



JUSTIFICATION AND APPROVAL FOR ALLOWING AWARD OF CONTRACT WITHOUT COMPETITION

(Section A must be completed by the User Department and then submitted to the Department of Purchasing & Contract Compliance)

SECTION A

Department: *650 Library*

Department Contact: *Jamar Parker*

Description of Supplies/Services:

The public performance licensing must satisfy federal copyright requirements to allow library facilities to show movies legally from world's best studios, anywhere inside of the building. Must include all reputable studios such as: Walt Disney Pictures, Touchstone Pictures, Hollywood Pictures, Columbia Pictures, Tri-Star Pictures, Paramount Pictures, Metro-Goldwyn-Mayer, United Artist, Miramax Films, Warner Bros. NBC Universal, Sony Pictures, Lionsgate, Summit Entertainment, New Line Cinema, Focus Features, Warner Independent Pictures, Fine Line Features, Paramount Vantage, and Screen Gems licensed for Home Use Only

Demonstration of Contractor's Unique Qualifications:

When a movie is shown inside a library, a license is required. Our Public Performance Site License makes it possible for libraries nationwide to share exciting new releases and throwback favorites as part of patron events, fundraising initiatives and countless other engagement activities. Swank Movie Licensing USA is the only company authorized to license this comprehensive list of top Hollywood studios, which include:

Walt Disney Pictures • Warner Bros. Pictures • Paramount Pictures • Hollywood Pictures • Metro-Goldwyn-Mayer • Sony Pictures • NBC Universal • DreamWorks Animation • Columbia Pictures • TriStar Pictures • Touchstone Pictures • Lionsgate

(Section B must be completed by the Department of Purchasing & Contract Compliance)

SECTION B

MARKET SURVEY

Results of Market Survey

Advertised on BidNet's website: <https://www.bidnetdirect.com/georgia/fultoncounty>

Date Public Notice posted on website: Thursday February 2, 2023

Date Public Notice closed: Thursday, February 9, 2023

REVIEW OF OFFER(S)

Were any offers received (Y/N): *N*

Number of offers received: *N/A*

Respondents:

Date Offers submitted to User Department for review: Thursday, February 2, 2023

User Department review and recommendation: Fulton County Library System recommends approval of sole source vendor Swank Movie Licensing USA

Purchasing Agent review and recommendation: After review and consideration of all available information related to the requirement and criteria of the sole source advertisement #23SSN137406B-RT as titled Public Performance Licensing - Single Attachment, the Department of Purchasing and Contract Compliance recommends proceeding with BOC approval request to award a contract without competition.

CERTIFICATION

Having conducted a good faith review of source availability regarding the materials, goods and or services stipulated herein, subsequent to consultation with the County Manager and the recommendation of the User Department, it has been determined that there is only one source available for the required work, labor or service to be done or the supplies, materials, or equipment to be furnished, per the Fulton County Code of Ordinances §102-384, Award without competition.

I, Felicia Strong-Whitaker, Chief Purchasing Agent, certify that the facts and representations under my cognizance which are included in this justification and its supporting documentation which form the basis for this justification are complete and accurate.


DocuSigned by:

E4F13ABBB2D4A2
Felicia Strong-Whitaker
Chief Purchasing Agent

02/10/2023

Date

I, Dick Anderson, County Manager, certify that the facts and representations under my cognizance which are included in this justification and its supporting documentation which form the basis for this justification are complete and accurate.

DocuSigned by:

77013C272BB775E2
Dick Anderson
County Manager

02/10/2023

Date



10795 Watson Road
St. Louis, MO 63127

January 1, 2023

To Whom it May Concern,

When a movie is shown inside a school for non-educational purposes, a license is required. Our Public Performance Site License makes it possible for K-12 schools nationwide to share exciting new releases and throwback favorites as part of student incentives, fundraising initiatives and countless other engagement activities. Swank Movie Licensing USA is the only company authorized to license this comprehensive list of top Hollywood studios, which include:

- Walt Disney Pictures
- Warner Bros. Pictures
- Paramount Pictures
- Hollywood Pictures
- Metro-Goldwyn-Mayer
- Sony Pictures
- NBC Universal
- DreamWorks Animation
- Columbia Pictures
- TriStar Pictures
- Touchstone Pictures
- Lionsgate
- Summit Entertainment
- New Line Cinema
- Focus Features
- 20th Century Studios
- Searchlight Pictures

Swank Movie Licensing USA is a division of Swank Motion Pictures. For more than 80 years, studios have entrusted Swank to serve as their non-theatrical distributor. For K-12 schools, purchasing a site license from Swank is the only way to legally use all movies from this one group of studios offered in one license for non-educational use. There are no other agents or dealers authorized to represent this license.

If you require additional information, please contact us at [877.321.1300](tel:877.321.1300) or visit our website at: swank.com/k-12-schools.

Sincerely,

Swank Movie Licensing USA

A handwritten signature in black ink, appearing to read "Tim Swank".

Tim Swank
Chairman