

441—38.5(225C,217) Sole source or emergency selection project awards. The governor's DD council may, within specific project parameters under Executive Order Number 50 and department of revenue preaudit procedures, elect to award a contract under the sole source or emergency option.

38.5(1) Justification for sole source selection. Sole source selection procedures may be justified when one of the following conditions exists:

a. Only a single source is determined to be qualified or eligible, or is obviously the most qualified or eligible to perform the services.

b. The work is of such a specialized nature or related to a specific geographical location, that a single source by virtue of its experience, expertise, or proximity to the project could most satisfactorily complete the work.

c. Sole source selection shall automatically apply to contracts under \$1,000, plus allowable travel expenses. Competitive bids are not required for contracts under \$1,000.

38.5(2) Justification for emergency selection. Emergency selection procedures may be justified when it is determined that normal selection procedures would unduly delay the initiation of critically needed work or impose unjustifiable costs on the governor's DD council.

38.5(3) Approval for sole source or emergency selection. Sole source or emergency selection shall be approved by the director or director's designee. The justification for use of sole source or emergency selection and the basis upon which a particular source is selected shall be documented in the contract file.