



Purchasing Use Only:	
Approval#:	180904

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: <i>Dept. of Employment, Training and Rehabilitation – Directors Office</i>		
	Contact Name and Title	Phone Number	Email Address
	<i>Shontae Williams</i>	<i>(775) 684-3823</i>	<i>s-williams@detr.nv.gov</i>

Vendor Information:	
Identify Vendor:	<i>ePATHUSA</i>
Contact Name:	<i>Seth Reicks</i>
Address:	<i>6600 Westown Parkway, Suite 245, Des Moines, IA 50266</i>
Telephone Number:	<i>(516) 309-2073</i>
Email Address:	<i>sreicks@ePATHUSA.net</i>

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

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

1e	Term:			
	One (1) Time Purchase:			
	Contract:	Start Date:	<i>10/31/2018</i>	End Date:

1f	Funding:	
	State Appropriated:	<i>4%</i>
	Federal Funds:	<i>77%</i>
	Other (Explain):	<i>19% Career Enhancement Program, Blind Enterprise Program</i>

1g	Total Estimated Value of this Service Contract, Amendment or Purchase:
	<i>Not to exceed \$200,000 for four years</i>

2	Provide a description of work/services to be performed or commodity/good to be purchased:
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Software/Website Hosting & Maintenance Agreement. ePATHUSA agrees to host and maintain the website they built for DETR. Work and services include: hosting and maintaining website on ePATHUSA's web server(s) onsite within the USA, backup services on the data stored, site security, site monitoring, making site available to Internet users, reporting and technical support in coordination with the agency. DETR will maintain content management control for the entire site through a content management administrator through the agency PIO.

3 What are the unique features/qualifications required for this service or good that are not available from any other vendor:
The current website site no longer meets the Department/Division/and external customer needs and requires immediate attention and refactoring to comply with updates to statute and regulation required information that is required to be provided to Nevada constituents. As a result, ePATHUSA designed and created DETR's website from scratch, and has also maintained the website as it has not gone live. Furthermore, with their previous work with the agency, ePATHUSA is knowledgeable with DETR's network infrastructure, website configuration needs and requirements, and security standards to ensure successful hosting and maintenance with the appropriate level of security and client access.

4 Explain why this service or good cannot be competitively bid and why this purchase is economically only available from a single source:
The agency is requesting single source as the agency has invested its funds, data, staff time, and training, in not only the creation of the custom website but in coordination of data from specialized group of divisions needing to maintain customer service threshold requirements. Additionally, the current vendor created and managed the website from scratch and has the historical knowledge related to specialized services for specific areas of the agency currently in use. Turning over further development and management of this website to a new vendor would not be cost effective.

5	Were alternative services or commodities evaluated? Check One. Yes: <input checked="" type="checkbox"/> No: <input type="checkbox"/>
	a. <u>If yes</u> , what were they and why were they unacceptable? Please be specific with regard to features, characteristics, requirements, capabilities and compatibility. <i>The agency does not have the expertise on staff to work with the custom programming and it has already invested a great deal of funds, time, effort, staff, coordination and training with the current vendor in the creation and hosting of the website. Turning over further development and management of this website to a new vendor would not be cost effective. Further competitive bidding for hosting and maintenance of the website would result in the agency having to invest additional resources funds, time for training staff and for coordination with stakeholders and other related parties.</i>
	b. <u>If not</u> , why were alternatives not evaluated?

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 checked="" type="checkbox"/> No: <input 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>							
	<table border="1"> <thead> <tr> <th>Term Start and End Dates</th> <th>Value</th> <th>Short Description</th> <th>Type of Procurement (RFP#, RFQ#, Waiver #)</th> </tr> </thead> <tbody> <tr> <td>11/2016 10/2017</td> <td>\$24,965.00</td> <td>DETR Website</td> <td>Contract# 2094-18-DETR</td> </tr> </tbody> </table>	Term Start and End Dates	Value	Short Description	Type of Procurement (RFP#, RFQ#, Waiver #)	11/2016 10/2017	\$24,965.00	DETR Website
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11/2016 10/2017	\$24,965.00	DETR Website	Contract# 2094-18-DETR					

7 What are the potential consequences to the State if the waiver request is denied and the service or

	good is competitively bid?
	<i>Since the current vendor is the only one familiar with the programming/coding of the custom site, Additional time would be needed to bring the new vendor up to speed and coordinate with internal stakeholders regarding the project resulting in loss of time, productivity and greater costs to the agency as well as delay delivery of updates to the public and partners that DETR serves.</i>

	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	<i>The current vendor is the only one familiar with custom development of software created specifically for DETR's website so other vendors would be familiar with the custom software. Furthermore, all the expenditures/resources already invested by the agency would have to be re-incurred with a new vendor.</i>

	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:	√	No:	
9	<i>a. If yes, please provide details regarding future obligations or needs.</i>				
	<i>It is the agency's intent to contract for hosting and maintenance for the planned life cycle of the custom website structure for 4 years with the intent to renew for another 4 years, not exceed 8 years.</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.

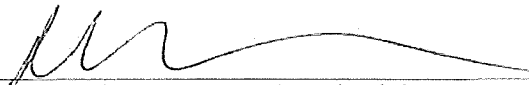


Agency Representative Initiating Request

Rosa Mendez, PIO

Print Name of Agency Representative Initiating Request

9/26/18
Date



Signature of Agency Head Authorizing Request

Dennis Perea, Deputy Director, DETR

Print Name of Agency Head Authorizing Request

9-26-18
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

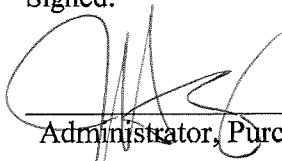
Print Name of Representative Providing Review

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

9-27-2018
Date