

**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 minimum need to purchase a maintenance agreement and license for the Verizon Virtual Communications Express Voice-Over-IP solution.

3. CONTRACTOR

Verizon

4. ESTIMATED REASONABLE PRICE

\$30,718.67

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

- A. DCPL uses the Verizon Virtual Communications Express Voice-Over-IP solution for routing, making and receiving telephone calls at multiple library locations.
- B. Verizon is the developer and sole provider of all Verizon Virtual Communications Express products and specialized services.
- C. Verizon Virtual Communications Express is a proprietary solution available from Verizon only and Verizon retains the exclusive copyright, trade secret and patent rights to the Verizon Virtual Communications Express products.
- D. Verizon has sole knowledge of the development of the Verizon Virtual Communications Express voice-over-IP configuration requirements exclusive to the Verizon Virtual Communications Express products.
- E. In consideration of the above, Verizon is the only source able to provide the maintenance agreement and license 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
Chief Procurement Officer