



“Pursuing Safety Through Technology”

Source Justification — “Legal”

LightGuard Systems, Inc. is the U.S. Utility Patent Holder for “Pedestrian Signal Apparatus – Pedestrian Crosswalk”, Patent No. US 6,384,742 B1, (a copy can be supplied upon request), applies to In-roadway lights at crosswalks.

This patent right “Grants to the person(s) having title to this patent the right to exclude others from making, using, offering for sale, or selling the invention throughout the United States of America” for a specified term.

Federal Acquisition Regulation (FAR Part 6.302 Circumstances permitting other than full and open competition) describes the seven exceptions that can be invoked as sole source justification:

The most frequently invoked justification for adoption a sole source procurement process is the first exception, (FAR 6.302-1) i.e. where there is only one responsible source and no other supplies or services satisfy requirements usually defined in the statement of work (SOW).

Under this exception sole source purchase of this equipment meets the subtitle:

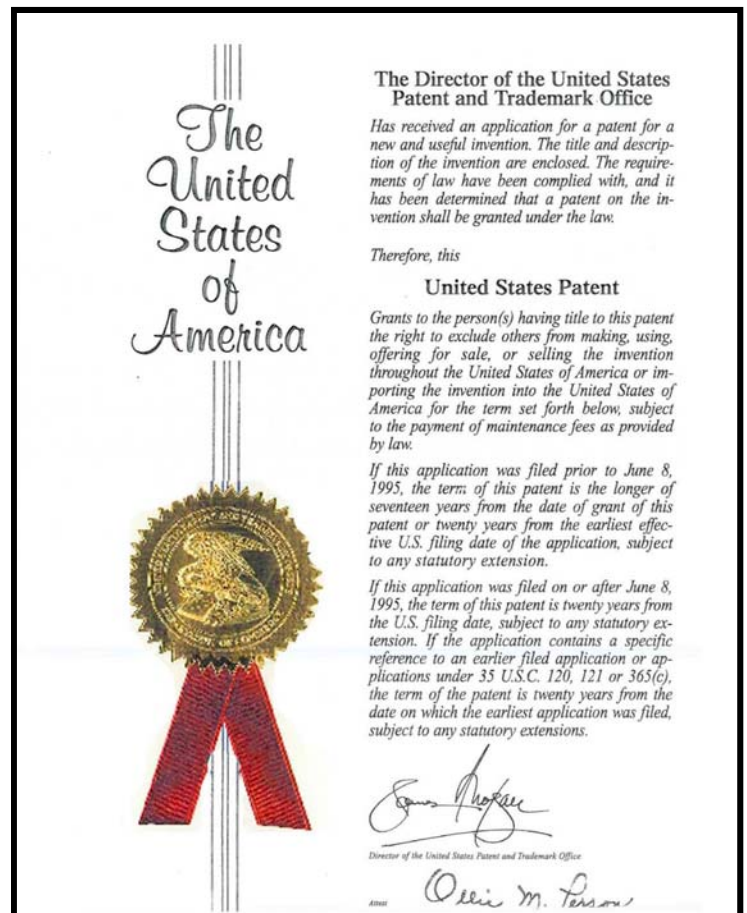
“**Legitimacy**, i.e. specific contexts (geographic, contractual, political, **legal**, military, security, etc.) may allow such a non-competition of sources.

Benefits of sole sourcing:

As soon as you understand what is sole source, obvious become the benefits. As positive impacts of a shortened acquisition process, benefits of sole source are:

- A reduced decision cycle, i.e. time required to award contracts;
- Lowered administrative costs, i.e. procurement process reduced to a minimum;
- Prices reflecting the best value;
- Better promoted small business participation, and,
- Improved delivery of products and services.

To gauge the intrinsic benefit of sole sourcing, the General Accounting Office (GAO) ran a test and presented to the Congress the report of effectiveness of a shortened acquisition process.



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