

## NMHU PURCHASING DEPARTMENT

### SOLE SOURCE JUSTIFICATION FORM

A sole source procurement is one for which only one vendor is capable of or allowed to perform a particular service and/or construction or for a tangible item that can be offered by only one vendor. A sole source procurement must comply with §13-1-126 and §13-1-128 N.M.S.A. 1978 and all other state statutes and federal laws pertaining to sole source procurements.

Submittal of this form is one of the steps required prior to approval of the procurement (approved via issuance of a purchase order). If this procurement is approved by the NMHU Purchasing Department it will then be posted onto the University's website and the State of New Mexico's Sunshine Portal. The posting will be for no less than thirty (30) calendar days. If a potential vendor submits a protest against a sole source procurement within that timeframe, the sole source will not be awarded until, and if the protest is resolved.

This form must be completed in its entirety. If it is not completed in its entirety it will not be accepted and will be returned to the requestor.

**Describe the tangible item(s), construction and/or service(s) you would like to procure.**

Ellucian's Software License & Services agreement.

**Can this procurement be made by the regular bidding process? If not, explain why.**

No. The University uses Banner from SCT Corp., now Ellucian Inc. for its administrative software (see P.O. 55989 of 11/16/98). In order to keep the system up to date with things like current financial Aid rules, payroll taxes and so on, the software must be maintained. This is a renewal of the services agreement and only SCT/Banner offers services agreement for their software.

**What other tangible items, services or construction methods did you consider? Specify the specifications, sources, technical data and any other non-tangible factors that you considered.**

As stated, Banner is the University's administrative software. To not keep it maintained would mean the University would lose its' investment. Since it would be a loss of over a million plus dollars, it is recommended that we continue the agreement.

**Did you rely on information from other individuals to make your determination, if so by who and what information did they provide?**

Please contact Pat Fay with Ellucian at (970) 590-2616 for further information.

Attach to this department quotes, technical specifications or other data that describes the tangible item(s), service(s) and/or construction. It must also include, at a minimum, the vendor's name, address and telephone number and the amount of the procurement.


Vendor: Ellucian Company L.P. Amount: \$233,190.38  
14083 Collectors Center Drive  
Chicago, IL 60693

Provide any additional information that may be useful in making a determination.

*I certify that all the information provided in this document and all attachments (if applicable) are to the best of my knowledge and I understand that there are penalties for willful violations of the State of New Mexico Procurement Code.*

_____	_____	_____
Requestor Name and Title	Signature	Date

**APPROVALS:**

<u>Phillip C. Escue</u>		<u>7/11/14</u>
Department Head or Dean Name and Title	Signature	Date

<u>Michael Saavedra, Director</u>		<u>07/11/14</u>
Purchasing Department Name and Title	Signature	Date

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