

Sole Source Webinar FAQ

Q. Does posting a sole source once a year apply to equipment as well?

A. Yes, unless it is considered an exemption as defined by the GPM.

Q. What is the general lead time between the agency submitting the sole source to SPD and the time it is posted on the GPR?

A. The sole source posting will be completed by SPD within seven (7) calendar days from the date of receipt.

Q. Do we submit a sole source for emergency purchases?

A. No, there is a separate procedure that applies to emergency purchases. Please refer to the GPM Chapter 2, Section 3 "Emergency Purchases" and Chapter 3, Section 6.13 "Emergency Purchases" for this information.

Q. For the GPR bid number, does the system generate the number or is it assigned by the agency?

A. The system does not generate a number. Create a number to enter in this field that will uniquely identify your sole source notice once it is posted to the GPR. This is handled the same as with any other type of posting to the GPR. We recommend that you consider using an identifier, i.e. SS, in your numbering scheme that will make look-up on the GPR easier for you to recognize the sole source notices.

Q. How many renewals for Sole Source will there be?

A. No multi-year agreement may ever exceed five years without approval from SPD. With respect to multi-year agreements which were established as the result of a sole source, SPD strongly recommends that the agency post a sole source notice prior to the end of each term of the contract to determine whether the contract should continue or whether the agency should conduct a competitive solicitation. In the event the sole source justification is no longer valid, the agency should proceed to conduct a competitive solicitation.

Q. Does this sole source rule apply to Medical Equipment for Board of Regents schools?

A. Yes, except that certain dental equipment is exempt as noted in Chapter 2, Section 3(1)(g) of the GPM.

Q. If you have a contract for radars, which is no longer in effect, but you still have the radars and the repairs exceed five thousand dollars and the contract vendor is the only one that can work on them how often do we have to post a sole source?

A. Yes, either each time maintenance is required OR once to develop a term contract for maintenance.

Q. If a RFQ is not posted with a sole source announcement where would the bid number come from?

A. The system does not generate a number. Create a number to enter in this field that will uniquely identify your sole source notice once it is posted to the GPR. This is handled the same as with any other type of posting to the GPR. We recommend that you consider using an identifier, i.e. SS, in your numbering scheme that will make look-up on the GPR easier for you to recognize the sole source notices.

Q. Can you amend the language to require the protest notification be sent to both DOAS and the identified buyer?

A. This recommendation has been presented internally. However, in the interim, please note that DOAS alerts the identified issuing officer once DOAS has received the protest/complaint.

Q. Will there be any changes to the Sole Brand procedure?

A. None at this time.

Q. You indicated that the GPR generates a bid number, but on the posting there is a black to enter a bid number (i.e. RFQ#) – which is it, or is it both?

A. Create a number to enter in this field that will uniquely identify your sole source notice once it is posted to the GPR. This is handled the same as with any other type of posting to the GPR. We recommend that you consider using an identifier, i.e. SS, in your numbering scheme that will make look-up on the GPR easier for you to recognize the sole source notices.

Q. If a protest is received on a sole source under an agency's DPA and received only by DOAS, how quickly will issuing officer at agency be notified of protest?

A. For all protests and informal complaints filed directly with DOAS (as required by the GPM and GVM), DOAS will provide notice to the agency within one business day of receiving the challenge (usually the same day). In the event an agency receives the protest or informal complaint directly, the agency should immediately forward a copy to the following email address: protests@doas.ga.gov.

Q. Do we no longer need to do a Request for Quote document to attach on the posting?

A. No, you should not post a Request for Quotes with the sole source notice. A RFQ is defined by the GPM as a competitive solicitation – which is the opposite of a proposed sole source acquisition. There is no need for the identified sole source provider to submit a bid in response to the sole source notice by the deadline. Instead, the agency may negotiate directly with the sole source provider to establish the terms of the agreement; however, no contract may be executed until the sole source process has been finalized.

Q. Would we want the sole source vendor to sign agreeing to the state terms and conditions associated with bid documents?

A. Yes, the agency must establish acceptable terms with the sole source provider as in any other contract, such as payment, delivery and warranty terms. Please ensure appropriate individuals, such as your legal counsel, are involved in any contract negotiations.

Q. Does State Purchasing prefer that we do the Request for One Time Delegation for all Sole Source procurements now from what you were indicating in the presentation?

A. Yes, if the sole source exceeds your DPA. This document would be required each time for each sole source exceeding the DPA. In other words, the Request for One Time Delegation is not a blanket approval for a specified or non specified period.

Q. What if there is an item that is needed every year that is sole sourced? For example a printed item that has copyrighted information.

A. The agency may either post the sole source notice each year or, in the alternative, establish a multi-year agreement. However, in the event a multi-year agreement is established, SPD recommends posting a sole source notice prior to the end of each term to ensure the sole source justification is sound (and the agency would not be better served by conducting a competitive solicitation).

Q. What is the reasoning behind posting sole source to the GPR prior to receiving increased DPA authority? What happens if SPD denies the DPA request?

A. If the increased DPA is approved by SPD, then SPD can approve the NOIA posting in the GPR system and allow it to proceed to post. If denied, SPD will continue the processing of the sole source notice posting, or cancel it. If cancelled, SPD may feel the need to compete the goods/service on the open market and use the eQuote or RFP process.

Q. Has any consideration been given to Standing Sole Sources for a given fiscal year? Example: Advertising job vacancies in a local paper.

A. As a general rule, the agency must follow the sole source process each and every time the agency will make a sole source acquisition. As noted earlier, in the event an agency anticipates multiple purchases of the same good or service, the agency may wish to establish an open agency contract or multi-year contract. In the event of a multi-year agreement, SPD strongly encourages the agency to repost the sole source notification prior to the end of each contract term to determine whether the sole source justification is still valid. If valid, the agency may proceed to renew. If not valid, the agency should proceed to conduct a competitive solicitation. Once the sole source process has been completed, the challenge period (i.e. the period of time to file a protest or informal complaint) is closed and the State would not consider any further challenges unless there was evidence of fraud or other serious misconduct.

State Purchasing is currently reviewing goods/services that are not conducive to competition and will make changes in the near future to the GPM as necessary for items that are determined exempt.

Q. Which forms are MANDATORY to be posted to the GPR, and which are only required in the bid file?

A. GPR Posting: Sole source Intent to Award justification, any protests or informal complaints, the written decision regarding any protests or complaints received, and the notice of award. Bid File: Sole source Intent to Award justification, OEM letter, any research results or other documentation justifying the sole source acquisition, the Agency Records Checklist, any protests or complaints received and the resulting decisions, and, in the event of an award, the contract documents as well as the Notice of Award.