



**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

<b>Purchasing Use Only:</b>	
Approval#:	240302

**SOLICITATION WAIVER JUSTIFICATION AND REQUEST FORM**

ALL FIELDS ARE REQUIRED - INCOMPLETE REQUESTS WILL BE RETURNED TO THE AGENCY

<b>1a</b>	<b>Agency Contact Information - Note: Approved copy will be sent to <u>ONLY</u> the contact(s) listed below:</b>		
	<b>STATE AGENCY NAME REQUIRED:</b> Department of Administration; Division of HR Mgmt		
	<b>Contact Name and Title</b>	<b>Phone Number</b>	<b>Email Address</b>
	Bachera Washington	702-486-2905	bachera@admin.nv.gov

<b>1b</b>	<b>Vendor Information:</b>	
	Vendor Name:	Simmons Group
	Contact Name:	Ann Simmons
	<b>Complete Address:</b> City, State, and Zip Code	6841 S. Eastern Ave. Suite 103, LV, NV 89119
	Telephone Number:	702-493-5500
	Email Address:	ann@simmons-group.com

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

<b>1d</b>	<b>Contract Information:</b>			
	Is this a new Contract? Check One:	Yes:	X	No:
	If 'No' Enter Amendment Number:	#		
	Enter CETS Number:	#		

<b>1e</b>	<b>Term:</b>			
	One (1) Time Purchase? Check One:	Yes:		No:
	Contract:	Start Date:	3/1/24	End Date:

<b>1f</b>	<b>Funding:</b>	
	State Appropriated:	X (General Fund per AB451)
	Federal Funds:	
	Grant Funds:	

	Other (Explain):	
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1g	Total Estimated Value of <u>this</u> Service Contract, Amendment or Purchase:
	\$450,000

2	Provide a description of work/services to be performed or services with goods to be purchased:
	<i>With a 20% vacancy rate statewide, DHRM has identified various barriers that have prevented the State from recruiting and retaining qualified candidates. One of the Governor's initiatives is to improve the recruitment and retention of our state employees. The Compensation Study is one of several projects that DHRM has initiated to combat the current issue and meet the Governor's initiative. By improving the State's compensation schedule, it will allow us to be more competitive with private and local governmental entities in attracting candidates.</i>

3	What are the unique features/qualifications required for these services/services with goods that are not available from any other vendor?
	<i>The Simmons Group has extensive experience with various local governmental entities which makes them familiar with the compensation margins that exist between the local entities and the State. Their knowledge of Nevada laws, including NRS/NAC as well as their current work with DHRM on the Recruitment and Retention Modernization project, has made them uniquely qualified to perform the Compensation Study. As they have been working with DHRM currently, it has afforded them the knowledge and expertise necessary to perform the Compensation Study project more so than any national consultant.</i>

4	Explain why these services/services with goods cannot be competitively bid and why this purchase is economically only available from a single source:
	<i>In early 2024, DHRM began the work with State Purchasing to conduct an RFP for the project however, no viable proposals were received. The time spent on the unsuccessful RFP, coupled with the compressed timeline described in #2, has not left the State with minimal time to complete the process successfully. The time necessary to conduct a second formal solicitation would leave minimal time to produce a satisfactory product and would prevent enacting on any recommendations made as changes to the compensation schedule would require legislative approval and funding. While the Simmons Group did not respond to the unsuccessful RFP, given their recent and ongoing work with DHRM on the Recruitment and Retention Modernization project awarded under RFP 08DOA-S2065, they possess an unique understanding of the applicable statutes, regulations and policies that would allow them to complete the project faster than any other potential, qualified vendor.</i>

5	Were alternative services or commodities evaluated?	Check One:	
		Yes	No
		X	
a. <u>If yes</u> , what were they and why were they unacceptable? Please be specific about features, characteristics, requirements, capabilities and compatibility.			

	<i>Alternatives do not have the knowledge of the job classifications that the Simmons Group currently have and with their current knowledge of State regulations, policies and statues due to the ongoing Recruitment and Retention Modernization project, it would easily transition them into the compensation portion once the job classification revisions are completed.</i>
	b. <i><u>If not</u>, why were alternatives not evaluated?</i>

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6	Has the agency purchased these services/services with goods in the past? Check One:					Yes	No
	<b>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</u> MUST ACCOMPANY THIS REQUEST.</b>					X	
	a. If yes, starting with the most <u>recent contract</u> and working backward, for the <u>entire relationship with this vendor, or any other vendor</u> for these services/services with goods, the following information <u>must be provided along with the CETS contract number(s) associated with each:</u>						
	Term		Value	Short Description	Provide Type of Procurement RFP#, RFQ#, Waiver #	CETS #	
	Start Date	End Date					
	9/13/22	9/12/24	\$320,000	Recruitment/ Retention Project	08DOA-S2065	26665	
			\$				
		\$					
		\$					
		\$					

7	What are the potential consequences to the State if the waiver request is denied and the services/services with goods is competitively bid?
	<i>The deadline to complete the job classification revisions and compensation study is 12/1/24 and deviating from the current progress will result in a huge delay and result in missing the required deadline. Based on the outcome of the project, changes to NAC/NRS would be necessary and would require legislative approval. In order to ensure that the Governor's initiative of modernizing and improving the recruitment and retention of state employees, regulations and various policies must be changed and implemented during the 25/26 legislative session.</i>

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?
	<i>The State conducted a RFP and received no viable proposals, reviewed solicitations conducted by other governmental entities for similar projects and looked at national consultants available through the GSA contract. The Simmons Group is comparable in price to vendors awarded by other governmental entities and considerably cheaper than national consultants.</i>

9	Will this purchase obligate the State to this vendor for future purchases? Check One:	Yes	No
	<b>NOTE: Before selecting your answer, please review information included on Page 2, Section 9 of the instructions.</b>		X
	a. If yes, please provide details regarding future obligations or needs.		

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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. 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


  
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

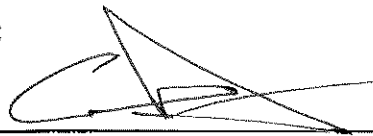
Please consider this memo as my approval of your request. This exemption is granted pursuant to NAC 333.150 or NRS 333.400. This exemption may be rescinded in the event reliable information becomes available upon which the Purchasing Administrator determines that the service or good sought may in fact 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 Cindy Stoeffler at 775-684-0173 or email at [cstoeffler@admin.nv.gov](mailto: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.	
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Approved by:

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a series of loops and a final horizontal stroke.

3/13/24

\_\_\_\_\_  
Administrator, Purchasing Division or Designee

\_\_\_\_\_  
Date