSAS
**Department of Finance
and Administration**

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OSP Policies

Sole Source Procurements

ACA §19-11-232 provides the legal basis for sole source procurements. Regulations R1:19-11-232 and R2: 19-11-232 establishes the requirements for requesting a sole source method of procurement. Sole source requests will not be processed without proper justification and compliance with the statutes, regulations and this policy.

Letters of justification are to be on agency letterhead addressed to the Director of State Procurement. The agency Director, CFO, Deputy Director or Administrator must review and sign each sole source justification letter.

Justification should include detailed answers to the following questions:

1. Why is this service or commodity needed?
2. What method(s) were used to determine that a lack of responsible competition exists for this service or commodity?
3. How was it determined that this service or commodity can only be provided by one source.
4. Can requirements be modified so that the services or commodity may be competitively bid? If not, why?
5. Are there patent, copyright or proprietary rights which make the required service or commodity unavailable from other sources.
6. What would the agency do if the service or commodity were no longer available?
7. Detail any program considerations, which make the use of a "Sole Source" critical to the agency.

Note: Term sole source contracts will be approved on a one year basis. Commodities or services available from only one source may be available from multiple sources the next year. New documentation must be attached to the outline agreement each year.

See sole source check list for additional guidelines. This policy and the sole source check list are posted on the OSP website under guidelines. <http://www.dfa.arkansas.gov/offices/procurement/guidelines/Pages/default.aspx>