

**SOLE SOURCE
CLASS DETERMINATION AND FINDINGS
FOR
INFORMATION TECHNOLOGY (IT)
SOFTWARE LICENSE, MAINTENANCE & SUPPORT CONTRACTS**

Agency: All District Agencies
Requisition Numbers: Each purchase bears a unique Requisition Number
Caption: "Software License, Maintenance and Support Agreements"
Proposed Contractors: Current installed base of Software Publishers

FINDINGS

1. Authority:

DC Officials Code § 2-303.05(a) (1), 27 DCMR 1702.1 and 1702.3(b), 1706.1 and 1706.6

2. Duration:

Duration of this Class Determination and Findings (D&F) is five years from date of signing, in accordance with 27 DCMR 1207.4, 1208.1 and 1208.3. The term of each agreement shall not exceed one year from the date of its execution, as set forth in District of Columbia Official Code Title 1 section 204.51 (Home Rule Act) and Title 2 section 301.05a.

3. Minimum Need:

The Requesting Agency has an immediate and continuous requirement to renew software license, maintenance and support agreements. The Requesting Agency certifies that only the requested vendor can provide the product as the company owns proprietary rights to the software. See attached individual Requisition for specific individual Minimum Needs. The class delineation for individual software license, maintenance and support renewals will help ensure that the critical needs of the District are adequately supported.

4. Estimated Reasonable Cost:

For renewals, the basis of price reasonableness will be recorded and filed in accordance with procedures as set forth in 27 DCMR 1804 (See the Requisition for Individual renewal prices).

5. Facts Which Justify Sole Source Procurements:

- A. The individual software publisher is the only vendor who can legally provide upgrades or updates to their proprietary software.
- B. The Agency's installed base of the software is expansive. Uninstalling and replacing the existing software with another application would be an inefficient use of the District's resources. In addition, the District has already incurred implementation, training and administration costs to incorporate these applications into the District's IT infrastructure.
- C. Software Publisher's installed base status at this time is extensive within its domain.
- D. The purchases are in the District's best interest to meet mission critical needs.

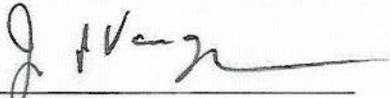
6. Certification Agency:

Each Agency is included in the class by virtue of its individual submission and approval in PASS.

7. Certification by Contracting Officer:

I hereby certify that the above findings are accurate and complete to the best of my knowledge.

6/30/09
Date

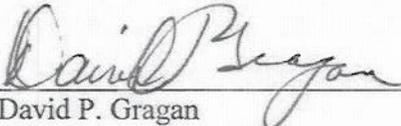


John P. Varghese
Contracting Officer
Office of Contracting and Procurement

DETERMINATION

Based on the above findings and in accordance with D.C. Official Code § 2-303.05(a) (1) and 27 DCMR 1702.3(b), I hereby determine that there is only one (1) available source for each of the small purchases licenses or agreements specified herein.

6/30/09
Date



David P. Gragan
Chief Procurement Officer
Office of Contracting and Procurement

Sort	Type	Service or Support	Justification
1	Service	Authentication Engine (Verisign)	Verisign is the recognized leader in the field of electronic authentication and their Root Keys have been incorporated into all of the major browsers. Since the initial implementation, the Managed PKI service has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. For these reasons, Verisign is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
2	Service	Notification Engine (GovDelivery)	Since the initial implementation, the GovDelivery service has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. For these reasons, GovDelivery is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
3	Service	Payment Engine (PayPal)	PayPal is a leader in the field of electronic payment and OCTO has found that the PayPal service is stable and well maintained. Since the initial implementation, the PayPal service has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. For these reasons, PayPal is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
4	Service	Translation Engine (WorldLingo)	Since the initial implementation, the WorldLingo service has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. For these reasons, WorldLingo is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
5	Service	Weather Service (AccuWeather)	Since the initial implementation, the AccuWeather service has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. For these reasons, AccuWeather is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
6	Service	Website Monitoring Service (SiteSeer)	Since the initial implementation, the Mercury SiteSeer service has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. For these reasons, HP/Mercury is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
7	Software	Content Management Software (DSF)	Since the initial implementation, the Cimbrxan application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, Cimbrxan is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, Cimbrxan is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
8	Software	Data Standardization Software (Trillium)	Since the initial implementation, the Trillium application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, Hart-Hanks is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, Hart-Hanks is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
9	Software	Forms Engine (LiquidOffice)	Since the initial implementation, the Autonomy application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, Autonomy is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, Autonomy is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
10	Software	Intranet Portal Software (Aqualogic)	Since the initial implementation, the BEA Systems application has proven to be an acceptable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, BEA Systems is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, BEA Systems is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
11	Software	Middleware Software (SeeBeyond)	Since the initial implementation, the SunSeeBeyond application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, SunSeeBeyond is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, SunSeeBeyond is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
12	Software	Search Engine (FAST)	Since the initial implementation, the FAST application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, m2Dynamics is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, m2Dynamics is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
13	Software	Service Management Software (Remedy)	Since the initial implementation, the BMC Software application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, BMC Software is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, BMC Software is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
14	Software	Survey Engine (SurveySolutions)	Since the initial implementation, the Vovci application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, Vovci is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, Vovci is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
15	Software	Training Management Software (SunTota)	Since the initial implementation, the SunTota application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, SunTota is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, SunTota is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
16	Software	Translation Software (Idiom)	Since the initial implementation, the Idiom application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, Idiom is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, Idiom is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
17	Software	Application Testing Software (Mercury)	Since the initial implementation, the HP/Mercury application modules have proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, HP/Mercury is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, HP/Mercury is the only practical choice as vendor and an open procurement would not provide any benefits to the District.

Sort	Type	Service or Support	Justification
18	Software	Workflow Management Software (IC)	Since the initial implementation, the Intranet Quorum (IQ) application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, Lockheed Martin is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, Lockheed Martin is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
19	Software	Call Center Software (Hansen)	Since the initial implementation, the Hansen application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, Hansen is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, Hansen is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
20	Software	Procurement Software (Arba)	Since the initial implementation, the Arba application modules (including Buyer, Invoicing, eForms and Analysis) have proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, Arba is the only vendor that can provide an upgrade to their proprietary software and the only vendor with the necessary technical expertise to provide reliable support. For these reasons, Arba, Inc. is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
21	Software	HR & Payroll Software (PeopleSoft)	Since the initial implementation, the Oracle/PeopleSoft application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, Oracle is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, Oracle is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
22	Software	Application Development Software (Serena)	Since the initial implementation, the Serena application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, Serena is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, Serena is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
23	Software	System Architecture Software (Telelogic)	Since the initial implementation, the Telelogic application has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, Telelogic is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, Telelogic is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
24	Software	GIS Server/Desktop Software (ESRI)	Since the initial implementation, the ESRI application modules have proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, ESRI is the only vendor that can provide an upgrade to their own proprietary software. For these reasons, ESRI is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
25	Hardware	Load Balancer Maintenance (F5)	Since the initial implementation, the F5 hardware has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, F5 is the only vendor that can provide the necessary upgrade, support and repairs to their own proprietary hardware. For these reasons, F5 is the only practical choice as vendor and an open procurement would not provide any benefits to the District.
26	Hardware	Application Switch Maintenance (Radware)	Since the initial implementation, the Radware hardware has proven to be an effective and reliable solution which the District has been using successfully. In addition, the District has incurred startup costs and incorporated this application into the District infrastructure. Further, Int Systems Marketing is the vendor that provides the support for the Radware hardware. For these reasons, Int Systems Marketing is the only practical choice as vendor and an open procurement would not provide any benefits to the District.