



Purchasing Use Only:	
Approval#:	11605009

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:		748 Real Estate Division	
1a	Michael Jory, Deputy Administrator	775.684.1901	mjory@red.nv.gov
	Joseph (JD) Decker, Administrator	702.486.4034	jdecker@red.nv.gov
	Grace Hilgar-Devito	702.486.5134	ghilgar@business.nv.gov

Vendor Information:		
1b	Identify Vendor:	Micropact (formerly Iron Data)
	Contact Name:	Karen M. Edelen, Contracts Manager Contracts: 1215 Fern Ridge Pkwy. Ste. 208, St. Louis, MO 63141
	Address:	Corporate: 3400 Players Club Pkwy, Ste. 100, Memphis, TN 38125
	Telephone Number:	314.744.7317
	Email Address:	Karen.Edelen@micropact.com

1c Type of Waiver Requested - Check the appropriate type:	
Sole or Single Source:	Sole Source
Professional Service Exemption:	

Contract Information:				
1d	Is this a new Contract?	Yes	X	No
	Amendment:	#		
	CETS:	#		

1e Term:			
One (1) Time Purchase:			
Contract:	Start Date:	May 1, 2016	End Date: April 30, 2020

1f Funding:	
State Appropriated:	Yes (included in base budget)
Federal Funds:	
Grant Funds:	
Other (Explain):	

1g Total Estimated Value of this Service Contract, Amendment or Purchase:	
\$80,232	

2	Provide a description of work/services to be performed or commodity/good to be purchased:
	This contract is to provide hosting services for the Real Estate Division's "System of Record". Services of this contract include; maintenance of physical hardware, secure hosting environment for system software, backup system, monitoring and management of system updates, database & application server management and incident resolution.

3	What are the unique features/qualifications required for this service or good that are not available from any other vendor:
	Proprietary software hosted by vendor. A previous contract was in place and this is a subsequent renewal with no revisions to services.

4	Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:
	MicroPact utilizes state-of-the-art monitoring and analysis tools to proactively monitor resources, identify problems before they occur, and resolve them whether their root cause is within the hosted infrastructure, or with the hosted eLicense products. Since the eLicense products, along with their Maintenance and Support, are MicroPact proprietary products that are only available from MicroPact, MicroPact is the only hosting service that can provide a seamless connection between the supported environment and the supported software, enabling fast, knowledgeable, and expert turnaround of issue identification and resolution through to the deployment of solutions.

5	Were alternative services or commodities evaluated? Check One. Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/>
	a. <i>If yes, what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility.</i>
	b. <i>If not, why were alternatives not evaluated?</i>
	Sole Source provider with specialized hosting environment requirements and services related to Division's System of Record. This is a renewal contract.

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: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>	
	a. <i>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:</i>					
	<i>Term</i>		<i>Value</i>	<i>Short Description</i>	<i>Type of Procurement (RFP, RFQ, Waiver #)</i>	
	<i>Start and End Dates</i>					
	5/9/12	4/10/16	\$71,328	Hosting Services	Waiver# 120303	
		\$				
		\$				

			\$		
			\$		
			\$		

7	What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?
	We would have to source another vendor with ability to configure system of record software to hosting environment and provide like services. MicroPact is software provider, support and maintenance for software in addition to providing hosting service. System of Record software wouldn't be supported in the same manner (integrated) with another vendor.

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?
	This is proprietary software requiring a specialized environment accessible to vendor support team. Costs are fair and reasonable, based on costs of a replacement vendor configuring a new hosting environment to accommodate our software. EITS Virtual Server cost and support would require EITS to allocate labor hours to support the Division's servers. This additional labor requirement is not supported by existing staff and would require EITS to add a new position. This would not be cost effective.

9	Will this purchase obligate the State to this vendor for future purchases? Check One.	Yes:		No:	X
	a. <i>If yes, please provide details regarding future obligations or needs.</i>				
	We are not obligated beyond the contract term. If we decided to make a change in the future, we would begin the RFP process well in advance of the contract's expiration.				

* Note: See memo from EITS + note from Admin, pg 4 *

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.

Michael Jory
Agency Representative Initiating Request

Michael Jory
Print Name of Agency Representative Initiating Request

3/30/16
Date

[Signature]
Signature of Agency Head Authorizing Request

JD DECKER
Print Name of Agency Head Authorizing Request

03/30/16
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.

Name of agency or entity who provided information or review:
ENTERPRISE I.T. SERVICES DIVISION

Representative Providing Review

Alan Regan
Print Name of Representative Providing Review

5/5/16
Date

Please consider this memo as my approval of your request. This exemption is granted pursuant to NAC 333.150(2)(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

5-9-2016
Date

* Note: Agency must include copy of EITS memo with paperwork submitted to Budget.*

Brian Sandoval
Governor



Patrick Cates
Director

Shannon Rahming
Chief Information Officer

STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Enterprise I.T. Services Division
100 N. Stewart Street, Suite 100 | Carson City, NV 89701
Phone: (775) 684-5800

May 3, 2016

Cindy Stoeffler, Program Officer
Purchasing Division
515 E Musser Drive
Carson City, Nevada 89701

RE: Solicitation Waiver for Real Estate Division

Dear Ms. Stoeffler;

The solicitation waiver requested by the Real Estate Division is for renewal of an existing agreement for a SAAS solution for their "System of Record" services from MicroPact. In their request for a waiver they have indicated this is proprietary software and only available through this vendor. They are subscribing to server and storage through MicroPact. Although we have no concern for the solution they have requested, and this is a request for renewal of an existing service, the statement in #8 is not totally accurate. Within our server services we could support this application if the vendor provides an in house solution. The facility is evaluating the rates per server and it is anticipated that the server costs would be comparable to the vendor. We would not have a concern regarding the labor to support the application and would not require additional staff. The staffing is included in the price per server and would not be a concern for the Real Estate Division.

From a technical point of view we have no concerns with this waiver based on the claim that it is proprietary and is a continuation of the current solution. In the future, if the agency wishes to compare the costs for hosting the application, Enterprise IT would be available to assist with the analysis.

Respectfully,

A handwritten signature in cursive script that reads "Alan Rogers".

Alan Rogers, Deputy Administrator

cc: Sean Montierth