

State of Nevada  
Department of Administration

Purchasing Division

515 E. Musser Street, Suite 300  
Carson City, NV 89701



Brian Sandoval  
Governor

Patrick Cates  
Director

Jeffrey Haag  
Administrator

<b>Purchasing Use Only:</b>	
Approval#:	160801

### SOLICITATION WAIVER JUSTIFICATION AND REQUEST FORM

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

1a	<b>Agency Contact Information - Note: Approved copy will be sent to only the contact(s) listed below:</b>		
	State Agency:	DPS Office of Traffic Safety	
	Contact Name and Title	Phone Number	Email Address
	Tami Simpson	775-684-4698	tsimpson@dps.state.nv.us

<b>Vendor Information:</b>	
Identify Vendor:	Governor's Highway Safety Association
Contact Name:	Jonathan Adkins
Address:	444 N. Capitol Street, Suite 722 Washington DC 20001
Telephone Number:	209-789-0942
Email Address:	headquarters@ghsa.org

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

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

<b>Term:</b>				
1e	One (1) Time Purchase:	Yes		
	Contract:	Start Date:	October 1, 2016	End Date: September 30, 2017

<b>Funding:</b>		
1f	State Appropriated:	
	Federal Funds:	
	Grant Funds:	100%
	Other (Explain):	

1g	<b>Total Estimated Value of this Service Contract, Amendment or Purchase:</b>
	\$40,000.00

2	<b>Provide a description of work/services to be performed or commodity/good to be purchased:</b>
	The Nevada Office of Traffic Safety (OTS) is the designated State Highway Safety Office (SHSO) to receive funding from the National Highway Traffic Safety Administration (NHTSA). In order to receive NHTSA funding the OTS is responsible to develop a statewide Highway Safety Plan annually to address fatal and serious injury crashes on Nevada roads and to manage and implement programs designed to reduce crashes. Nevada receives approximately \$5 million dollars annually through a number of grants, each with its own eligibility criteria, programmatic requirements, and expected outcomes. The national association serving SHSOs in all 50 states is the Governor's Highway Safety Association (GHSA) which maintains a consulting service to provide specialized services according to NHTSA guidelines and traffic safety best practices. To best maximize use of its federal grant funding and effectiveness of Nevada's traffic safety programs Nevada OTS seeks to retain these specialized consulting services to develop comprehensive traffic safety program plans and a planning process and template for continued use that will both align our funding and efforts with NHTSA requirements and impact traffic crash fatalities in Nevada.

3	<b>What are the unique features/qualifications required for this service or good that are not available from any other vendor:</b>
	GHSA is the only organization in the nation that represents the State Highway Safety Offices and has developed tools and resources specific to this work. The GHSA consulting services are a member benefit available only to SHSOs. GHSA consulting services are approved by NHTSA for funding using federal grant funds provided to Nevada OTS. GHSA is currently providing consulting services for several other State Highway Safety Offices. GHSA consulting services is staffed by former directors and managers from SHSOs who thoroughly understand the funding and operational requirements necessary to be successful and compliant with funding stipulations.

4	<b>Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:</b>
	GHSA is the 501(c)(3) nonprofit representing the state and territorial highway safety offices that implement programs to address behavioral highway safety issues. Nevada is a member state and GHSA consulting services are a member benefit available only to SHSOs. As a nonprofit organization specific to representing its SHSO membership GHSA is a sole source provider of strategic planning consulting services to State Highway Safety Offices.

5	<b>Were alternative services or commodities evaluated? Check One.</b>	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>				
	Nevada OTS is aware that GHSA is singularly expert in providing services to State Highway Safety Offices. Nevada OTS is not aware of any other vendor that staffs former SHSO Directors.				

6	<b>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.</b>	Yes:	<input type="checkbox"/>	No:	<input checked="" type="checkbox"/>
	a. <i>If yes, starting with the most recent contract and working backward, for the entire relationship</i>				

<i>with this vendor, or any other vendor for this service or commodity, please provide the following information:</i>				
<i>Term Start and End Dates</i>		<i>Value</i>	<i>Short Description</i>	<i>Type of Procurement (RFP, RFQ, Waiver #)</i>
		\$		
		\$		
		\$		
		\$		
		\$		

7	<b>What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?</b>
	As the sole membership organization for State Highway Safety Offices and a partner of NHTSA, GHSA maintains constant and thorough knowledge of Federal law, Federal regulations and requirements and works closely with NHTSA on changes to policy and interpretation. Federal Fiscal Year 2017 will mark the beginning of a new Federal Highway Bill, the FAST Act, approved by Congress in December 2015. Nevada is striving to qualify for additional funding under the FAST Act and must address new programs, policies and State law in order to improve its performance and eligibility. Due to its unique relationship with NHTSA GHSA possesses up to the minute information that will help Nevada improve its programs and its potential funding. While there are other vendors that provide strategic planning services to the traffic safety community, many focus primarily on traffic safety engineering planning and no other private firm has ready access to the body of knowledge found in GHSA. A possible consequence of using one of these firms would be the missed opportunity to secure additional grant funds for Nevada's programs and lost time and productivity spent with training the vendor on current and previous NHTSA requirements.

8	<b>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?</b>
	GHSA consulting services are staffed by former Directors of State Highway Safety Offices who possess the specialized skill set and personal experiences necessary to produce the best strategic plan development. GHSA is a members-only, non-profit organization that provides these services only to State members. Nevada OTS is not aware of any other similarly staffed/structured consulting service.

9	<b>Will this purchase obligate the State to this vendor for future purchases? Check One.</b>	Yes:	<input checked="" type="checkbox"/>	No:	<input checked="" type="checkbox"/>
	a. <i>If yes, please provide details regarding future obligations or needs.</i>	While the State will not be obligated by contract or use of proprietary products, it may be necessary to use this vendor to avoid lost time and productivity involved with staff retraining or development of subsequent tools necessary to continue to fully utilize the planning templates that will be provided.			

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

Print Name of Agency Representative Initiating Request

Date

*Amy Davey, Administrator*  
Signature of Agency Head Authorizing Request

*Amy Davey, Administrator*  
Print Name of Agency Head Authorizing Request

*8-5-16*  
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.**

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

*8-5-2016*  
Date