



**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#:	220901@

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:		
	STATE AGENCY NAME REQUIRED:	<i>Department of Public Safety, Records, Communications and Compliance Division</i>	
	<i>Contact Name and Title</i>	<i>Phone Number</i>	<i>Email Address</i>
	<i>Jason Kolenut, Administrative Services Officer</i>	<i>775-684-6203</i>	<i>jkolenut@dps.state.nv.us</i>

1b	Vendor Information:	
	Vendor Name:	<i>Beyond 20/20</i>
	Contact Name:	<i>Del Khalife</i>
	Complete Address: City, State, and Zip Code	<i>42-635 Richmond Road, Ottawa, ON Canada K2A0G6</i>
	Telephone Number:	<i>888-TRY-2020</i>
	Email Address:	<i>del@beyond2020.com</i>

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 type="checkbox"/>	No:	<input checked="" type="checkbox"/>
	If 'No' Enter Amendment Number:	<i>#1</i>			
	Enter CETS Number:	<i>#24426</i>			

1e	Term:				
	One (1) Time Purchase? Check One:	Yes:	<input type="checkbox"/>	No:	<input checked="" type="checkbox"/>
	Contract:	Start Date:	<i>Upon approval</i>	End Date:	<i>6/30/2025</i>

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

Revised 09/01/22

Other (Explain):	<i>Fees collected by the Division</i>	

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Approval #:	2209101 (c)

1g	Total Estimated Value of <u>this</u> Service Contract, Amendment or Purchase:
	<i>\$131,250</i>

	Provide a description of work/services to be performed or services with goods to be purchased:
2	<p>Senate Bill (SB) 212 from the 2021 Nevada Legislature requires the Department of Public Safety – Records, Communications and Compliance Division (DPS-RCCD) to capture Use-of-Force data collected by Nevada law enforcement agencies and make the data available on our public website. The current solution (SOLUTION), Crime Insight (Beyond 20/20), has been in production collecting statutorily required Uniform Crime Reporting (UCR) data pursuant to NRS 179A.075. SB212 requires the addition of the Use-of-Force module to the existing SOLUTION.</p> <ol style="list-style-type: none"> 1. Add Use-of-Force module to existing platform 2. Capture the number of complaints against peace officers employed by the law enforcement agency relating to the use of force and the number of such complaints that were substantiated; 3. A compilation of statistics relating to incidents involving the use of force that, for each incident, includes, without limitation, all information collected by the National Use-of-Force Data Collection of the Federal Bureau of Investigation.

	What are the unique features/qualifications required for these services/services with goods that are not available from any other vendor?
3	Beyond 20/20's software (Crime Insight) includes all data elements from the FBI's National Incident Based Reporting (NIBRS) guidelines as well as state specific requirements. Beyond 20/20's software is proprietary. The U.S. Department of Justice (DOJ) approved the noncompetitive procurement of the Beyond 20/20 system and State Purchasing deferred to the U.S. DOJ statement or procuring the Beyond 20/20 system (emails attached).

	Explain why these services/services with goods cannot be competitively bid and why this purchase is economically only available from a single source:
4	<p>The Beyond 20/20 software is proprietary.</p> <p>DPS entered into a contractual relationship with the vendor in February 2018 as a result of a Sole Source approved by the FBI in conjunction with an approved federal grant for the State of Nevada Central Repository for Nevada Records of Criminal History to transition from submitting crime statistics to the FBI via Summary Reporting System (SRS) to NIBRS, which had an implementation deadline of January 1, 2021. The transition to NIBRS was a federal mandate and is a requirement for the State to remain in compliance with both NRS 179A.075 and the FBI's Uniform Crime Reporting requirements.</p> <p>The system has been installed and implemented and is currently under contract maintenance, which expires June 30, 2025, necessitating the request for a Sole Source approval to make the necessary enhancements to add the Use-of-Force module required by SB212.</p>

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This Sole Source, if approved, would support an amendment(s) outlining specific details to address the required changes. As stated previously, reporting compliance is both a state and federal requirement.

This approval would apply to only this request and cannot be used as a blanket approval for future requests.

	Were alternative services or commodities evaluated?	Check One:	
		Yes	No
5	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>		
	The NIBRS system is already in use by the Division and the Beyond 20/20 software is proprietary. The U.S. Department of Justice approved a noncompetitive procurement for the system on November 3, 2017 (attached).		

<i>Purchasing Use Only:</i>	
Approval #:	2209010

Has the agency purchased these services/services with goods in the past? Check One: <i>NOTE: To avoid delays or your request being rejected, if your previous purchase(s) was made via solicitation waiver(s), a copy or copies of <u>ALL PREVIOUS WAIVERS MUST ACCOMPANY THIS REQUEST.</u></i>	Yes	No
		x

a. If yes, starting with the most recent contract and working backward, for the entire relationship with this vendor, or any other vendor for these services/services with goods, the following information must be provided along with the CETS contract number(s) associated with each:

6	Term		Value	Short Description	Provide Type of Procurement RFP#, RFQ#, Waiver #	CETS #
	Start Date	End Date				
	07/13/21	06/30/25	\$192,000	Ongoing maintenance for Nevada Incident Based Reporting System		24426
			\$			
			\$			
			\$			
			\$			

7	What are the potential consequences to the State if the waiver request is denied and the services/services with goods is competitively bid?
	The Beyond 20/20 software is used to meet state and federal crime reporting requirements mandated by multiple State of Nevada statutes, including NRS' 179A.075, 193.309 and the FBI. Being non-compliant in reporting Use-of-Force and crime statistics has an adverse effect not only for DPS, but also other state law enforcement agencies that are required to report this information (other law enforcement agencies report crime statistics to DPS as DPS is the primary responsible party for reporting this information to the FBI). Consequences can include, but not be limited to, penalties and being ineligible for federal funding opportunities that become available.

8	What efforts were made or conducted to substantiate there is no competition for the services/services with goods and to ensure the price for this purchase is fair and reasonable?
	The Beyond 20/20 software is proprietary.

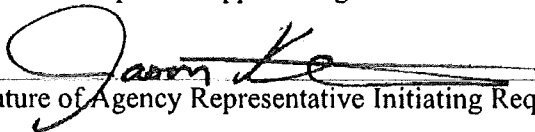
9	Will this purchase obligate the State to this vendor for future purchases? Check One:	Yes	No

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<p><u>NOTE: Before selecting your answer, please review information included on Page 2, Section 9 of the instructions.</u></p>	x	
<p>a. <i>If yes, please provide details regarding future obligations or needs.</i></p>		
<p>Future obligations to this vendor would be based upon the State and Federal crime reporting requirements and any new potential legislation that may be signed into law, as well as other technological resources/solutions available at the time of contract expiration.</p>		

Purchasing Use Only:	
Approval #:	/

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. Signatures are required from the agency representatives indicated below. The same individual cannot provide approval signatures in both sections.



 Signature of Agency Representative Initiating Request

Jason Kolenut

 Print Name of Agency Representative Initiating Request 8/31/22
Date

Curtis Palmer, ASO IV, MS, CPM Digitally signed by Curtis Palmer, ASO IV, MS, CPM
Date: 2022.08.31 08:16:39 -07'00'

 Signature of Agency Head Authorizing Request

Curtis Palmer, ASOIV 08/31/2022

 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 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).

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If you have any questions or concerns, please contact Cindy Stoeffler at 775-684-0173 or email at cstoeffler@admin.nv.gov.

NOTE: If this box is checked, the agency must include the EITS TIN/CIN approval or approval update as an attachment in CETS.	<input checked="" type="checkbox"/>
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Approved by:

Kevin D. Doty

Administrator, Purchasing Division or Designee

9/2/22

Date

Steve Sisolak
Governor



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Laura E. Freed
Director

Matthew Tuma
Deputy Director

Timothy Galluzi
State CIO/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

MEMORANDUM

TO: Jason Kolenut, Administrative Services Officer III, DPS

CC: Tim Galluzi, State Chief Information Officer/Administrator, EITS, DOA
Robert Dehnhardt, State Chief Information Security Officer, EITS, DOA
David Axtell, State Chief Enterprise Architect, EITS, DOA

FROM: Lisa Jean, TIN Administrator, EITS, DOA

SUBJECT: TIN Completion Memo – DPS – TIN 579 – *Use of Force Module for Crime Insight* – Update A – BA 4709

DATE: September 1, 2022

We have completed our review for the Department of Public Safety's (DPS) – *Use of Force Module for Crime Insight* – TIN 579, Update A.

The submitted TIN, for an estimated value of \$107,250 in the FY22/FY23 biennium and \$24,000 in the FY24/FY25 biennium for a total increase of \$46,000 from the previous submission (100% Central Repository Fees), is to obtain and install a Use of Force (UoF) module pursuant to Senate Bill 212 of the 2021 Legislative Session.

Crime Insight's UoF module will provide the agency with precise state-wide data collection, validation, aggregation, and analysis by using the vendor's repository and reporting engine. The module includes the following components and abilities:

- Web Entry form to enter Use of Force Incidents and capture all FBI mandated data
- Ability to receive, process and validate JSON Use of Force files provided by the agencies' RMS systems
- Ability to track errors in Use of Force Submissions
- User Management to grant or deny users access to the Use of Force elements
- Three Use of Force modelled data cubes for ad-hoc reporting capability, for data analysis

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- Quality Control reporting
- A standard report (Fixed Format) to display the content of a single Use of Force incident
- Ability to extract data for bulk submission to the FBI in zipped JSON files.

Once the Use of Force module is live and collecting submissions, the State of Nevada will be able to leverage the collected data to create a theme on the TOPS website. Beyond 20/20 has built the Use of Force module precisely according to the FBI specification, and any state specific requirements will require scoping and will be subject to additional cost. This cloud-based SaaS solution has no impact on state infrastructure.

The agency considers the investment and final implementation to have an ongoing low security risk; however, the solution will transport, store, and/or process personal identification information and is subject to federal and/or other security standards. The Office of Information Security will be asked to conduct pre- and post-implementation security reviews as the investment directly impacts the public safety of Nevada's constituents.

If there are to be any changes to enterprise services or utilizations, including: network, firewall, server, Active Directory (AD) integration, telecom, etc., please notify EITS as soon as possible to avoid integration delays.

It is expected that this solution will follow state security standards and policies.

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

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