DETERMINATION AND FINDINGS
FOR
SOLE SOURCE PROCUREMENT

1. **Authorization**[i]

- DC Law: 34-804
- DC Law: 34-801
- 15 DCMR: §3700

2. **Minimum Need**:

The Office of the People's Counsel requests the services of Xerox Corporation to provide a maintenance agreement for the existing Xerox 9202 office equipment that is responsible for software solutions, business processing and digital printing applications at the Office of the Office of the People's Counsel.

3. **Estimated Fair and Reasonable Price:**

$9,342.68

4. **Facts That Justify a Sole Source Procurement:**

A. The Office of the People's Counsel "OPC" is an independent agency of the District of Columbia government. By law, it is the advocate for consumers of natural gas, electric and telephone services in the District. District of Columbia law designates the Office as a party to all utility-related proceedings before the Public Service Commission. The Office also represents the interests of District ratepayers before federal regulatory agencies. The Office is authorized to investigate the operation and valuation of utility companies independently of any pending proceedings.

B. Xerox Corporation provides the full complement of state-of-the art office copiers, printers, business processing and digital printing applications. These are unique and essential services that provide documents to carry out OPC's mission to represent the interests of District ratepayers before federal regulatory agencies. Xerox is the only company that provides solid ink technology. Not only is Solid Ink cartridge-free, but it is certified to contain 30% bio-derived renewable material by the National Association of Printing Ink Manufacturers (NAPIM). The packaging is made from post-consumer waste. The tray is made from 100% recycled content and the box is 45% recycled content. 100% of the packaging can be recycled locally. Besides drastically reduced landfill waste, solid ink's

cartridge-free design and minimal packaging also means less energy used during manufacturing and less storage space for better transportation efficiency and fewer delivery trucks on the road—saving the agency shipping costs while benefiting the environment. Solid ink packages are small enough to fit in your desk drawer, saving work environment too. There's no need to take up an entire cabinet with printer supplies.

C. Xerox Corporation has a well established reputation to host and support government agencies and businesses, providing OPC with professional documents and quality office solutions for its presentations, educational materials, and its consumer services product requirements.

D. It is for the reasons outlined herein that it is recommended that a sole source contract be awarded to Xerox Corporation.

5. **Certification by the Office of the People's Counsel**:

I hereby certify that the above facts are accurate and complete.

_____ _____

Frank G. Scott, Jr. Date
Contracting Officer

DETERMINATION

Based on the above findings and in accordance with the District of Columbia procurement regulations: *DC Law: 34-804*; *DC Law: 34-801*; and *15 DCMR §3700*, I hereby determine that the award of a sole source contract for the services described herein is in the best interest of the Office of the People's Counsel.

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Sandra Mattavous-Frye Date
People's Counsel

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[i] Procurement authority is vested in the Commission pursuant to § 13 (c) (2) of the Residential Real Property Seller Disclosure, Funeral Service Date Chang, and Public Service Commission Independent Procurement authority Act of 1998 (D.C. Law 12-263). The Commission is statutorily exempt from the D.C. procurement rules as set forth in D.C. Official Code §1-1181 et seq.

DC Law: 34-804, herby established within the Public Service Commission of the District of Columbia, has established by DC Law: 34-801, an office to be known as the "Office of the People's Counsel". The office shall be a party, as of right, in any investigation, valuation, revaluation, or proceeding of any by nature by the Public Service Commission of or concerning a public utility operating in the District of Columbia.

15 DCMR §3700: Public Utilities and Cable Television- Public Service Commission Rules of Practice and Procedure.