

Sole Source Request Form

Sole Source Bidsync # 012-C012923*5-MS-SS

SECTION II – DEPARTMENT INFORMATION (Complete in its entirety)

Department: OCCR / OC Public Libraries	Date: 3/30/21					
Vendor Name: OCLC Inc.	Sole Source BidSync Number: 012-C012923*5-MS-SS					
Is the above named vendor a retired employee of the County of Orange? Yes No If "Yes", review and Approval is required from CEO Human Resource Services prior to contract execution.						
Contract Term (Dates): 08/01/2021-05/31/2022 (Year 5/5)	Is Agreement Gran Funding Source ☐ Yes ⊠ No	nt Funded?	Percent Funded:	Proprietary? ☑ Yes □ No		
Contract Amount? \$128,343.39		Is this renewable NO	? If yes, how many yec	ars ?		
Type of Request: New Multi-Year	⊠ Renev	val		□ Increase		
Renewal Year: N/A		ndor provide a sole source affidavit? 🛮 Yes 🗖 No blease attach				
Board Date: ASR Number: 21-000256	If not sc	heduled to go to	the Board explain why?			
Does Contract include Non-Standard Language? If yes, explain in detail. The original contract included non-standard language which has been approved by the Board on 07/11/2017						
Was Contract Approved by Risk Mgmt.? Original Contract - Yes		Was Contract Approved by County Counsel? Amendment Four – approved by Counsel				
Were any exceptions taken? If yes, explain in detail. None under Amendment Four						
DPA certifies that they have read and verified that the information is true and satisfies the sole source requirements listed in the County Contract Policy Manual.						
Solicitation Exemption (For purchases with special circumstances, and/or when it is determined to be in the best interest of the County.)						



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SECTION III – SOLE SOURCE JUSTIFICATION

1. Provide a description of the type of contract to be established. (For example: is the contract a commodity, service, human service, public works, or other – please explain.) Attach additional sheet if necessary.

This is a service contract that covers unlimited access to OCLC's Cataloging and Metadata subscription, WorldShare Interlibrary Loan (ILL) subscription and estimated fees, First Search/WorldCat Discovery, Web Dewey Cataloging and CONTENTdm. This is the fifth-year term effective August 1, 2021 through and including May 31, 2022.

2. Provide a detailed description of services/commodities and how they will be used within the department. If this is an existing sole source, please provide some history of its origination, Board approvals, etc. (This information may be obtained from the scope of work prepared by the County and the vendor's proposal that provides a detailed description of the services/supplies.) Attach additional sheet if necessary.

Cataloging and Metadata subscription includes access to software, computer codes, systems and other proprietary content use for OC Public Libraries catalog. OCLC's WorldShare ILL supports Interlibrary Loan (ILL). WorldCat Discovery contains the holdings of libraries worldwide for patron discovery. CONTENTdm is a critical platform that supports OC Public Libraries online database of Orange County historical images, video recordings, and oral recordings.

Since 1985, OCLC has provided OC Public Libraries with cataloging and ILL tolls and services. The current contract was approved by the Board on 06/02/2020, ASR-20-000209 and renewable for one additional year. This current renewal request ends May 31, 2022 to better align with OCLC Inc.'s annual pricing determinations to ensure prompt quotations.

3. Explain why the recommended vendor is the only one capable of providing the required services and/or commodities. How did you determine this to be a sole source and what specific steps did you take? Please list all sources that have been contacted and explain in detail why they cannot fulfill the County's requirements. Include vendor affidavit and/or other documentation which supports your sole source. (Responses will include strong programmatic and technological information that supports the claim that there is only one vendor that can provide the services and/or commodities. Your response will include information pertaining to any research that was conducted to establish that the vendor is a sole source, include information pertaining to discussions with other potential suppliers and why they were no longer being considered by the County.)

Attach additional sheet if necessary.

Since 1985, OCLC, Inc. has provided OC Public Libraries with cataloging services, including access to software, computer codes, systems and other proprietary content use for the library's cataloging of materials. OCLC is the sole provider and the distributor of its copyrighted online services and bibliographic database and provides bibliographic records for more than 427,996 unique titles in the library's catalog. Using OCLC's services, OC Public Libraries can request interlibrary loan books from approximately 14,000 OCLC member libraries in more than 120 countries.

No other vendors offer the same format, scope of coverage and depth of information. OCLC's Competitor,



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Innovative Interfaces, Inc.'s SkyRiver Catalog contains approximately 70 million full, unique records (per vendor website: www.iii.com/products/skyriver/), whereas OCLC contains over 450 million records available for copy cataloging in more than 480 languages. OCLC includes more than 50 million WorldCat records for e-resources from more than 6,700 providers (per OCLC Cataloging and Metadata Subscription Spotlight Brochure). Additionally, SkyRiver does not support Interlibrary Loan services. Lastly, OCLC's records are accessible to all libraries and integrated library systems, whereas competitors' records are generally only accessible to libraries who use the competitors' proprietary integrated library system such as Polaris and Sierra. OC Public Libraries does not have a contract to use those integrated library systems.

4. How does recommended vendor's prices or fees compare to the general market? Attach quotes for <u>comparable</u> services or supplies. Attach additional sheet if necessary.

This offer is made available to OC Public Libraries for this subscription period. No other comparable product exists, and prices are comparable to the prices of other unique databases.

5. If the recommended vendor was not available, how would the County accomplish this particular task?

Attach additional sheet if necessary.

If WorldCat Discovery is not available to OC Public Libraries, our web presence would be diminished and the community we service would have less access to our materials. OCLC's Cataloging Service allows OC Public Libraries access to bibliographic data for its unique titles. OCLC's WorldShare ILL and WorldCat Discovery allows library staff to identify sources of hard to find titles requested by our patrons and presents an opportunity of requesting these materials from worldwide sources. CONTENTdm is critical to supporting OC Public Libraries' online databases covering the history of Orange County. No other provider can match this level of services and information exclusive to their databases.

6. Please provide vendor history - name change, litigation, judgments, aka, etc. for the last 7 years.

OCLC History

In 1967, a small group of library leaders believed that working together they could find solutions to the day's most pressing issues facing libraries. They began with the idea of combining computer technology with library cooperation to reduce costs and improve services through shared, online cataloging. Ohio libraries came together to create a nonprofit membership organization dedicated to the public. Its purpose was to provide further access to the world' information and reducing information costs. They proposed a major paradigm shift in library operations. The idea was to launch a computer platform and network to collaboratively build shared services and resources that lowers costs while simultaneously increasing efficiency in library management. This first cooperative service would be an unparalleled effort, guided by libraries and their desires to share data and workflows.



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Name Changes

Below are previous names of this organization:

- 1967– Ohio College Library Center
- 1977– OCLC, Inc.
- 1981-2017 OCLC Online Computer Library Center, Inc.
- 2017-present OCLC, Inc.

Litigation/Judgements

OCLC is involved in various claims and legal action in the ordinary course of business, but OCLC management believes they will not have a material adverse effect on our ability to conduct business.

On July 28, 2010: SkyRiver Technology Solutions, LLC, and Innovative Interfaces, Inc. filed a complaint against OCLC in the United States District Court, Northern District of California, requesting unspecified damages and costs. The Complaint alleged that OCLC was guilty of certain antitrust and unfair competition violations. The complaint was subsequently transferred to the U.S. District Court, Southern District of Ohio. OCLC responded to this action following procedures and timetables dictated by the court. On March 4, 2013, SkyRiver Technology Solutions, LLC, and Innovative Interfaces Inc. dismissed the lawsuit.

On April 9, 2012 Godfrey Memorial Library, Inc. commenced a civil action against OCLC alleging breach of contract, quantum meruit, implied contract, and unjust enrichment. On February 19, 2013, Godfrey dismissed the case.

7.	If vendor is a retired, former employee, has the vendor previously been rehired as a contractor within				
	the last three years? ☐ Yes				
	If yes, provide explanation/support for hiring the retired, former employee as a vendor and				
	provide contract dates, scope of work, and total amounts paid under each contract.				

8. Explain (in detail) why a request for Solicitation Exemption is needed. (Only applicable for Solicitation Exemption)

Attach additional sheet if necessary.



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SECTION IV – AUTHOR/REQUESTOR	R						
Signature DocuSigned by:	Print Name:	Date:					
katherine Sverapa	KATHERINE SVERAPA	3/30/2021					
SECTION V – CEO Human Resource Services APPROVAL (Review and approval is required when vendor is a Retired, Former Employee.)							
Signature:	Print Name:	Date:					
SECTION VI – DEPUTY PURCHASING AGENT CONCURRENCE Signature:DocuSigned by:							
Carmen Giron	CARMEN GIRON	3/30/2021					
6AC9AEA1E5FF462	O WITHER STORY	3,30,2022					
SECTION VII – DEPARTMENT HEAD APPROVAL							
Signature: DocuSigned by:	Print Name:	Date:					
Julie Aullman	JULIE QUILLMAN	3/30/2021					
SECTION VIII – COUNTY PROCUREMENT OFFICE							
Prior to execution of a contract, the County Procurement Officer or designee shall approve All Sole Source requests for Commodities that exceed \$250,000, Capitol Assets and services exceeding \$75,000, and All other Sole Source requests that require Board approval despite the amount. Approvals are obtained electronically through the County's online bidding system.							
SOLICITATION EXEMPTION – CEO USE ONLY:							
Board of Supervisor Notification Date:							
Comments:							
CPO: □Approved	□Denied	CFO: □Approved □Denied					
CPO Authorized Signature:	Date:	CFO Authorized Signature: Date:					