

State of Nevada
 Department of Administration
 Purchasing Division
 515 E. Musser Street, Suite 300
 Carson City, NV 89701



Brian Sandoval
 Governor
 James R. Wells, CPA
 Director
 Jeffrey Haag
 Administrator

Purchasing Use Only:	
Approval#:	160102

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:			
State Agency:		<i>Department of Public Safety, Directors Office</i>	
1a	<i>Contact Name and Title</i>	<i>Phone Number</i>	<i>Email Address</i>
	<i>Sylvia Terrazas, Program Officer II</i>	<i>775-684-4554</i>	<i>sterrazas@dps.state.nv.us</i>

Vendor Information:	
1b	Identify Vendor: <i>FileOnQ Inc.</i>
	Contact Name: <i>Shannon Turner</i>
	Address: <i>832 Industry Drive Seattle, WA 98188</i>
	Telephone Number: <i>1-800-603-6802</i>
	Email Address: <i>shannont@fileonq.com</i>

1c		Type of Waiver Requested – Check the appropriate type:
	Sole or Single Source:	
	Professional Service Exemption:	<i>Professional Service Exemption</i>

Contract Information:			
1d	Is this a new Contract?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	Amendment:	#	
	CETS:	#	

1e				Term:
	One (1) Time Purchase:			
	Contract:	Start Date: <i>1/2016</i>	End Date: <i>6/30/2016</i>	

1f		Funding:
	State Appropriated:	
	Federal Funds:	
	Grant Funds:	
	Other (Explain):	<i>X-Forfeitures 4703</i>

1g	Total Estimated Value of this Service Contract, Amendment or Purchase:
	<i>\$86,235.00</i>

2 Provide a description of work/services to be performed or commodity/good to be purchased:
To upgrade the existing software to the most current build and add additional modules as well as update existing hardware. This process would take approximately 1 day to complete. Upgrade to the most current build, 2-3 hours, Install the Webview feature, Install the eDocs device, Install MobileOnQ. Enable the Active Directory portal for single sign-on capability, Install the Notification feature and configure the triggers. While the hardware is not proprietary the vendor will be on site to configure the hardware and conduct training. This will be done in conjunction with the upgraded version.

3 What are the unique features/qualifications required for this service or good that are not available from any other vendor:
This is a proprietary solution that is only offered to FileOnQ. While there are other evidence based software applications on the market, our department currently utilizes an older version of EvidenceOnQ and has a standing relationship with FileOnQ. Allowing the purchase of the upgraded software to the same vendor would ensure continuity of service, maintenance and support thus allowing for no interruptions for any sites statewide where entering evidence into the system is time sensitive and critical to ensure the integrity of the evidence submitted and chain of custody.

4 Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:
To bring in a separate company would require reverse engineering to the current data. The time, cost and resources spent would possibly double or triple the cost of bringing in a sole source while there is an existing working relationship with FileOnQ. The external necessary resources and time to replicate the standing relationship with FileOnQ would not be cost effective. The original purchase of this software was in 2008 with an upgraded version purchased in 2012. Due to the relationship, technical support and maintenance with FileOnQ replication or a change in vendor would be costly. The Department of Public Safety Evidence Section has had a long standing relationship with EvidenceOnQ a well-known and respected vendor and would only solidify the relationship between EvidenceOnQ and the Department of Public Safety.

Were alternative services or commodities evaluated? Check One.		Yes:	<input type="checkbox"/>	No:	<input checked="" type="checkbox"/>
5	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>The existing software utilized by the department as well as the working relationship and technical support offered by FileOnQ has been outstanding. At this time to consider a new vendor would not be cost effective. The external resources necessary to seek a new vendor would put a strain on all resources and would be costly. In addition the enhancements of additional modules that will be added to the current software would keep the department current with evidence management and industry standards.</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 <u>ALL</u> previous waivers must accompany this request.	Yes:	<input checked="" type="checkbox"/>	No:	<input 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:				
Term Start and End Dates		Value	Short Description	Type of Procurement (RFP, RFQ, Waiver)
07/08/2008	06/30/2009	\$15,022	Initial Training & software customization	Waiver-See attached 080609
2/8/2012	5/17/2012	\$6,897	Upgrade software	RXQ
		\$		
		\$		
		\$		

7 What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?
The funds to upgrade FileOnQ were approved for SFY 16 only. LCB had audit findings that required the department to upgrade the current software in order to comply with those findings. To bring in another vendor at this time would be costly. The new vendor would have to gain knowledge of the uniqueness of the current software and invest time and money to build the reports necessary that are currently supplied by the current vendor EvidenceOnQ. To bid another software company the vendor would have to pass security clearances which would require the time and resources of another department as well as cost whereas the current vendor has already passed the security clearance.

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?
A discussion with FileOnQ representative Shannon Turner with regards to the proprietary nature of their software. The Department has been invested time and resources in both training and technical support with this company since 2008 and has previously gone through 1 upgrade since the inception of this product with no issues. To competitively bid another evidence management system would be costly and require resources from other departments to ensure they would be in compliance with the security and needs of the Department further delaying the requirement set forth in the agreement of the LCB audit.

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.*
As long as we continue to utilize this vendor for the Evidence Management system it will ensure that we are adhering to industry standards and would be a cost savings to the department.

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.

Suzanne C. Long

Agency Representative Initiating Request

Sylvia A. Terrazas, POII Dept. of Public Safety - Director's Office 1/5/2016

Print Name of Agency Representative Initiating Request

Date

Sheri Bruggeman

Signature of Agency Head Authorizing Request

SHERI BRUGGEMAN

Print Name of Agency Head Authorizing Request

1-5-16

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.**

X

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

1-5-2016

Date

* NOTE: No future solicitation waivers will be approved to this vendor, for this purpose until the agency completes the RFI, RFG or RFP process. *

Revised: May 2015