

**DISTRICT OF COLUMBIA LIBRARY
DETERMINATION & FINDINGS FOR MANDATORY SET-ASIDE OF
CONTRACTS \$250,000.00 OR LESS**

1. AUTHORIZATION

DC Official Code Section 2-218.44 and 2-218.45.

2. MINIMUM NEED

The District of Columbia Public Library (DCPL) has a need to renew the maintenance agreement and license for the Evanced Summer Reader and Room Reserve Software for FY16.

3. CONTRACTOR

Evanced Solutions, LLC

4. ESTIMATED REASONABLE PRICE

\$7,497.00

5. FACTS WHICH JUSTIFY AWARD TO OTHER THAN A CERTIFIED SMALL BUSINESS ENTERPRISE (SBE) OR CERTIFIED BUSINESS ENTERPRISE (CBE) CONTRACTOR

- A. DCPL uses the Evanced Summer Reader for registering and managing summer reading programs and Evanced Room Reserve for booking and managing meeting rooms, for library customers.
- B. Evanced Solutions, LLC is the developer and sole provider of all Evanced software products and specialized services.
- C. Evanced Summer Reader and Room Reserve are both propriety software products only available from Evanced Solutions, LLC and Evanced Solutions, LLC retains the exclusive copyright, trade secret and patent rights to the Summer Reader and Room Reserve software products.
- D. Evanced Solutions, LLC has sole knowledge of the development of the software and configuration requirements exclusive to the Summer Reader and Room Reserve software products.
- E. In consideration of the above, Evanced Solutions, LLC is the only source able to provide the maintenance, license, and consulting required by DCPL.

- F. In addition, DC Official Code Section 2-354.13(15) - Competition Exemptions states that "Contracts for the following procurements shall be exempt from the competition requirements established by this chapter." Specifically, Exemption No. (8) states the following:

Maintenance and support of software and technology to the extent that the creator of the intellectual property is still protected and is the only source of the maintenance and support of the existing software and technology.

DETERMINATION

Based on the above findings and in accordance with the DCPL Procurement Regulations, DC Official Code Section 2-218.44 and 2-218.45, I hereby determine that the award of this procurement action for the goods or services described herein is in the best interest of the District of Columbia Public Library.

12/9/15
Date

Diane Wooden
Diane Wooden
Chief Procurement Officer