



Lancaster Independent School District
422 S. Centre Avenue Lancaster TX, 75146

SOLE SOURCE AFFIRMATION AFFIDAVIT BY VENDOR

The Texas Education Code Subchapter B., Sec 44.031 provides for the purchase of an item that is available from a sole source. Subsections (j) and (k) from the Texas Education Code Subchapter B., Sec. 44.031 define a sole source.

Subsection (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.

The TEA's Financial Accountability System Resource Guide as codified in the Texas Administrative Code notes the following regarding the sole source exception for patented or copyright protected items: "To be a bona fide exemption to the Texas Education Code District purchasing law requirements, there must be no other like items available for purchase **that would serve the same purpose or function**, and only one price for the product because of exclusive distribution or marketing rights. The fact that a particular item is covered by a patent or copyright is but one factor in determining if the purchase falls under the sole source exemption to the purchase requirements. (§44.031(j)(1), Texas Education Code)".

I, _____, an authorized representative of _____,
(Representative's Name, Signature) (Company Name)

have carefully, reviewed the Texas Education Code Subchapter B., Sec. 44.031 and TEA's Financial Accountability System Resource Guide and hereby certify that we meet and comply with Subsections (j) of the aforementioned code for the sale of the following products.

A. VENDOR IS THE ONLY SOURCE WHERE LANCASTER ISD CAN PURCHASE, DUE TO RESTRICTED DISTRIBUTION RIGHTS: (check the appropriate response)
ALL PRODUCTS OFFERED FOR SALE BY MY COMPANY
DEFINED LIST OF PRODUCTS (list sole source items)

(if necessary, please attach a list or definition of items that are sole source)

_____ is claiming its sole source status based on the following:
(Company Name)

B. Please check at least one:

- An item for which competition is precluded because of the existence of a patent, copyright, secret process, or monopoly
- A film, manuscript, or book
- A utility service, including electricity, gas or water
- A captive replacement part or component for equipment

Are there any resellers or distributors (E.g. Amazon, Barnes and Noble or other smaller companies) selling your goods other than the company submitting this form? YES NO

If yes, please attach a sheet listing the resellers or distributors.

(Representative's Signature) _____

NOTARY SEAL

SUBSCRIBED AND SWORN to before me on this _____ day of _____, 2023

Notary Public, State of _____
Printed Name: _____
Date Commission Expires: _____