

**Sole Source
Written Determination**

Agency Identification: South Carolina Department of Education H63

Description of the agency need that this procurement fulfills: *(See instructions on last page for guidance)*

The agency requires ongoing monthly maintenance and software update services for its proprietary routing tool originally developed by VC3. These services include system support, performance optimization, bug fixes, security updates, and enhancements necessary to ensure continued functionality and operational reliability.

Describe the Market Based on Research Performed: *(See instructions on last page for guidance)*

The agency evaluated the availability of alternative vendors and determined that no other qualified providers can deliver the required services without obtaining access to proprietary intellectual property owned exclusively by VC3. No other vendor is authorized or capable of providing maintenance or updates to the system.

Sole Source Vendor Name: VC3 Inc.

Based upon the following determination, Agency proposes to acquire the supplies, construction, information technology, and/or services described herein from the vendor named above per SC Code Ann § 11-35-1560 and SC Regulation 19-445.2105, Sole Source Procurement.

Description of supplies, construction, information technology, and/or services vendor will provide under the contract: *(See instructions on last page for guidance.)*

VC3, Inc. is the original developer and sole owner of the agency's routing tool. The system is proprietary in nature, and VC3 retains exclusive knowledge of the software architecture, source code, and internal configurations.

Because of this, VC3 is the only vendor with the technical capability and authorization to:

- Maintain and modify the existing software codebase
- Provide system updates and enhancements
- Ensure compatibility with existing agency infrastructure
- Troubleshoot and resolve system issues efficiently
- Provide monthly and ongoing maintenance.

No other vendor has access to the proprietary source code or the necessary technical documentation required to provide these services without substantial risk to system integrity, security, and continuity of operations.

Explain why the described solution is the only solution that meets the agency's need and how no other identified solutions were sufficient. *(See instructions on last page for guidance)*

Based on the proprietary nature of the system and VC3's role as the original developer, VC3, Inc. is the only responsible source capable of providing the required monthly maintenance and software update services. This procurement is therefore justified as a sole source in accordance with State of South Carolina procurement regulations.

**Sole Source
Written Determination - Instructions**

Agency Identification: *(Provide Agency and Number)*

Description of the agency need that this procurement fulfills:

(Do not describe the vendor solution that meets the agency's need. This is often accomplished best by describing the problem the agency is trying to solve.)

Describe the Market Based on Research Performed: *(Enter a description of the market based on research you performed for this procurement including such things as commercially available off the shelf products, vendors providing solutions in the market space, barriers to entry to the market space, benefits and types of customized solutions and how and by whom those solutions are provided.*

- *How were the specifications or scope of work developed?*
- *Will the product be obtained from a third-party vendor or reseller, or the manufacturer?*
- *Will the reseller assist or consult in the implementation?*
- *Length of time and place of delivery?*
- *What types of warranties or other performance guarantees are available in the market?*
- *How and by whom will training be provided?*

Document and retain market research in the procurement workpaper file.)

Sole Source Vendor Name: *(Provide Vendor Legal and dba Name)*

Based upon the following determination, Agency proposes to acquire the supplies, construction, information technology, and/or services described herein from the vendor named above per SC Code Ann § 11-35-1560 and SC Regulation 19-445.2105, Sole Source Procurement.

Description of supplies, construction, information technology, and/or services vendor will provide under the contract: *(Provide a description of the product(s) and/or service(s) identified that will meet the agency's need.)*

Explain why the described solution is the only solution that meets the agency's need and how no other identified solutions were sufficient. *(Provide an informed, objective explanation for the sole source procurement method, including the agency's factual grounds and reasoning as supported by the agency's market research. The agency's explanation should be based on its own conclusions supported by its description of the market space.*

- *Vendor assertions of product differentiation or availability may be obtained as part of market research and are valuable information in the agency's assessment of available solutions, but are not, by themselves, sufficient justification for a sole source determination.*
 - *Please do not cut and paste vendor claims, content, or literature in this space.*
- Recommend this section be pasted into the required public notice of intent to award without competition.)*

Notes:

Authorized Approver signature is the agency head unless the agency head has delegated that authority in writing to someone above the level of procurement officer and provided written notification the MMO.

Approval Date: Sole Source Determinations are required to be approved **prior to contract execution**. The approver should hand write the date at the time of approval.

Drug Free Workplace Act: The agency must obtain a DFWA certification from the vendor if the sole source procurement is \$50,000 or greater.

Cost or Pricing Data must be addressed and documented in the file for any sole source procurement exceeding \$500,000