



## TOWN OF TAOS SOLE SOURCE REQUEST AND DETERMINATION FORM

A sole source *determination* is not effective until the *sole source request for determination* has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the Procurement Officer. The foregoing is a requirement under NMSA 13-1-126 – 13-1-126.1 as amended by Laws 2013, ch. 40 § 6 effective June 14, 2013.

I. Name of Entity: TOWN OF TAOS  
Procurement Officer: Sharon Voigt  
[svoigt@taosgov.com](mailto:svoigt@taosgov.com)  
Telephone Number: 575-751-2025

II. Name of prospective Contractor: **Bibliotheca, LLC**  
Address of prospective Contractor: **3169 Holdcomb Bridge Rd., Ste. 200,  
Norcross, GA 30071**  
Amount of prospective contract: \$4,368.00  
Annual service agreement  
Term of prospective contract: One year – July 1, 2017 – June 30, 2018

III. Please thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract:

**Bibliotheca + 3M is the developer and sole manufacturer of the 3M Library Systems equipment, supplies, software upgrades and service agreements for existing systems. The Taos Public Library uses this equipment to aid in checking in/out and to prevent loss of library materials. An annual service agreement is needed to keep software and hardware in good working order. Bibliotheca + 3M is now the only vendor who can provide this service.**

IV. Provide an explanation of: the criteria developed and specified by the department.

**The equipment and software used help to check materials in and out and aid in the prevention of materials lost/stolen. With the annual service agreement in place,**

**hardware is maintained and modified as needed to maintain the equipment in good working order. All software updates and configurations/modifications Bibliotheca + 3M deems necessary to maintain good working order.**

- V. Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor *the one source* capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)

**A subscription with genuine support from vendor is required. Bibliotheca + 3M is the developer and sole manufacturer of this equipment and software.**

- VI. Provide a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are *unique and how this uniqueness is substantially related to the intended purpose of the contract*.

**The vendor is the owner of the code for this software. Its functions and features are a proprietary. This vendor is the only source for updates and maintenance for the software and equipment.**

- VII. Explain why other similar professional services, services, construction or item(s) of tangible personal property *cannot* meet the intended purpose of the contract.

**There are no other vendors who can provide the required maintenance and support for the equipment and software.**

- VIII. Provide a narrative description of the agency’s due diligence in determining the basis for the procurement, including procedures used by the agency to conduct a review of available sources such as researching trade publications, industry newsletters and the internet; reviewing telephone books and other advertisements; contacting similar service providers; and reviewing the State Purchasing Agent’s vendor list. Include a list of businesses contacted (*do not state that no other businesses were contacted*), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating an explanation of why those businesses could not or would not, under any circumstances, perform the contract; or an explanation of why the agency has determined that no businesses other than the prospective contractor can perform the contract.

**No other vendor can provide maintenance and updates for these proprietary products, software and related services.**

Certified by:

Department Approval by:

Date: 4-27-17

Shirley Freeman  
Department Head

***If this sole source relates to a procurement of general services:***

- 1) Signature of the Town Procurement Officer on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenges.
- 2) Sole source is granted as of the date of signature by the Procurement Officer.
- 3) Signature of the Procurement Officer on this form is the final signature required for this sole source procurement.

***If this sole source relates to a procurement of professional services:***

- 1) Signature of the Procurement Officer on this form certifies the sole source has been posted for thirty (30) calendar days and has received no challenge(s).
- 2) Signature of the Procurement Officer (below) is required; and
- 3) Sole source is granted as of the date of signature by the Procurement Officer.

APPROVED:

Date: \_\_\_\_\_

\_\_\_\_\_  
Town of Taos Procurement Officer

Challenges

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