

APPENDIX 12 TEMPLATE SOLE/ TIED SUPPLIER REQUEST

- This form must be completed where the intention is to use a sole supplier obtain a single quotation or tender.
- This form must be completed in advance of the PO being issued to the supplier.

Suggested Supplier:

Please specify the type of purchase:

- Goods
- Services
- Works

Please specify the type of supplier

- Sole Supplier
- Tied Supplier

Full description of goods / services / works

Estimated Value:

Reason:

Because it is contrary to achieving value for money through open and fair competition, single supplier action should normally be avoided. Please give full details of the reason why you believe that there is only one supplier for the item mentioned above and that no alternative is available:

Request:

Name	ROLE/ POSITION	SIGNATURE	DATE

Recommendation/ Approval:

	BLOCK CAPITALS NAME	SIGNATURE	DATE
Procurement Manager			
Director			
Chief Executive Officer (where continuity of service/supply required)			

It is ETB Policy not to engage in Tied or Sole Source supplier relationships as this would cause the ETB to be in breach of EU and Irish regulations. For exceptional circumstances please refer to **Appendix 10** in our policy for further guidance.

Where it is necessary to deal with a tied/sole supplier, service provider or contractor, arrangements which provide best value for money should be negotiated. Care should be taken by an end user when they face a supplier, service provider or contractor with an exclusive right to provide a particular supply or service. Open-ended arrangements with these exclusive distributors should be avoided where possible as they reduce or hinder competition. These types of arrangements are in breach of both Government Guidelines and EU Directives. Appropriate marketing testing (*i.e.* open and competitive tendering) should be undertaken at appropriate intervals to ensure market openness and competition is maintained. Such Contracts should not roll over for more than three years.

Where it is necessary to deal with a sole supplier, this should formally be requested in writing and submitted to the Manager with Responsibility for Procurement who in turn will make a recommendation for approval to the relevant Director.

A template form is included at Appendix 12.

Awarding of a contract below the EU value threshold and without use of a competitive process should only be considered in the following instances: -

1. Where only a proprietary product will meet requirements, such as parts or components for equipment.
2. Where an agent, licensee or franchise holder has sole rights to supply a service or product;
3. Where there is only one suitably qualified specialist in the relevant field.
4. Where continuity of supply or service is required in order to ensure value for money. Such contracts require the prior approval of the Director of OSD.