

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

Purchasing Use Only:	
Approval#:	180601

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:	Secretary of State	
	<i>Contact Name and Title</i>	<i>Phone Number</i>	<i>Email Address</i>
	William Allen • IT Manager III	(775) 684-7103	wallen@sos.nv.gov

Vendor Information:	
1b	Identify Vendor: Distil Networks
	Contact Name: Taylor Lemmon
	Address: 115 Sansome Street • Suite 600 • San Francisco CA 94104
	Telephone Number: (415) 423-0831
	Email Address: taylor.lemmon@distilnetworks.com

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

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

1e				Term:	
	One (1) Time Purchase:	<input type="checkbox"/>			
	Contract:	Start Date:	6/13/2018	End Date:	6/30/2022

1f		Funding:	
	State Appropriated:	<input checked="" type="checkbox"/>	
	Federal Funds:	<input type="checkbox"/>	
	Grant Funds:	<input type="checkbox"/>	
	Other (Explain):		

1g	Total Estimated Value of <u>this</u> Service Contract, Amendment or Purchase:
	\$120,000
2	Provide a description of work/services to be performed or commodity/good to be purchased:
	Service for automated bot mitigation.

3	What are the unique features/qualifications required for this service or good that are not available from any other vendor:
	Distil Networks - Prevents Account Takeover, Web Scraping, Denial of Service, and Fraud. Distil Networks are the Global Industry leaders and pioneered bot detection. Distil Networks gives us complete visibility and control over human, good bot, and bad bot website traffic, enabling us to block 99.9% of malicious bots without impacting legitimate users. Distil Networks automatically filters out bot traffic in front of cloud applications without requiring software modifications to web sites or cloud interfaces. Distil Networks uses machine learning to predict when a connection is going to be malicious, and intercepts that traffic. Distil's unique more holistic approach provides a vigilant service, superior technology, and the industry expertise needed for full visibility and control over human, good bot, and bad bot traffic. Reports showing CAPTCHAs served, attempted, and failed. Easy to manage ACLs.

4	Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:
	Distil Networks is the only vendor that specializes in Bot protection for a Content Delivery Network. They have very granular controls, of which the Nevada Secretary of State requires for white-listing automate process by our Private Sector Business Partners.

5	Were alternative services or commodities evaluated? Check One.	Yes:	<input checked="" type="checkbox"/>	No:	<input 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>	Akamai Technologies, Amazon CloudFront, and Azure CDN services were researched and none of these Content Delivery Networks specialize in bot protection, nor have the amount of control that Distil provides.			
	b. <i>If not, why were alternatives not evaluated?</i>				

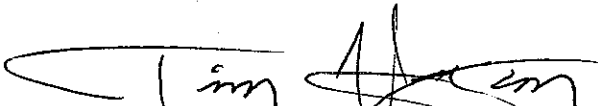
Has the agency purchased this service or commodity in the past? Check One. Note: If your previous purchase(s) was made via solicitation waiver(s), a copy or copies of <u>ALL</u> previous waivers <u>MUST</u> accompany this request.		Yes:		No:	<input checked="" type="checkbox"/>
a. <i>If yes, starting 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>					
6	<i>Term</i>	<i>Value</i>	<i>Short Description</i>	<i>Type of Procurement (RFP#, RFQ#, Waiver #)</i>	
	<i>Start and End Dates</i>				
		\$			
		\$			
		\$			
		\$			

What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?	
7	Automated web scraping and other attacks on the SOS websites have been prevalent for some time. We have suffered service outages in the past due to systems being overloaded with automated traffic. This may happen during a critical time, such as an election, when our site activity is extra high. Bot protection will stop automated site hits, and allow humans to get through. This will greatly reduce our resource load. From our tests of this product, we saw a 2/3ds drop in traffic, and our servers much more responsive. Without bot protection we may incur more service outages for the public.

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?	
8	Research on features provided by other content delivery networks, implementation difficulties, price, and specific bot protection. While all Content delivery networks offer some small level of bot protection, they do not specialize in that service. Content delivery Networks are intended to speed up access to sites, so the specialty service from Distil is more in line with what this agency was looking for.

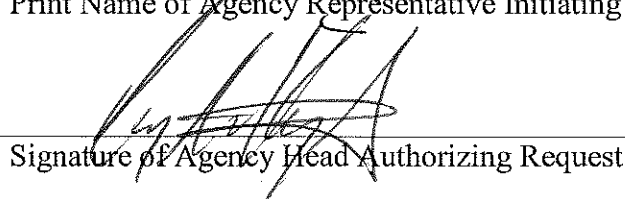
Will this purchase obligate the State to this vendor for future purchases? <u>Before selecting your answer, please review information included on Page 2, Section 9 of the instructions.</u>		Yes:	<input checked="" type="checkbox"/>	No:	
9	a. <i>If yes, please provide details regarding future obligations or needs.</i>				
	This is a subscription based service. Also, due to the unknowns of the future, or changes due to legislative session, it could be possible we would need to use this vendor in the future.				

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

Tim Horgan
Print Name of Agency Representative Initiating Request

5-17-18
Date


Signature of Agency Head Authorizing Request

Craig S. Kozewiesky
Print Name of Agency Head Authorizing Request

5/17/18
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

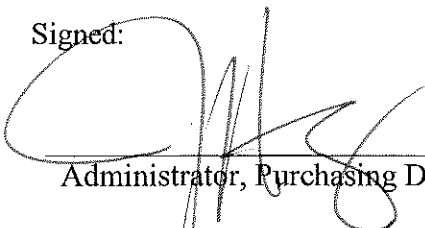
Print Name of Representative Providing Review

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

6-1-2018
Date