

**DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT
EMERGENCY**

FINDINGS

1. Authorization:

19 DCMR § 4320.7.

2. Minimum Need:

The District of Columbia Public Library received a three-year sub grant from the Federal Government as part of the Broadband Technology Opportunity Program. The term of the grant states that the federal government will pay 70% of the project costs and DC Public Library must fund 30% of the project. This procurement represents a portion of the federal government's 70% contribution.

This is the third year of the program. The program also entails the refurbishment of computers for students. A key nongovernmental partner in this sub grant is Byteback Inc. Funding for this project was contingent on the engagement of a nonprofit partner. Byteback is the nonprofit partner engaged for aspects of the final phase of the training program.

3. Estimated Fair and Reasonable Price:

\$96,652.83

4. Facts That Justify a Sole Source Procurement:

The OSTSBA/11 MOU between OCTO and DCPL was first entered into December of 2010 (in SOAR on 12/27/10). This MOU spans three (3) fiscal years and is active until the federal funding supporting the MOU expires on July 31, 2013. There have been two amendments to the MOU. The first amendment was a decrease in the authorized amount. The second amendment was an increase in the authorized amount in May of 2013. There was a data entry error in the budget load request for the \$186,214 in May of 2013, the load request by objects were mismatched. A correction to adjust \$13,203.46 from object 0710 - IT Hardware Acquisitions to 0409 - Contractual Services - Other was done on 7/2/13 and approved on 7/5/13. Now on July 26, with only 4 business days (6 calendar days) to obligate \$96,652.83 of the remaining \$139,514.63, an emergency approval is needed to waive the 10 day SOLE SOURCE Posting Requirement on the internet.

- A. Byteback is the nonprofit partner identified in the Broadband Technology Opportunity Program.
- B. There are no CSBE vendors that offer these services.
- C. In consideration of the above, there are no other sources for training.

5. **Certification By the Contract Specialist:**

I hereby certify that the above facts are accurate and complete.

Contract Specialist

Date

DETERMINATION

Based on the above findings and in accordance with the DCPL Procurement Regulations, 19 DCMR § 4320.7 I hereby determine that the award of a sole source contract for the services described herein is in the best interest of the D.C. Public Library.

Contracting Officer

Date