

**Sole Source
Written Determination**

Agency Identification: South Carolina Department of Education

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

The South Carolina Department of Education (SCDE) operates the agency's public-facing website at ed.sc.gov, together with multiple associated office sub-sites, as the primary digital channel for delivering statutory, regulatory, instructional, and public-service information to school districts, educators, parents, students, and the citizens of South Carolina. The agency's need is to maintain the continuous, secure, and reliable operation of this in-production website infrastructure throughout the contract term. Specifically, the agency must (1) keep the underlying website platform current with publisher-issued security patches and version updates so that the public-facing site remains protected against known and emerging cybersecurity threats, (2) have access to authoritative technical support to resolve software defects that may interrupt or degrade public access to agency information, and (3) preserve the integrity of the substantial public investment already made in the existing website environment. Failure to maintain the in-production platform with vendor-issued security updates would result in a growing security exposure on a live state-agency website. Intended for one year, with four options to renew. Estimated \$200,000.

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

Scope and specifications. The scope of this procurement was developed by SCDE's Office of the Chief Information Officer working with the SCDE Web Team and the agency's Procurement Office. The scope was driven by the existing technical environment: the agency's public website and its associated office sub-sites are currently built on, and operate within, an installed and configured instance of the Mura content management system (CMS). The specifications were therefore developed by identifying the components required to keep that installed platform secure, supported, and currently licensed for production use — namely (i) the current-version Mura CMS subscription/license, (ii) publisher-issued security patches and version updates for the installed code base, and (iii) authoritative technical support from the software publisher.

Market space and available solutions. The broader web content management market includes a substantial number of commercially available off-the-shelf platforms — including, without limitation, WordPress, Drupal, Sitecore, Adobe Experience Manager, Contentful, and Kentico — each maintained and supported by its respective publisher or open-source community. Each such alternative, however, supports only its own product code base and does not produce, sign, or distribute patches or updates for the Mura CMS code base. Within the relevant market space — entities authorized and technically able to issue source-level security patches, version updates, and authoritative technical support for the Mura CMS product currently in production at SCDE — the agency's market research identified only one supplier: Mura Software, Inc., the original developer, copyright holder, and publisher of the Mura CMS software. Barriers to entry in this market space are absolute: a third party cannot lawfully issue source-level patches or version upgrades for proprietary software it does not own and did not author.

Manufacturer vs. reseller; implementation. The product is obtained directly from the manufacturer/publisher. Agency staff reviewed Mura Software, Inc.'s published support information (murasoftware.com) and confirmed that the publisher licenses, maintains, and supports the Mura CMS product directly to end-users and does not market the product through third-party resellers or

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distributors. Implementation assistance for patch deployment and version upgrades is therefore obtained directly from the publisher.

Term, delivery, warranties, and training. The contract is proposed for an initial term of [twelve (12) months], with renewal options as permitted under S.C. Code Ann. § 11-35-2030. The product, patches, and updates are delivered electronically to SCDE personnel at the agency's offices at 849 Learning Lane, West Columbia, South Carolina. Warranties and service-level commitments consist of the publisher's standard subscription/SaaS warranties as set forth in the licensing agreement; the agency's Procurement Office will incorporate the State's required clauses and review the publisher's warranty terms prior to execution. Training and product knowledge are obtained through publisher-provided documentation, the publisher's customer support channels, and the publisher's user conference. Detailed market research documentation is retained in the procurement workpaper file.

Sole Source Vendor Name: Mura Software 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.)*

Under the contract, Mura Software, Inc. will provide, for the contract term, the following: (1) current-version licensing of the Mura content management system in the quantities required to lawfully operate the SCDE production website environment; (2) publisher-issued security patches, defect/bug fixes, and version upgrades for the installed Mura CMS code base; (3) direct technical support from Mura Software, Inc. personnel for incident response, defect resolution, and configuration questions affecting the SCDE production environment, in accordance with the publisher's standard support service levels; and (4) access to publisher documentation, the customer knowledge base, and customer-portal communications regarding product roadmap, end-of-life notices, and critical vulnerability advisories. All deliverables are provided electronically to SCDE personnel at 849 Learning Lane, West Columbia, South Carolina, throughout the contract term.

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.)*

This procurement is for the ongoing maintenance, licensing, security patching, version updates, and authoritative technical support of a proprietary software product — the Mura content management system — that is already installed, configured, and in active production use as the platform underlying the agency's public-facing website at ed.sc.gov and its associated office sub-sites. Compatibility of the maintenance services and updates with the existing installed software code base is therefore the paramount consideration, and this procurement falls within the circumstance expressly identified in S.C. Regulation 19-445.2105(B)(1) (sole source procurement permitted where the compatibility of equipment, accessories, or replacement parts is the paramount consideration).

Based on the agency's market research described above, SCDE has determined the following on its

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own informed and objective analysis:

First, Mura Software, Inc. is the original developer, copyright holder, and publisher of the Mura CMS software. As the holder of the underlying source code and intellectual property, Mura Software, Inc. is the only entity legally and technically capable of (a) producing and distributing version-compatible security patches and software updates for the installed Mura CMS code base, (b) issuing authoritative product fixes for defects in that code base, and (c) providing technical support backed by source-level access to the product. No other software publisher can lawfully or technically produce patches, updates, or source-level support for a code base it does not own and did not author.

Second, the agency's market research did not identify any third party authorized by Mura Software, Inc. to issue source-level patches, version upgrades, or authoritative support for the Mura CMS. The publisher's published support model confirms that licensing and support are provided directly to end-users and not through resellers or distributors.

Third, alternative content management platforms exist in the broader market, but none of them meets the agency's identified need. A different platform would not produce patches or updates for the agency's existing Mura CMS installation; obtaining a different platform would constitute a full platform replacement, which is a separate and substantially larger procurement outside the scope of this determination. The agency's consideration of replacement as an alternative supports, but is not itself the basis for, this sole source determination: the basis is that only the publisher of the installed proprietary software can provide patches, updates, and authoritative support for that software.

For the foregoing reasons, the agency has determined, based on its own market research and analysis and not solely on vendor assertions, that Mura Software, Inc. is the only source capable of meeting the agency's identified need, and that this procurement satisfies the standards for sole source procurement set forth in S.C. Code Ann. § 11-35-1560 and S.C. Regulation 19-445.2105, and in particular Regulation 19-445.2105(B)(1).

Note: Determination is not complete without required signatures and dates

Required Signatures:

Prepared by: 

Date: 06/30/26

Printed Name: Enter Name of Preparer **Jeff Childers** Title: Enter Title of Preparer **CFO**

Approved by: 

Approval Date: 7/7/26

Printed Name: Enter Authorized Approver Name
Ellen Weaver

Title: Enter Authorized Approver Title
Superintendent

The last page contains instructions and is not required to be retained.