**Procurement Procedures Exception Form (formerly Sole Source Justification Form)**

**Procurement Reference:**

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| --- | --- | --- | --- | --- | --- | --- |
| **Please refer to the guidance regarding the use of this form**  **All completed forms should be sent to** [**procurement@gcu.ac.uk**](mailto:procurement@gcu.ac.uk) | | | | | | |
| **School/Department** | | | **Supplier** | | **Estimated Value** | |
|  | | |  | |  | |
| **If applicable, details of appropriate collaborative/institutional agreement not being used** | | | | | | |
| **Contract Reference:** | **Agreement Title:** | | | | | |
| **Description of goods and/or services to be purchased:** | | | | | | |
| **Justification for policy exception:** | | | | | | |
| **Procurement Procedures Exception requested by:** | | | | | | |
| Name: | | Job Title: | | Signature: | | Date: |
| **Supported and approved by Procurement:** | | | | | | |
| Name: | | Job Title: | | Signature: | | Date: |
| **Supported and approved by Budget Holder:** | | | | | | |
| Name: | | Job Title: | | Signature: | | Date: |

**Guidance**

The regulatory and commercial environment that the University operates in, demands that the University exposes all of its purchases to open competition. Where collaborative framework agreements exist, the University is under significant pressure from the Scottish Procurement Reform process to utilise these, and ensure that at least 40% of our non-pay spend is spent with collaborative agreements. This procedure therefore should only be used in **exceptional** circumstances.

Purchases of goods and services should go through existing collaborative agreements or where no applicable agreement exists, be based on the competitive [Procurement Journey](http://www.gcu.ac.uk/financeoffice/procurement/procurementjourney/) process.

The belief that only one source of supply for goods and/or services exists may not be sufficient grounds for an exception to the procedures, as this may have to be proven by actually undertaking a tendering exercise. This form may be used where there is a genuine exceptional operational reason for not using an existing collaborative agreement or for subjecting the purchase to open competition. This must genuinely mean that there is only one supplier and not just be convenient to use a particular supplier. Supporting evidence will need to demonstrate market testing and enquiries to other providers or provide evidence that only one supplier exists.This method of acquisition should not be used to avoid competition or where decisions to procure have been postponed and insufficient timelines to procure through the [Procurement Journey](http://www.gcu.ac.uk/financeoffice/procurement/procurementjourney/) routes exists. 

**It is the responsibility of the requestor to ensure that due diligence is carried out on the proposed supplier proportionate to value of contract and that conflicts of interest are assessed.**

**Requirements under £10K**

* Forms should be completed and signed by the requestor
* Form should be authorised by the Budget Holder
* Completed form should be submitted to [Procurement](mailto:Procurement@gcu.ac.uk)

**Requirements over £10K but less than £50K**

* Forms should be completed and signed by the requestor
* Completed form should be submitted to [Procurement](mailto:Procurement@gcu.ac.uk) for review
* After scrutiny by the appropriate Procurement Manager, the form will be returned to the requestor
* Form should be authorised by the Budget Holder
* Form should be submitted to Head of Procurement for signature

**Requirements over \*£50K**

* Forms should be completed and signed by the requestor
* Completed form should be submitted to [Procurement](mailto:Procurement@gcu.ac.uk) for approval
* After scrutiny by the appropriate Procurement Manager, the form will be returned to the requestor
* Form should be authorised by the Budget Holder
* Form should be submitted to Head of Procurement for signature
* Award notification will be published on Public Contracts Scotland and added to University’s published Contract Register.

**\*For this value,** **the requestor must liaise at an early stage with procurement for advice on due diligence requirements including completion of the ESPD (Scotland) - European Single Procurement Document and adherence to University Contract Terms and Conditions.**

**Where the proposed purchase is in excess of £50K over a four year period, Procurement are required to publish a contract award notice on Public Contracts Scotland as part of the University’s compliance with the Procurement Reform (Scotland) Act 2014. The publication of this public notice advertises our purchasing activity to potential suppliers who could challenge the University’s activity, if they feel that we have breached procurement regulations and treated them unfairly by awarding a contract without competition.**

**This spend will also be included in the Procurement Report, which is sent annually to the University Audit Committee, before being reported to Scottish Government for publication.**