



Purchasing Use Only:	
Approval#:	151201

SOLICITATION WAIVER JUSTIFICATION AND REQUEST FORM

ALL FIELDS ARE REQUIRED – INCOMPLETE REQUESTS WILL BE RETURNED TO THE AGENCY

Agency Contact Information - Note: Approved copy will be sent to only the contact(s) listed below:			
1a		State Agency: <i>Division of Water Resources</i>	
		Contact Name and Title	Phone Number
		<i>Brian McMenamy IT Professional IV</i>	<i>684-2858</i>
		<i>Bonnie Kordonowy Management Analyst III</i>	<i>684-2863</i>
		Email Address	<i>bmcmenamy@water.nv.gov</i>
			<i>bkordonowy@water.nv.gov</i>
Vendor Information:			
1b		Identify Vendor:	<i>Websoft Developers, Inc.</i>
		Contact Name:	<i>Manoj Desai</i>
		Address:	<i>2020 Research Park Dr Ste. 140 Davis, CA 95618</i>
		Telephone Number:	<i>530-759-8754 ext. 210</i>
		Email Address:	<i>Manoj.Desai@websoftdev.com</i>
1c Type of Waiver Requested – Check the appropriate type:			
		Sole or Single Source:	<i>Sole Source (the original contract was done as and RFP)</i>
		Professional Service Exemption:	
Contract Information:			
1d		Is this a new Contract?	Yes <input type="checkbox"/> No <input type="checkbox"/>
		Amendment:	# <input type="checkbox"/>
		CETS:	# <input type="checkbox"/>
Term:			
1e		One (1) Time Purchase:	<input type="checkbox"/>
		Contract: Yes	Start Date: <i>Upon Approval</i> End Date: <i>3/31/16</i>
Funding:			
1f		State Appropriated:	<input type="checkbox"/>
		Federal Funds:	<input type="checkbox"/>
		Grant Funds:	<input checked="" type="checkbox"/>
		Other (Explain):	
1g Total Estimated Value of this Service Contract, Amendment or Purchase:			
			<i>\$9,800</i>

2	Provide a description of work/services to be performed or commodity/good to be purchased:
	<i>Websoft Developers will be enhancing custom software that Water Resources uses to track totalizing meter readings installed on wells throughout Nevada. The enhancements will provide the public as well as Water Resources with a more intuitive public accessible web portal designed to let the public record their totalizing meter readings for meters they currently maintain. The finalized source code will be provided to Water Resources IT staff when the project is completed and will belong to Water Resources.</i>

3	What are the unique features/qualifications required for this service or good that are not available from any other vendor:
	<i>Websoft Developers originally developed the application starting in 2007 and made some minor changes in 2010. Websoft recently completed a major enhancement of the application requiring extensive database changes however the public portal was outside of the original scope of work. Websoft is familiar with the complex queries, database structure, web code and security modules that are being utilized for authentication for public access to the current application.</i>

4	Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:
	<i>Due to the fact that the Division of Water Resources is already financially invested with Websoft as well as time and manpower, having Websoft Developers develop the requested enhancement will provide efficiencies and cost savings from the previous knowledge of the application code, database and security modules. It would be cost prohibitive to reverse engineer the current code, learn the needs of Water Resources staff's expectations of the application and create the updated code from scratch.</i>

5	Were alternative services or commodities evaluated? Check One.	Yes:	No:	<input checked="" type="checkbox"/>
	a. If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility.			
	b. If not, why were alternatives not evaluated?			
	<i>We have a vendor that is already familiar with the application code, the functionality, the staff work-flows and the database schema.</i>			

6	Has the agency purchased this service or commodity in the past? Check One. Note: If your previous purchase(s) was made via solicitation waiver(s), a copy or copies of ALL previous waivers must accompany this request.	Yes:	No:	<input checked="" type="checkbox"/>																
	a. If yes, starting with the most recent contract and working backward, for the entire relationship with this vendor, or any other vendor for this service or commodity, please provide the following information:																			
	<table border="1"> <thead> <tr> <th>Term Start and End Dates</th> <th>Value</th> <th>Short Description</th> <th>Type of Procurement (RFP, RFQ, Waiver)</th> </tr> </thead> <tbody> <tr> <td></td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td></td> <td>\$</td> <td></td> <td></td> </tr> <tr> <td></td> <td>\$</td> <td></td> <td></td> </tr> </tbody> </table>	Term Start and End Dates	Value	Short Description	Type of Procurement (RFP, RFQ, Waiver)		\$				\$				\$					
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7 What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?
It would be cost prohibitive to reverse engineer the current code, learn the needs of Water Resources staff's expectations of the application and create the updated code from scratch. The cost of a Vendors project management and developer staff time will be increased as they would have to learn what the application does, what our needs are and what the enhancement requests will entail as well as the time to get the source code from Websoft Developers and set up a test environment on their sever equipment.

8 What efforts were made or conducted to substantiate there is no competition for the service or good and to ensure the price for this purchase is fair and reasonable?
The development rate being charged falls within the average price range per hour for highly complex .NET application development. The hours planned for the project were discussed with other .NET developers in the Department and were realistic for each task outlined.

9 Will this purchase obligate the State to this vendor for future purchases? Check One. Yes: No:
 a. *If yes, please provide details regarding future obligations or needs.*
In the future, if there is a funding source available, there is a possibility that we could rehire Websoft to make enhancements to our application.

By signing below, I know and understand the contents of this Solicitation Waiver Request and Justification and attest that all statements are true and correct.

Brian McMenamy
Agency Representative Initiating Request

Brian McMenamy
Print Name of Agency Representative Initiating Request

11-12-15
Date

[Signature]
Signature of Agency Head Authorizing Request

JASON KING STATE ENGINEER
Print Name of Agency Head Authorizing Request

11/12/15
Date

PLEASE NOTE: In an effort to avoid possible conflict with any equipment, system or process already installed or in place by the State of Nevada or to assist in our due diligence, State Purchasing may solicit a review of your request from another agency or entity. The signature below indicates another agency or entity has reviewed the information you provided. **This signature does not exempt your agency from any other processes that may be required.**

Name of agency or entity who provided information or review:

Representative Providing Review

Print Name of Representative Providing Review

Date

Please consider this memo as my approval of your request. This exemption is granted pursuant to NAC 333.150(2)(a)(b)(c), NRS 333.400. This exemption may be rescinded in the event reliable information becomes available upon which the Purchasing Administrator determines that the service or good sought may in fact be contracted for in a more effective manner. Pursuant to NRS 284.173(6), contracts for services do not become effective without the prior approval of the State Board of Examiners (BOE).

If you have any questions or concerns please contact the Purchasing Division at 775-684-0170.

Signed:

[Signature]
Administrator, Purchasing Division or Designee

12-3-2015
Date