

SOLE SOURCE JUSTIFICATION REQUEST FORM

This form must be forwarded to the Purchasing Department for processing.

Date: 9/4/13

Prepared by: Gian Gieri

Vendor/Contractor Name: Ellucian

Address: 4 Country View Road City: Malvern State: PA 19355

Cost: \$ 24,000.00 +NMGRT W

Term of Contract:

1. Description of Good/Service to be procured: (listing of the services, construction or items of tangible personal property procured under the contract)

Ellucian Banner – Mobile Application Software Support Agreement

Below is the summary of information regarding the justification for your request for the Sole Source Procurement.

1. Explain why this is the only available source that can meet the needs of your department.

The Ellucian Banner System in CNM's Enterprise Resource Planning (ERP) system. Banner is comprised of multiple modules including but not limited to - Student Information System (SIS), Finance & Accounting, Purchasing, Human Resources Information System (HRIS), Financial Aid and Payroll. In addition, the Banner System has a Portal (Luminis) and multiple Self-service web modules designed to interface the system. Banner is a proprietary suite of products developed by Ellucian for Higher Education. Because of the proprietary nature of this product Ellucian is sole provider and source for License and Maintenance service contracts for the Banner Enterprise Suite. Banner Mobile is an integrated module of the Banner Suite developed, maintained and supported by Ellucian exclusively for the Banner Enterprise System Suite.

2. Explain why this vendor is the only available source from which to obtain this product or service.

The company has affirmed (memo from vendor is attached) that there is no other source for this item. Our search for possible vendors proved futile; OR

 X Other reason, please explain in full. Attach additional sheets if necessary.

Ellucian provides regular updates to the Banner system environment. As such, the updates often change and enhance Banner functionality. Because the system is proprietary, the changes have the ability to change the integrated nature of the modules in the system thus requiring multiple changes throughout the ERP. For this reason, CNM uses Ellucian Banner supported products and services exclusively. The Banner system is mission critical for CNM operations requiring maximum availability to support the educational and business mission of the college. Because of this, maintained and supported interoperability of this suite of product is mission critical. Malfunctioning and/or complete replacement Banner would force CNM to incur extreme human resource and expense and burden.

3. Explain why the price is considered fair and reasonable.

SEE LETTER FROM ELLUCIAN DATED SEPT 6, 2013 GA

4. Describe the efforts made to obtain the best possible price from this sole source vendor for the taxpayers. What (if any) is the total cost savings from the original quote? (Attach additional sheets if necessary).

Because Ellucian Banner is a proprietary system there are no other sources for this service agreement.

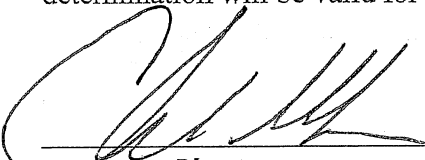
APPROVALS:

Based on the above stated facts, the Purchasing Department has made the determination the justification for the Sole Source procurement is in accordance with §13-1-126 and will be posted for a 30-day period prior to award.

 11 Sept 2013
Purchasing Buyer/Technician Date

 9-4-13
Department Director Date

Pursuant to §13-1-126, the 30-day posting period of the Notice of Intent to Award this Sole Source request was met and no objections to award to the above referenced contractor were received. This Sole Source determination will be valid for a period of one (1) year from the date of award.

 September 11, 2013
Purchasing Director Date

Date

Required Attachments:

- Letter from Contractor, if applicable.
- Campaign Contribution Form (Buyer)
- Other supporting documentation.



September 6, 2013

Gilbert Rivera
Central New Mexico Community College
CNM Purchasing
525 Buena Vista, SE
Albuquerque, NM
87106-4096

RE: Ellucian Mobile / Sole Source Purchase

Dear Mr. Rivera,

We at Ellucian appreciate the opportunity to serve the technology requirements of Central New Mexico Community College, and look forward to continuing and strengthening our technology relationship with Central New Mexico Community College in the coming years.

Ellucian is the only authorized vendor to provide services for which it is the exclusive licensor of numerous software products for the higher education marketplace. These products, collectively referred to as the "Ellucian Software," include the Company's Ellucian Mobile Licensed Software. The Ellucian Software is fully developed, is integrated, and is licensed and maintained exclusively by Ellucian. Ellucian protects its intellectual property interests by carefully safeguarding distribution of the Ellucian Software, in whole or in part. Licensees are required to execute a license agreement pursuant to which the users, at an institution level, agree to use Ellucian Software only for the purpose of conducting in-house, non-commercial computing operations and further agree to limit use of Ellucian Software to those employees with a need to know.

The Ellucian Software is protected under the copyright laws of the United States and the trade secret laws of the several states. Ellucian employs industry-standard measures, both legal and technical in nature, to protect the investment that licensees make in the Ellucian Software. Accordingly, Ellucian is also the only authorized provider of installation, customization, training and educational services for the Ellucian Software. We have no authorized services providers or distributors that provide the Ellucian-approved installation, customization, training and educational services in the United States.

In addition, you requested Ellucian to confirm that the standard list price for the license for Ellucian Mobile is \$45,000 for Application Edition and \$67,500 for Platform Edition, and maintenance related to Ellucian Mobile is \$16,000.00 for Application Edition and \$24,000.00 for Platform Edition. Ellucian has agreed to waive the Ellucian Mobile license fee. Accordingly, these proposed prices to Central New Mexico Community College are the best price that Ellucian can offer to Central New Mexico at this time for the proposed maintenance under the agreement related to the Ellucian Mobile product.

I hope this letter suffices and will meet the purchasing requirements in order to Sole Source purchase the Ellucian Mobile Licensed Software.

4 Country View Road
Malvern, PA 19355, USA
Toll Free: +1 800.223.7036

ellucian.

Kindest Regards,

A handwritten signature in cursive script that reads "Jennifer Paladino".

Jennifer Paladino
Inside Sales Consultant

4 Country View Road
Malvern, PA 19355, USA
Toll Free: +1 800.223.7036