



Purchasing Use Only:	
Approval#:	180602

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:	Nevada Department of Corrections (NDOC)	
	Contact Name and Title	Phone Number	Email Address
	Michele Killian, Contracts Manager	(775) 887-3333	mlkillian@doc.nv.gov
	Steve Swabacker, IT Chief	(775) 887-3308	sswabacker@doc.ng.vo

Vendor Information:		
1b	Identify Vendor:	Syscon Justice Systems Canada, Ltd
	Contact Name:	Kerry Lynn, Executive Vice President
	Address:	3600 Lysander Lane Ste. 300, Richmond, BC V7B 1C3
	Telephone Number:	(888) 797-2662
	Email Address:	Kerry.lynn@syscon.net

Type of Waiver Requested – Check the appropriate type:		
1c	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	<input type="checkbox"/>
	Amendment:	#			
	CETS:	#			

Term:				
1e	One (1) Time Purchase:	<input type="checkbox"/>		
	Contract: <input checked="" type="checkbox"/>	Start Date:	July 01, 2018	End Date:

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

1g	Total Estimated Value of this Service Contract, Amendment or Purchase:
	\$2,500,000.00

2	Provide a description of work/services to be performed or commodity/good to be purchased:
	<i>Modernization and enhancements to the existing Syscon Justice Systems Canada, Ltd, software for NDOC's Nevada Offender Tracking Information System to current support and security standards. This will be a multi-phase project that will include moving to an EMR (Electronic Medical Records) based system.</i>

3	What are the unique features/qualifications required for this service or good that are not available from any other vendor:
	<i>NOTIS is a Syscon Justice Systems Canada Ltd product that NDOC has software license to use. They are the only vendor supporting the current and upgraded version.</i>

4	Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:
	<i>Syscon's code is proprietary; they are the developer and only vendor supporting NOTIS software.</i>

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>
	<i>Using a different vendor would mean replacing the entire proprietary application at a cost greater than \$20,000,000.00 plus the cost of integrating an EMR (Electronic Medical Records) system.</i>
	b. <i>If not, why were alternatives not evaluated?</i>
	<i>NOTIS software is not supported by any other vendor because the software is proprietary.</i>

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 type="checkbox"/>	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 Start and End Dates</i>		<i>Value</i>	<i>Short Description</i>	<i>Type of Procurement (RFP#, RFQ#, Waiver #)</i>	
	<i>6/2017</i>	<i>8/30/2017</i>	<i>\$17,500.00</i>	<i>NOTIS project</i>	<i>N/A</i>	
	<i>11/2013</i>	<i>6/30/2015</i>	<i>\$1,750,000.00</i>	<i>NOTIS project</i>	<i>Waiver 130808</i>	
	<i>2/2014</i>	<i>6/30/2015</i>	<i>\$56,027.05</i>	<i>NOTIS project</i>	<i>Waiver 131202</i>	
	<i>2/19/2014</i>	<i>6/30/2015</i>	<i>\$2,700.00</i>	<i>NOTIS project</i>	<i>Waiver 130808A</i>	
<i>10/2005</i>	<i>6/30/2007</i>	<i>\$5,91,783.00</i>	<i>NOTIS project</i>	<i>RFP</i>		

7	<p>What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?</p> <p><i>It will delay the project and without the necessary upgrades and enhancements the system cannot be supported by both the vendor and the vendor of the database/forms (Oracle). NDOC would be unable to deploy the legislatively approved EMR (Electronic Medical Records) system. Additionally, this would severely impact not only DOC but the Parole Board, DPS and other Nevada State agencies and federal agencies. The NOTIS software and code are proprietary, subsequent-, Syscon is the only vendor that can upgrade the software and build enhancements.</i></p>
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8	<p>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?</p> <p><i>NOTIS is a proprietary product and they have not released or sold their license to any other entity.</i></p>
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9	<p>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></p> <p>a. <i>If yes, please provide details regarding future obligations or needs.</i></p> <p><i>Ongoing maintenance/support for the software enhancements and upgrades.</i></p>	Yes:	X	No:	
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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.

Michele Killian
Agency Representative Initiating Request

Michele Killian, Contracts Manager
Print Name of Agency Representative Initiating Request

5/17/18
Date

John Borrowman
Signature of Agency Head Authorizing Request

5/17/18

John Borrowman, Deputy Director of Support Services
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:

[Signature]
Administrator, Purchasing Division or Designee

6-4-2018
Date