



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 Agent Sharon Voigt
svoigt@taosgov.com

Telephone Number: 575-751-2025

II. Name of prospective Contractor: The Library Corporation

Address of prospective Contractor: PO Box 1610, Inwood, WV 25428

Amount of prospective contract: \$17,928.00

Term of prospective contract: Nov 2016 to Oct 2017

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

TLC provides us with proprietary software, support, enhancements and updates, plus unlimited technical support of our library automation system.

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

The proprietary software has been developed from The Library Corporation to support our public library’s unique needs. If we were to change programs we would have to purchase new program software, licensing, upgrades, and expensive program changes. We would also have to retrain staff, and update all computer systems.

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.”)

The Library Corporation owns the proprietary software program Library Solution. We need to pay for the annual licensing fee plus 24/7 support for any issues the library may have while using the software. The MARC Software is also owned by The Library Corporation and is written to work specifically with Library Solution 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.*

In 2009, the library purchased a license to The Library Corporation - Library Solution proprietary software to automate the services of the library and to provide better services to our library patrons.

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

The service is for licensing, hosting and support of the current proprietary software owned and manufactured by The Library Corporation. Library Solution software continues to meet the needs of the library and updates to the software is provided regularly along with the needed technical support.

- 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.

The service is for licensing, hosting and support of the current proprietary software owned and manufactured by The Library Corporation. Library Solution software continues to meet the needs of the library and updates to the software is provided regularly along with the needed technical support. If we were to change programs we would have to purchase new program software, licensing, upgrades, and expensive program changes. We would also have to retrain staff, and update all computer systems.

Certified by:

Department Approval by:

Date: 8-18-16


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

