**Single Source / Non-Compliance Authorisation**

Please complete and return one authorised copy signed by the requestor and budget holder to the Procurement Department ([procurement@kent.ac.uk](mailto:procurement@kent.ac.uk) and [M.Reed@kent.ac.uk](mailto:M.Reed@kent.ac.uk))

You should submit this before committing to expenditure over £10,000 with any supplier. Single Source/Non-Compliance Authorisations are not automatically approved and may be declined dependent upon the circumstances. Please contact the Procurement Department if you have any queries.

**Guidance on Usage**

For clarity, you should always show that efforts have been made to find more than one supplier; and if that is not possible that evidence exists to show there is only one route we can take.

It is the expectation, and understanding, that all Procurement activity follows the guidelines and regulations laid out on the Procurement page at: <https://www.kent.ac.uk/finance-staff/procurement/index.html>

You may apply for this authorisation in **exceptional circumstances** where you cannot obtain multiple quotes, or there are not multiple suppliers, or where a genuine emergency exists. You should provide an explanation as to why it is required and the implications of not proceeding.

Procurement will apply the following guidance to submissions and authorisation granted where it is proven:

● That a genuine Emergency situation exists – where it could not have been predicted; or

● That there is clear evidence the goods, services or works are of a specialist technical, artistic or proprietary nature, and no other suitable suppliers are available; or

● That there is only one supplier in the market capable of providing the service, goods or works (e.g. an artistic performance, owner of intellectual property rights or patents, or similar) such that there is no benefit to be gained from competition; or

● For reasons of systems or software licence support or compatibility; or

● The circumstances of the proposed contract cover land acquisition or disposal, or direct employment contracts with an employee; or

● Where a specific or limited supplier base is provisional on a grant funding application; or

● There are other circumstances which are genuinely exceptional or unusual;

This process must not be used to avoid the administrative inconvenience of a tender or request for quote process.

Single Source / Non-Compliant Authorisation applies where there is no plan to invite competition. It does not apply where appropriate competition has been properly sought but insufficient suppliers have submitted a response.

**Process:**

Once this form is completed by the requestor it must be forwarded to the Budget Holder for approval and comment. Only when approval and comments have been received should the document (with all comments) be forwarded for authorisation by Procurement.

Procurement will then review and advise. Approval will be granted only by the Head of Procurement, or in their absence, a delegated representative.

**“Special circumstances” are unlikely to exist where it is claimed that:**

* only one firm is capable of supplying if;
  + there is no evidence of reasonable research of the market supporting this; and / or
  + the opportunity was not advertised on the Delta eTendering Portal; or
  + the requirement was written specifically to exclude competition; or
  + an evaluation took place prior to competition being sought that excluded potential suppliers ; or
  + prices or costs would be negatively impacted. Irrespective of indicative or published prices the only way of determining the price the University will pay is by competition. Factors other than their costs, i.e. obtaining market share, may influence a firm’s offer.
* there is an urgent need if the timescales were within the University’s control. *Failure to adequately plan or act is not sufficient justification to avoid competition.*

In such circumstances, Procurement recommend a competition takes place to establish best value. You should therefore build into any timescales adequate time to obtain multiple quotes from the market.

Following comment from the Budget Holder and Procurement, it is the Requestor who has completed the Single Source Form who takes sole responsibility for the decision to pursue a non-competitive process and has taken the view that on balance, the business risks outweigh the procurement risks.

**PLEASE COMPLETE THE FOLLOWING AND SUBMIT TO PROCUREMENT**

|  |
| --- |
| **SUMMARY** |
| **Requestor Name:** |
|  |
| **Department:** |
|  |
| **Date:** |
|  |
| **SUPPLIER INFORMATION** |
| **Supplier Name:** |
|  |
| **Contract Duration:** |
|  |
| **Total Cost:** |
|  |
| **DETAILS** |
| **Summary of Requirement:** |
| *Summary of what is required and why. Please detail the deliverable, the purpose for which it will be used or benefit* |
| **Background and History:** |
| *Including background of how the requirement came about and any incumbent suppliers. If the requirement is already being met, please detail the current situation and any relevant information such as supporting documentation, emails, etc.* |
| **Future Requirements:** |
| *Please outline if this is a one off purchase or if you anticipate future requirements and further Single Source/Non-compliance sign off would be required.* |
| **Options:** |
| *Use this section to state the options open to the University, giving clearly argued reasons for the chosen route and why other options should not be followed.*   1. **Do nothing** 2. **Renew or place contract through Single Source/Non-Compliance Authorisation** 3. **Go out to Tender** 4. **Use a current framework or other viable contract mechanism** |
| **Risks and Legal Impact:** |
| *Use this section to identify the risks of proceeding with a non-competitive or non-compliant process include as a minimum:*   * *Procurement advice sought* |
| **Business Impact:** |
| *Use this section to identify the business impact of not authorising a request* |
| **Detailed Costs:** |
| *Identify ALL costs associated with the required solution in this section (including all on-costs). Also include the any likely costs if the University’s Regulations are followed (if known).* |

|  |  |
| --- | --- |
| **RECOMMENDATION** | |
| **Comments from Requestor:** | |
|  | |
| **Requestor Name:**  **Requestor Signature:**  **Date:** | |
| **Comments from Budget Holder:** | |
|  | |
| **Budget Holder Name:**  **Budget Holder Signature:**  **Date:** | |
| *Where an approval is sought electronically, the relevant emails* ***must*** *be attached to the document to confirm authorisation.* | |
| **TO BE COMPLETED BY THE PROCUREMENT DEPARTMENT** | |
| **Approved Yes/No** | **Reason if No:** |
| **Comments from Procurement:** | |
|  | |
| **Name:**  **Position:**  **Signature:**  **Date:** | |
| **Reference No:** |  |