

## 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.**

Desire2Learn (D2L) Software license subscription and support for 12 months, renewal.

**Provide the following:**

**Vendor Name** Desire2Learn

**Address**  
Dept. CH 19710  
Palatine, IL 60055-9710

**Name of Company Representative**

**Company Contact Information**

**Email** John.Baker@Desire2Learn.com

**Telephone** 519-772-0325

**Fax** 519-772-0324

**Amount of Proposed Sole Source** \$ 86,375

**Can this procurement be made by the regular Invitations for Bids (lowest bid amount) or Request for Proposals (qualifications-based) process? If not, explain why.**

No. This is for renewal of hosting, maintenance, and subscription of the D2L learning management system (LMS). There are no other provider that can offer a renewal of services for the Desire2Learn products.

**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, Desire2Learn is the University's learning management system software. To not keep it maintained and hosted would mean the University would lose its' investment and have to go to another system for this service. This would involve selecting another product and converting the data to a new system which would cost and take a considerable amount of time, it is recommended that we continue the agreement.

**Which other companies did you contact for the tangible item(s), construction and/or service(s)? Provide the name of the company, representatives you spoke to and contact information.**

None, the product(s) are own by Desire2Learn and they are the sole provider for maintenance of their product.

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

Please contact John Baker at 519-772-0325 for further information.

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

The University uses Desire2Learn for all LMS functions of the University. It is used by all instructional area of the University.

Attach to this department quotes, technical specifications or other data that describes the tangible item(s), service(s) and/or construction.

*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.*

Phillip C. Escue

Requestor Name and Title



Signature

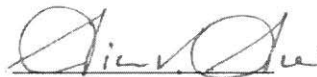
5/30/17

Date

APPROVALS:

Gian Gieri

Department Head or Dean  
(if different from above)  
Name and Title



Signature

5-30-17

Date

Adam Bustos

Purchasing Department  
Name and Title



Signature

5-30-17

Date

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