



Purchasing Use Only:	
Approval#:	1160508

SOLICITATION WAIVER JUSTIFICATION AND REQUEST FORM

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

1a	Agency Contact Information - Note: Approved copy will be sent to only the contact(s) listed below:		
	State Agency:	EITS	
	Contact Name and Title	Phone Number	Email Address
	Brian Wilcox, CISO	(775) 684-7322	Brian.wilcox@admin.nv.gov

Vendor Information:	
Identify Vendor:	Cylance Professional Services
Contact Name:	Sue Teague
Address:	18201 Von Karman Ave., Suite 700, Irvine, CA 92612
Telephone Number:	(303) 520-7650
Email Address:	steague@cylance.com

Type of Waiver Requested – Check the appropriate type:	
1c	Sole or Single Source: <input type="checkbox"/>
	Professional Service Exemption: <input checked="" type="checkbox"/>

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

Term:	
1e	One (1) Time Purchase: <i>One time free assessment</i>
	Contract: Start Date: End Date:

Funding: No cost to this contract		
1f	State Appropriated:	n/a
	Federal Funds:	n/a
	Grant Funds:	n/a
	Other (Explain):	

1g	Total Estimated Value of this Service Contract, Amendment or Purchase:
	\$35,000 (100% discount; no cost to the State of Nevada)

Provide a description of work/services to be performed or commodity/good to be purchased:

2 *Current EITS Cyber Security Intelligence Infrastructure are positioned to detect and defend against prior generations of security threats. This creates an enterprise risk and as such our intelligence infrastructure is being evaluated for a strategic security program changes to modernize EITS enterprise security capabilities. As part of the change control process, EITS OIS is in process of determining next generation tools that provide solutions to the new generation of threat actors. The objective of this professional services engagement is to evaluate this vendor (Cylance) by using their Presponse capabilities to perform a pre-emptive, comprehensive assessment to determine if any previously unidentified security breaches and environment anomalies on up to 1000 hosts has occurred by current generation threat actors.*

Presponse is preventative pre-detection response that will not only detect a compromise inside an organization, but also determine its attack vector and source, and predict the most likely path of attack for the future.

What are the unique features/qualifications required for this service or good that are not available from any other vendor:

3 *Presponse is an innovative new approach that replaces traditional signature database approaches found in traditional antivirus products. Cylance uses a machine-learning algorithm to inspect millions of file attributes to determine the probability that a particular file is malicious. The algorithmic approach significantly reduces the endpoint and network resource requirement. Because of its signatureless approach, it is capable of detecting both new threats and new variants of known threats that typically are missed by signature-based techniques.*

Cylance's approach is unique because the company does not require legions of signature authors to analyze new threats and codify them in signature updates. At this juncture, we have yet to discover any vendors who provide this service using this methodology.

Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:

4 *Cylance is offering their evaluation and analysis of our security systems at no charge. Given the uniqueness of their machine-learning algorithm, its validated accuracy at detecting new variants and repacked versions of existing malware provides justification for not having to execute the competitive bid process.*

As their solution matches various OIS requirements for next generation defensive tools also lends weight to the narrative for a one time sole source request.

Were alternative services or commodities evaluated? Check One.		Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
5	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>				
	<i>Several vendors are in the process of being evaluated with respect to the Next Generation EITS Cyber Security Intelligence Infrastructure. One vendor is not capable of providing all the elements required to defend against the current generation of cyber threat actors. The net net of the current evaluation clearly demonstrates more than one vendor will be required to meet new threats. It is not a question of other vendors being "unacceptable," but a question of a total solution bringing the most value to the total solution at the most economical price.</i>				
	<i>Cylance does provide some very appealing and compelling capability to the next generation solution.</i>				
b. <i>If not, why were alternatives not evaluated?</i>					

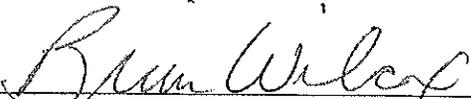
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6	Has the agency purchased this service or commodity in the past? Check One. Note: If your previous purchase(s) was made via solicitation waiver(s), a copy or copies of ALL previous waivers must accompany this request.			Yes:		No:	<input checked="" type="checkbox"/>	
	a. <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</i>
	<i>Start and End Dates</i>							<i>(RFP, RFQ, Waiver)</i>
			\$					
		\$						
		\$						
		\$						
7	What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?							
	<i>The state loses an opportunity to receive professional short-term advanced protection threat analysis services that will help to ensure the safety of the State of Nevada's network. The results of this analysis is key to determining the all up next generation solution.</i>							

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?							
	<i>The industry standard magic quadrant for endpoint protection platforms was reviewed and EITS found that the algorithm solution provides a method no other vendor is using to date else in the industry.</i>							

9	Will this purchase obligate the State to this vendor for future purchases? Check One.			Yes:		No:	<input checked="" type="checkbox"/>
	a. <i>If yes, please provide details regarding future obligations or needs.</i>						

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.


Agency Representative Initiating Request

Brian Wilcox **4-29-16**
Print Name of Agency Representative Initiating Request Date


Signature of Agency Head Authorizing Request

Shannon Rahming **4-29-16**
Print Name of Agency Head Authorizing Request 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.**

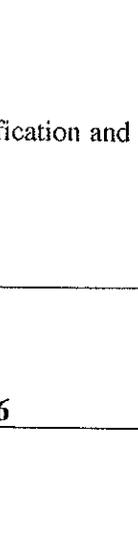
Name of agency or entity who provided information or review:

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: 

Administrator, Purchasing Division or Designee

5-20-2016
Date