



The Commonwealth of Massachusetts  
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**Requiring a Proprietary Supply or Service or a Procurement from a Sole Source under M.G.L. c.30B, the Uniform Procurement Act – Essential Questions**

**I. Proprietary Specifications (M.G.L. c.30B, §14)**

1. Do the specifications reference a brand name or have the effect of restricting the procurement to one supply or service?
2. Why is this particular supply or service necessary?
3. What characteristics of the supply or service do you like or need?
4. Is there another supply or service that will meet your needs?
5. Why will no other manner of description suffice?
6. Has the procurement officer made a written determination?
7. Would the procurement officer feel confident defending the basis for using proprietary specifications?

**II. Sole Source Procurements less than \$25,000 (M.G.L. c.30B, §7)**

1. Will the procurement and award of a supplies or services contract be done without advertisement or competition?
2. Is there only one practicable source for the supply or service?
3. Has the procurement officer done a reasonable investigation to ascertain that there is only one practicable source for this procurement?
4. What documentation exists to support the investigation?
5. Has the procurement officer made a written determination?
6. Would the procurement officer feel confident defending the basis for this sole source procurement?

**III. Other Sole Source Procurements (LIMITED) (M.G.L. c.30B, §7)**

1. Will the procurement of a supplies or services contract for *more than* \$25,000 be for one or more items in the following categories that may be awarded without competition: educational materials, library books, software maintenance, or regulated utilities?
2. Is there only one practicable source for the supply or service?
3. Has the procurement officer done a reasonable investigation to ascertain that there is only one practicable source for this procurement?
4. What documentation exists to support the investigation?
5. Has the procurement officer made a written determination?
6. Would the procurement officer feel confident defending the basis for this sole source procurement?