# Guidelines for Writing Brand/Vendor-Specific Justifications

PURPOSE

State law requires the University to obtain competition for purchases whenever possible. For this reason, we normally use generic specifications to describe what we intend to purchase. Except for small order purchases and products which are currently on State Term Contracts, when our requirements can only be met by a specific product or vendor, we must have documentation in our purchasing files to show a rationale for not obtaining competitive quotes/bids from multiple vendors. This "brand-specific" and/or "vendor-specific" (single source) justification must accompany the requisition which is sent to the University's Purchasing Office.

BRAND-SPECIFIC JUSTIFICATIONS

 Brand-specific rationale cannot be used unless the requirement can only be met by the exact specifications offered by a particular piece of equipment made by the manufacturer. These items are generally more expensive since they often-times contain additional features which are not needed. Generic specifications encourage competition. They should be used wherever possible. **A brand-specific justification must explain why the product is singularly able to meet the requirements of the user and conclusively support the determination that no other product can fulfill the user's needs**. Brand-specific rationale may include:

* **Compatibility or Standardization:** When justifying the use of a specific brand on the basis of compatibility, you must conclusively explain that the requested brand is the only one which is compatible with the existing equipment or the only one which will support planned expansions or additions to the equipment. An example of this might be the use of a specified brand of computer because all the computers in the office or network are of that type and to use other brands would require cumbersome and inefficient software modifications or additional interface equipment. In the case of networks, standardization can be the basis for compatibility as different hardware and software configurations can make learning and actual use much more difficult.
* **Desired Product or Service for Educational, Training, Experimental, Development or Research Work:** This rationale can be used when the products/services or the Requisite training or educational products or services are key to the desired outcome intended, are critical to maintaining a stabilizing factor in ongoing research or operational efforts. Any determination written to support this rationale must document the inadequacy of alternative products/services or the likelihood of another brand of equipment/supplies introducing an unsuitable or new variable into the operating environment or the research protocol.
* **Repair/Warranty/Technical Support Available on Campus:** This can be used for equipment which needs to be quickly repaired or equipment for which the user needs accessible technical support from on- campus organizations such as EOSC, AIS or ATN. When using this rationale you must state that this same support is not available for other suitable brands or models.

## VENDOR-SPECIFIC (Single Source) JUSTIFICATIONS

Because there are so many vendors who are capable of supplying the same goods and services, **unless the manufacturer is the only authorized supplier of the product**, it is very difficult to conclusively document the need for a specific vendor. Sometimes you can limit vendors to the local area by providing specifications which include quick service response times. However, it is much more difficult to conclude that a particular vendor offers a “unique service” not offered by any other vendor. If you feel that a specified vendor has that "unique service" you must document it fully.

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# Guidelines for Writing Equipment Specifications

PURPOSE

Specifications are used by the University to describe what it intends to purchase. They are used by vendors to prepare bids to supply the items or services requested. During the evaluation of bids, the specifications are used to determine each bidder's compliance with the requirements · and ultimately to select the winning vendor. For this reason they must be generic as possible and express the University's minimum needs, without any unjustified bias toward a specific brand. After an item has been delivered or a service performed, the written specification--to which the vendor bid--is the key legal document in settling any dispute concerning the quality of the product or service received.

DETERMINING YOUR REQUIREMENTS

If you have experience with different varieties and models of a product, it is much easier to document your requirements in the form of specifications. If you do not have this experience, it is helpful to discuss your options with a purchasing agent and often­ times it is most helpful to have vendors demonstrate equipment for you. Although vendors obviously wish to sway your choice toward their equipment, it can be an enlightening experience which will make you much more knowledgeable of different products and their capabilities.

BRAND-SPECIFIC SPECIFICATIONS

Brand-specific specifications are not to be **used unless the particular requirement can only be met by the exact specifications offered by a particular piece of equipment**. These items are generally more expensive since they often-times contain additional features which are not needed. Generic specifications encourage competition. They should be used wherever possible. If a brand-specific requisition is submitted, it must be accompanied by a written justification explaining why the product is singularly able to meet the requirements.

WRITING SPECIFICATIONS

Equipment specifications should be clear and concise so that there will be no doubt as to the intended use of the equipment and the quality level to which it must perform. To accomplish this the following information must be provided:

* **Description of Need:** This is a basic statement of how and where the equipment will be used. Be sure to address such issues as standardization requirements and future demand or anticipated needs (expandability). Describe the environment in which the equipment will be used--such as general office, medical or basic science research lab, clinical lab, or lab instruction. Indicate whether the equipment will be used for service or quality control work, specify whether it is a replacement or an upgrade to existing equipment, and give the make and model of the existing equipment.
* **Functional Specifications:** Also known as "performance specifications", functional specifications describe the performance characteristics required of the equipment. This would include requirements for ease of operation, compatibility with other equipment or software, multiple use capabilities, and any other performance related specifications. **Examples:** A functional specification for a spectrophotometer might include the requirement to perform transmittance and/or absorption assays or more specific assays such as Lowry Protein Method. A specification for a teaching lab microscope might specify the type of work required, such as general light microscopy, phase contrast, microphotography, or fluorescent microscopy. A specification for a back-hoe might include the capability to dig a three-foot trench and lift objects weighing up to two tons.
* **Technical Specifications:** These are the most difficult specifications to write because they delineate the physical characteristics of the equipment in terms of linear measurements, tolerances and/or chemical properties. hough many people rely on vendor-provided technical specifications as a point of departure for creating a specification unique to the particular requirement in question, care must be taken not to create "lock out" specifications which unduly restrict competition. Be sure that your technical specification reflects the "minimum requirements" for the equipment needed. Anything above that may unnecessarily increase costs and limit vendor competition. **Examples:** A technical specification for a dump truck might include the number of axles, load capability, and maximum weight. For a spectrophotometer, the technical specification might include requirements for a usable wavelength range of 150 to 950 nm, one RS-232 serial interface, a switchable tungsten­deuterium light source, capability for multiple manual cell positioner or peristaltic pump driven sipper cell, LED digital readout display with readability to 0.01, 115V line operation capability, and a wavelength accuracy to 2 nm. Note: *Avoid using manufacturer or trademark terms and descriptions. If a particular patented mechanism or feature is required, generically describe the feature as completely as possible.* If you want a "New Brunswick GYROTORY triple eccentric design" you might generically state that you require that the "shaker shall have shaft construction with individual shaft anti-vibration counterweights."
* **Installation Requirements:** These requirements which are incidental to the purchase of equipment should be included with the requisition. You may include specifications for method and time of delivery, coordination with other contractors or in-house support such as Physical Plant, design and construction of modifications needed to existing space, electrical set up and power modifications, and accessory equipment installation. Don't assume that all installations are free of charge. Depending on the extent of work involved, installation costs could be quite high and are better off to be included as part of the initial competitive bid rather than as an additional cost after the fact. **Example:** A floor model centrifuge may have to be stabilized, leveled, and the rotor installation accomplished by a factory authorized technician.
* **Training Requirements:** If you need extra copies of operator and/or technical manuals, specify this in your requirements. Also specify any training required for in-house personnel and any operation or troubleshooting demonstrations or seminars which need to be conducted by a manufacturer's technical representative. Include the number of people to be trained and the number of training sessions required.
* **Service and Warranty Requirements:** All service and warranty requirements should be specified. Manufacturer's warranty requirements should specify acceptable downtime, response time by service technicians, length of time of warranty coverage and whether it includes all parts, labor, and travel time for service technicians. Such specifications should also include the terms and conditions of any extended warranty contracts and any other maintenance or service contracts that the manufacturers or vendors are required to offer in their bids.
* **Additional Requirements:** Other criteria which allow vendors to bid their products to suit the particular needs of the user. Be sure to state your requirements so that all costs will be identified by vendors responding to a request for bids. Clearly identify any special travel and per diem, hourly rates for services, or any other related costs associated with the requirement.