**MMO/OSE - 139**

**JUSTIFICATION FOR BRAND NAME ONLY SPECIFICATION**

**AGENCY:**

**PROJECT NAME:**

**PROJECT NUMBER:**

The Agency understands that a “Brand Name Only” specification is not preferred to be used in state procurements. It limits response to include ONLY the make and model product(s) specified. Substitution of potentially equivalent products is not allowed.

Based upon the following determination and per SC Regulation19-445.2140A, Agency proposes to include a Brand Name Only specification in the project documents for:

(1)

based on:

(2)

The Agency certifies that it is not aware that specifying the product as a Brand Name Only specification will make the acquisition of this project a Sole Source procurement. It believes that there are multiple potential contractors that can offer a price on this project with only this brand specified in the project manual and drawings. (Note: If only one potential contractor can bid this project as a result of the Brand Name Only specification, it is a Sole Source procurement and form MMO/OSE 102 must be used.)

**BY:**  **DATE:**

*(Signature of Authorized Agency Representative)*

**Print Name:**       **Title:**

**NOTES:** **1.** Enter name and description of the brand name only product to be procured.

**2.** Enter a detailed explanation of the basis for the brand name only specification, (i.e. why only this brand and no other will meet the needs of the agency).

**3.** “Contractor” means any person having a contract with the state.