



Independent School District

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SOLE SOURCE AFFIDAVIT

A sole source purchase can be made without the benefit of a competitive process when there are no other items available in the marketplace that have the same fit, form and function of the items being purchased. To comply with the State of Texas definition of a sole source provider, the vendor must satisfy one of the following requirements as defined in the Texas Education Code, Subchapter B., Sec. 44.031:

- (j) Without complying with Subsection (a), a school district may purchase an item that is available from only one source, including:
(1) an item for which competition is precluded because of the existence of a patent, copyright, secret process, or monopoly;
(2) a film, manuscript, or book;
(3) a utility service, including electricity, gas, or water; and
(4) a captive replacement part or component for equipment.
(k) The exceptions provided by Subsection (j) do not apply to mainframe data-processing equipment and peripheral attachments with a single-item purchase price in excess of \$15,000.

We have carefully reviewed the Texas Education Code, Subchapter B., Sec. 44.031 and hereby certify that we meet and comply with Subsection (j) and (k) and:

Before me, the undersigned official, on this day, personally appeared \_\_\_\_\_, a person known to me to be the person whose signature appears below, who after being duly sworn upon his oath deposed and said:

"My name is \_\_\_\_\_. I am over the age of 18, have never been convicted of a crime, and am competent to make this affidavit."

"I am an authorized representative of the following company or firm: \_\_\_\_\_."

"The above-named company or firm is the sole source provider of the following item(s) or product(s):

\_\_\_\_\_
\_\_\_\_\_

(Include Copyright, Registered Trademark or U.S. Patent Number when applicable)

- (1) "Competition is providing the above-named item(s) or product(s) is precluded by the existence of a patent, copyright, secret process or monopoly."
(2) "There is/are no other like item(s) or product(s) available for purchase that would serve the same purpose or function and there is only one price for the above-named item(s) or product(s) because of exclusive distribution or marketing rights."
(3) "I certify that no suspension or debarment is in place, which would preclude receiving a federally funded contract."

Signature of Company Representative

SUBSCRIBED AND SWORN to before me on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Notary Public

Print Name

My Commission Expires

(Seal)