



STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Purchasing Division

515 East Musser Street, Suite 300 | Carson City, Nevada 89701
 Phone: 775-684-0170 | Fax: 775-684-0188

Purchasing Use Only:	
Approval#:	220104 @

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 <u>only</u> the contact(s) listed below:		
	ENTER STATE AGENCY NAME:	Nevada Secretary of State	
	<i>Contact Name and Title</i>	<i>Phone Number</i>	<i>Email Address</i>
	Kim Perondi, Deputy Secretary for Commercial Recordings	775.684.5714	Kperondi@sos.nv.gov
	Tim Horgan, Chief IT Manager	775.684.5702	Thorgan@sos.nv.gov

1b	Vendor Information:	
	Vendor Name:	PCC Technology Inc
	Contact Name:	Michael K. Wons, President
	Complete Address: City, State, and Zip Code	400 International Pkwy., Ste 440 Heathrow, FL 32746
	Telephone Number:	630-877-4841
Email Address:		

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

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

1e	Term:			
	One (1) Time Purchase? Check One:	Yes:	<input type="checkbox"/>	No:
Contract:		Start Date:	02/01/2022	End Date:
				6/30/2023

1f	Funding:	
	State Appropriated:	100%
	Federal Funds:	
Grant Funds:		

Other (Explain):	
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1g	Total Estimated Value of <u>this</u> Service Contract, Amendment or Purchase:
	\$250,000

2	<p>Provide a description of work/services to be performed or commodity/good to be purchased:</p> <p><i>The intent of this contract is to facilitate new enhancements to the Cenuity system that has replaced the legacy eSOS system. Since the go-live date July 2019, there has been Significant progress, but as with all new systems, the Conversion from one system to the other, there are still enhancements and improvements that need to be addressed to the Cenuity Commercial Recordings software product.</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>Proprietary Cenuity source code solely owned by PCC only. Since the go live date in July of 2019 there has been significant progress made in the conversion from one system to the other, but there are enhancements and improvements that need to be addressed</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>The source code for Cenuity is proprietary and solely owned by PCC. Because of this, PCC is the only company that has the ability to address and fix changes, enhancements and bugs.</i></p>
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5	Were alternative services or commodities evaluated?	Check One:	
		Yes	No
	a. <i>If yes, what were they and why were they unacceptable? Please be specific about features, characteristics, requirements, capabilities and compatibility.</i>		x
	b. <i>If not, why were alternatives not evaluated?</i>		
	<i>Because the source code for this product is owned exclusively by PCC, alternative providers of software support for this product do not exist and were therefore not considered.</i>		

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Has the agency purchased this service or commodity in the past? Check One:				Yes	No	
<i>NOTE: If your previous purchase(s) was made via solicitation waiver(s), a copy or copies of ALL PREVIOUS WAIVERS MUST ACCOMPANY THIS REQUEST.</i>				x		
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, the following information must be provided:</i>						
6	<i>Term</i>		<i>Value</i>	<i>Short Description</i>	<i>Type of Procurement</i>	
	<i>Start Date</i>	<i>End Date</i>			<i>ENTER RFP#, RFQ#, Waiver #</i>	
			\$			
	11/8/16	9/30/2020	\$9,460,752.30	Replace SOS Commercial Recordings system (eSOS)	CETS#18179/RFP#3247	
	9/30/2020	7/17/2021	\$	Contract Extension Justification SOS had previously obtained approval to extend the contract, but didn't execute the amendment before the contract expired, so now it is retroactive.	Approval#313	
			\$			

7		What are the potential consequences to the State if the waiver request is denied and the service or good is competitively bid?
		<i>The Secretary of State's office will be unable to effect enhancements or changes to the Cenuity system. This could result in a permanent decrease in the number of organizations that file business licenses with the NV SOS and a decrease in the overall income that the SOS provides to the State General Fund in the coming fiscal years.</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>Because the source code for this product is owned exclusively by PCC, alternative providers of software support for this product do not exist and were therefore not considered.</i>

9	Will this purchase obligate the State to this vendor for future purchases? Check One:	Yes	No
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<u>Before selecting your answer, please review information included on Page 2, Section 9 of the instructions.</u>	x	
a. <i>If yes, please provide details regarding future obligations or needs.</i>		
Maintenance and support/or this product (Cenuity) will continue to need to come from this vendor (PCC) for the foreseeable future.		

01/21/22

* Agency auth'd / requested Purchasing to please use original signature page

Purchasing Use Only:	
Approval #:	email auth attached*

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 _____

Signature of Agency Head Authorizing Request _____

Print Name of Agency Head Authorizing Request _____ Date _____

FOR PURCHASING USE ONLY – 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 or NRS 333.400. This exemption may be rescinded in the event reliable information becomes available upon which

<i>Purchasing Use Only:</i>	
Approval #:	2201040

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.

Debbie Bowman
Agency Representative Initiating Request

Debbie Bowman 12.15.2021
Print Name of Agency Representative Initiating Request Date

Scott W. Anderson 12/15/2021
Signature of Agency Head Authorizing Request

SCOTT W. ANDERSON 12/15/2021
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.*

** TIN Approval Memo + email must be entered into
Name of agency or entity who provided information or review:
CETS as attachments **

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 or 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.

Approved by:

* signature on page 5 - see agency auth email *
Administrator, Purchasing Division or Designee Date

#220104(C)

the Purchasing Administrator determines that the service or good sought may in fact be contracted for in a more effective manner. Pursuant to NRS 333.700(7), 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.

Approved by:

Kevin D. Doty

1/25/22

Administrator, Purchasing Division or Designee

Date

#220104@
attachment

Cindy L. Stoeffler

From: Sheri Hudder
Sent: Friday, January 21, 2022 1:15 PM
To: Cindy L. Stoeffler
Cc: Debbie Bowman; Tim Horgan
Subject: RE: RE: Follow up toFW: Solicitation waiver

Cindi,
Thank you,
Yes, please use the signature page previously submitted and dated 12.15.2021
Again thank you for all your help!

Have a great weekend

Sheri Hudder

ASO III

Office of Secretary of State Barbara K. Cegavske

101 North Carson Street, Suite 3

Carson City, Nevada 89701

775-684-5736

shudder@sos.nv.gov

From: Cindy L. Stoeffler <cstoeffler@admin.nv.gov>
Sent: Friday, January 21, 2022 1:11 PM
To: Sheri Hudder <shudder@sos.nv.gov>
Cc: Debbie Bowman <DebbieBowman@sos.nv.gov>; Tim Horgan <thorgan@sos.nv.gov>
Subject: RE: RE: Follow up toFW: Solicitation waiver

Hi Sheri:

Thank you so much. The TIN email from Dave Axtell is perfect, the revisions you've made to #6 and #8 are exactly what is needed but there are no signatures on your revised document. However, if you wish for me to use the previously submitted signature page, please respond advising me to use the signature page previously submitted and dated 12.15.2021, I will attach it to the revised submission and we're good to go.

Thank you,

Cindy Stoeffler
State of Nevada
Department of Administration
Tel (775) 684-0173
cstoeffler@admin.nv.gov

This message and accompanying documents are covered by the Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521, and contain information intended for the specified individual(s) only. This information is confidential. If you are not the intended recipient or an agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, copying or the taking of any action based on the contents of this information is strictly prohibited. If you have received this communication in error, please notify us immediately by E-mail and delete the original message.

220104
Attachment

Cindy L. Stoeffler

From: David Axtell
Sent: Friday, January 21, 2022 8:01 AM
To: Tim Horgan
Subject: RE: Follow up toFW: Solicitation waiver

Hi Tim,

Here's my draft to Cindy, which I'll send to her after your review.

Good Afternoon Cindy,

I have reviewed the SOS TIN - PCC Extension FY22-23 Contract Extension – T40200326084528 and have concluded that it does cover the requested investment.

The estimated value included in the August 25th, 2020 TIN Completion Memo reflected historical costs going back to 2017. The actual FY22/23 costs are \$1,612,488.

As a result, EITS doesn't require a TIN update for this investment.

Please feel free to reach out if you have any additional questions regarding this TIN.

-ax

David Axtell | State Chief Enterprise Architect
State of Nevada | Department of Administration | Office of the CIO
T: (775) 684-5824 | E: daxtell@admin.nv.gov

Steve Sisolak
Governor



#220104
attachment

Laura E. Freed
Director

Colleen Murphy
Deputy Director

David Haws
Administrator

STATE OF NEVADA
DEPARTMENT OF ADMINISTRATION
Enterprise IT Services Division

100 N. Stewart Street, Suite 100 | Carson City, Nevada 89701
Phone: (775) 684-5800 | www.it.nv.gov | Fax: (775) 687-9097

M E M O R A N D U M

TO: Scott Anderson, Chief Deputy Secretary of State, SOS
Kim Perondi, Deputy Secretary of State, Commercial Recordings, SOS
Tim Horgan, Chief IT Manager, SOS
Sheri Hudder, Administrative Services Officer III, SOS

CC: David Haws, Administrator, EITS, DOA
David Axtell, Chief Enterprise Architect, EITS, DOA

FROM: Timothy Galluzi, Technology Investment Administrator, EITS, DOA

SUBJECT: TIN Review Completed – *SOS – PCC Extension FY22-23 Contract Extension* – T40200326084528

DATE: August 25th, 2020

We have completed the review for Secretary of State's (SOS) – *PCC Extension FY22-23 Contract Extension* TIN.

The submitted TIN, for an estimated value of \$11,420,846, supports the renewal or update of a maintenance, licensing, or consulting agreement already in place at the agency.

The agency is endeavoring to continue with the PCC Technologies investment to support the Commercial Recordings Registration System.

In July 2019, the Secretary of State's office went live with the replacement for the Commercial Recordings Registration system product provided by PCC Technologies Inc (PCC). Following the initial product development and implementation project, the agency reports that they have transitioned into ongoing product maintenance and support. The agency intends to amend the contract between PCC and the Nevada SOS to extend Service and Maintenance support services for the upcoming biennium.

SOS is planning on implementing upgrades and enhancements through a "release-by-release" basis with the support of the vendor who will manage the code of the solution. EITS recommends strong IT Project Management, and potentially Independent Verification and Validation (IV&V), for the feature releases to

ensure that the vendor is accomplishing the agreed upon deliverables and to protect the mission critical systems.

The Office of Information Security (OIS) is available, at the agency's request, to conduct a security review of any solution. If there are any questions regarding support from OIS please reach out to the office directly. It is expected that this solution will follow state security policies and standards.

A copy of this memo has also been attached to the TIN.

If I can be of further assistance, please feel free to contact me.