



Purchasing Use Only:	
Approval#:	160903

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>Division of Child and Family Services</i>	
1a	<i>Contact Name and Title</i>	<i>Phone Number</i>	<i>Email Address</i>
	<i>Priscilla Colegrove, ASOIII</i>	<i>775-684-7953</i>	<i>pcolegrove@dcfs.nv.gov</i>

Vendor Information:		
1b	Identify Vendor:	<i>IVA Inc</i>
	Contact Name:	<i>John Young</i>
	Address:	<i>5815 Burgundy Rd, Dallas, TX 75230-3413</i>
	Telephone Number:	<i>(214) 361-2686</i>
	Email Address:	<i>john@ivacsp.com</i>

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

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

Term:				
1e	One (1) Time Purchase:			
	Contract:	Start Date:	<i>December 1, 2016</i>	End Date: <i>November 30, 2019 with optional 1 year renewal</i>

Funding:		
1f	State Appropriated:	
	Federal Funds:	
	Grant Funds:	
	Other (Explain):	<i>Contingent upon increased federal funds through contract</i>

1g	Total Estimated Value of this Service Contract, Amendment or Purchase:
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	\$2,500,000 (not to exceed)
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2	<p>Provide a description of work/services to be performed or commodity/good to be purchased:</p> <p><i>I/A will provide expert assistance to enable the Nevada Department of Health and Human Services (DCFS) to secure additional federal and other non-state revenues. To accomplish this changes need to be made to the current proprietary Random Moment Time Study system that enables staff to report what activity they are doing at a moment in time that is then applied to the cost allocation system. The cost allocation system determines the benefiting program for the activities of the staff member. Through this determination federal funds can be claimed to reimburse General Fund for the activity.</i></p>
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3	<p>What are the unique features/qualifications required for this service or good that are not available from any other vendor:</p> <p><i>The current proprietary Random Moment Time Study system has been in place for 8 years and has not had any changes or improvements since implementation. Prior to the automated system samples had to be determined and answered through a manual system. This current system allows samples to be responded to through the email system which eliminates the manual processes that were previously being done. The vendor has proposed to make improvements to the system that will allow a higher rate of reimbursement for activities that the federal government will pay for. The system will still be through the email system but an improved response path will be developed. This system is used in conjunction with a federally approved cost allocation plan that determines the federal program activity through random moment sampling rather than a 100% timestudy of staff activity. The vendor will earn reimbursement for upgrades to the current system through this contingency contract and IF the additional revenue doesn't materialize the state is NOT obligated to payment.</i></p>
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4	<p>Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:</p> <p><i>Improvements to proprietary software. The alternatives would be to pay this vendor for the improvements to the system up front or to replace the entire system with a system that is more up to date with these improved features. Neither of these alternatives would be acceptable due to the investment in the current system. A new system may not be reimbursable at the federal level and could be a 100% general fund investment. If the vendor is not successful in improving the federal reimbursement they would not be paid. The contingency contract also allows payment as the federal revenue increases with no risk to the state if it doesn't.</i></p>
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5	<p>Were alternative services or commodities evaluated? Check One. Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/></p> <p>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></p> <p>b. <i>If not, why were alternatives not evaluated?</i></p> <p><i>This proposal makes improvements to our current proprietary software system that this vendor owns and payments will be contingent upon the increase in federal revenue only. The vendor will earn reimbursement for upgrades to the current system through this contingency contract and IF the additional revenue doesn't materialize the state is NOT obligated to payment.</i></p>
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6	<p>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</p> <p style="text-align: right;">Yes: <input type="checkbox"/> No: <input checked="" type="checkbox"/></p>
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<i>this request.</i>							
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 Start and End Dates</i>		<i>Value</i>	<i>Short Description</i>	<i>Type of Procurement (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>Federal reimbursement would also not increase due to the antiquated system currently in use. Improvements will not be able to be made to the current system without paying for them up front. If the vendor is not successful in improving the federal reimbursement they would not be paid. The contingency contract also allows payment as the federal revenue increases with no risk to the state if it doesn't.</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>Due to proprietary software, the state has a significant investment in the current system.</i>

9	Will this purchase obligate the State to this vendor for future purchases? <u>Before selecting your answer, please review information included on Page 2, Section 9 of the instructions.</u>	Yes:	<input checked="" type="checkbox"/>	No:	<input type="checkbox"/>
	a. <i>If yes, please provide details regarding future obligations or needs. Support and maintenance costs.</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.

Priscilla Colegrove

Agency Representative Initiating Request

Priscilla Colegrove

Print Name of Agency Representative Initiating Request

Date

9/6/16

[Signature]

Signature of Agency Head Authorizing Request

[Signature]
Kelly Wooldridge

Print Name of Agency Head Authorizing Request

Date

9/6/16

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

Date

9-21-2016