

## **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 regulations 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.**

**See Attached Memo**

**Provide the following:**

**Vendor Name:** Watermark Insights, LLC  
**Address** 71 Wst 23<sup>rd</sup> Street  
New York, NY 10010

**Name of Company Representative:** Melissa Helvey

**Company Contact Information:**

**Email:** mhelvey@watermarkinsights.com  
**Telephone:** 620-350-6535

**Amount of Proposed Sole Source \$133/license. Estimated \$80,000 for  
FY19.**

**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.**

**See attached memo. Watermark is the proprietary holder of the VIA license.**

**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.**

**Watermark is unique to Higher Education and has merged or bought out several companies.**

**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**

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

**Watermark is used by several other Universities throughout the state.**

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

**See attached memo**

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.*

Joe Gieri      Joe Gieri Director IRS      12/20/18  
Requestor Name and Title      Signature      Date

**APPROVALS:**

<u>Department Head or Dean (if different from above) Name and Title</u>	<u>Signature</u>	<u>Date</u>
<u>Alchimista, Purchasing Director</u> Purchasing Department Name and Title	<u>[Signature]</u> Signature	<u><del>10/10/19</del> 1/10/19 EB</u> Date

[END OF DOCUMENT]



January 10, 2019

To whom it may concern,

Re: Watermark Sole Source and Uniqueness

This letter confirms that Watermark is the sole holder of copyright and other intellectual property rights in its Taskstream by Watermark, Via by Watermark and Aqua by Watermark platforms. Watermark is the sole source of these products and they are solely distributed through Watermark. Watermark solutions can be used separately or together, which can provide a comprehensive solution to support New Mexico Highlands University's assessment management, accreditation needs, and other continuous improvement initiatives combined.

Watermark's suite of solutions has unparalleled support advantages over other competitive products. Watermark provides a unique combination of client-specific implementation design, outcomes assessment, accreditation planning, custom reporting, survey tools, rubric building, faculty activity reporting, course evaluations, consulting, training and support that is unmatched in the market. In particular, Watermark's approach and expertise with custom implementations is especially suited for a tailored response to New Mexico Highland University's unique assessment needs.

Via by Watermark facilitates the demonstration and assessment of student performance based on an e-portfolio model for engaging students in reflective learning and authentic assessment. With Via by Watermark, institutions, programs and course instructors are able to collect evidence and reflections from students. Then, they can evaluate assignments using custom rubrics and forms and assess student learning on established learning outcomes, standards, and competencies. Via by Watermark's robust reporting components offer the ability to aggregate and analyze student performance data for program and institutional effectiveness needs, as well as for reporting to accrediting agencies and other external stakeholders. All digitally submitted student work and evaluation data is available for college analysts to "drill down" and obtain a rich picture of student performance over time. Via by Watermark also offers the ability to integrate with Learning Management Systems (LMS), such as Blackboard, Canvas, and Moodle.

If you have any questions regarding intellectual property rights in Watermark's products or their distribution, please do not hesitate to contact me at 800-311-5656, ext. 233 or [athompson@taskstream.com](mailto:athompson@taskstream.com).

Regards,  
Aitken Thompson  
Chief Administrative Officer, Watermark