
Notice of Intent to Certify Sole Source

To: Interested Parties
From: Craig P. Orgeron, Ph.D. *cu*
CC: ITS Project Number 42774
Date: October 4, 2016
Re: Sole Source Certification Number 3928 for Pure Harvest Software Subscription Renewal for the Mississippi Department of Agriculture and Commerce (MDAC)
Contact Name: CERIA Walker
Contact Phone Number: 601-432-8013
Contact E-mail Address: ceria.walker@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 3928 for Pure Harvest software subscription renewal for MDAC, please be advised that ITS intends to award the software system maintenance to Elmwood Solutions, Inc. as the sole source provider of this service through June 30, 2019, in an amount not to exceed \$57,000.00. For an explanation regarding Mississippi state law, policy and procedures for sole source procurements, refer to Attachment C: Sole Source Procurement Overview.

Sole Source Criteria

1. The product or services being purchased must perform a function for which no other product or source of services exist:

Pure Harvest is built on the standards and guidelines of the American Association of Seed Certification Agencies, the Association of Official Seed Analysts, the Organization for Economic Co-operation and Development (OECD) and the International Seed Testing Association. Pure Harvest is the only program on the market that meets State law requirements and is copyrighted by Elmwood Solutions. This licensed program was initially installed in August 2000, and is provided on an annual subscription basis. MDAC has made a business decision to continue using the Pure Harvest resources. The customer's sole source certification request is included as Attachment A.

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

The Pure Harvest software license certifies the seed samples processed by the Bureau of Plant Industry Seed Lab. Also the software tracks the lab results, the purity rates, and maintains accounting and billing functions of the Seed Lab. The use of this software

has allowed the agency to meet its regulatory and program needs as mandated by State law for the last sixteen years. MDAC has made a business decision to continue using the Pure Harvest resources. The customer's sole source certification request is included as Attachment A.

3. The product or services must be available only from the manufacturer and not through resellers Pure Harvest is the only program on the market that supports regulatory needs of both seed labs and seed certification agencies in an integrated program. The program is available only from Elmwood Solutions, Inc. The vendor's sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	10/04/16
Second Advertisement Date	10/11/16
Response Deadline From Objectors	10/18/16, at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 10/19/16

Project Details

MDAC originally purchased the Pure Harvest System in August 2000 as a sole source. The Pure Harvest Software System is used by MDAC to facilitate seed lab automation. This system analyzes seed sample data and generates specialized reports. MDAC has spent to date a total of \$243,832.43 over a 16-year period.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the Pure Harvest software subscription renewal should not be certified as a sole source should provide information in the following format for the state to use in determining whether or not to proceed with awarding the Sole Source contract to Elmwood Solutions, Inc.

1.1 Interested Party Information

1.1.1 Contact Name, Phone Number and email address

1.1.2 Company Website URL, if applicable

1.2 Objection to Sole Source Certification

1.2.1 Interested parties must present specific objections to the Sole Source certification using the criteria listed above.

1.2.2 A statement regarding the Interested Party's capabilities as related to this Sole Source Certification Request.

1.3 Comments will be accepted at any time prior to Tuesday, October 18, 2016, at 3:00 p.m. (Central Time) to Cerria Walker at cerria.walker@its.ms.gov or at the Mississippi Department of Information Technology Services, 3771 Eastwood Drive, Jackson, Mississippi 39211. Responses may be delivered by hand, via regular mail, overnight delivery, e-mail or by fax. Fax number is (601) 713-6380. ITS WILL NOT BE RESPONSIBLE FOR DELAYS IN THE DELIVERY OF RESPONSES. It is solely the responsibility of the Interested Parties that

responses reach ITS on time. Interested Parties may contact Cerria Walker to verify the receipt of their Responses. Responses received after the deadline will be rejected.

1.4 Interested Party responses should include the following information:

SUBMITTED IN RESPONSE TO
Sole Source Certification No. 3928-42774
Accepted until October 18, 2016 @ 3:00 p.m.,
ATTENTION: Cerria Walker

If you have any questions concerning the information above or if we can be of further assistance, please contact Cerria Walker at 601-432-8013 or via email at cerria.walker@its.ms.gov.

Attachment A: Customer Sole Source Certification Request
Attachment B: Vendor Correspondence
Attachment C: Sole Source Procurement Overview



3771 Eastwood Drive
Jackson, Mississippi 39211
Phone 601-432-8000 Fax 601-713-6380

Sole Source Certification Request

Project Title: Pure Harvest Software Maintenance			Stimulus (ARRA) Funds? Yes No <u>X</u>	
Customer Contact Information				
Agency/Public : Mississippi Department of Ag and Commerce Address: P.O. Box 1609 Jackson, MS 39215			Contact Person: Umesh Sanjanwala Phone: 601-359-1151 Fax: Email Address: umesh@mdac.ms.gov	
MAGIC Customer Number (only required from state agencies): 7000000106			Division/Dept: Handmail: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Project Summary Narrative Description of Project (include details of original acquisition if applicable): The Pure Harvest Software System is used by MDAC to facilitate seed lab automation. This system analyzes seed sample data and generates specialized reports. Elmwood Solutions Inc. has certified that they are the sole source for the acquisition of the copyrighted Pure Harvest Software System. The cost of this purchase includes upgrades as well as maintenance services.				
ITS Acquisition Approval (CP-1) should be effective through this date (Please allow time for all vendor invoices to be paid):				
Cost Estimates <i>Fiscal Year</i>	<i>Initial Costs</i>	<i>Ongoing Costs</i>	Time Constraints Item Needed by: ASAP Funds Expire: 6/30/17	Anticipated Lifecycle of Products/System: (i.e. estimated years of effective use): 3
2016		\$19,000.00	Discuss Funding (e.g. how much of needed funding is definite; total project budget; any matching or other non state funds): Funds are budgeted in our agency's Contractual Services category.	
2017		\$19,000.00		
2018		\$19,000.00		
Total		\$57,000.00		
Acquisition Details				
Items Requested	Quantity	Description		Building Location(s)
Software maintenance	1	Cost based on no. of seed samples processed		Bureau of Plant Industry Starkville
Describe platform & infrastructure (connectivity; software/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). For equipment or hosting outside the State Data Center, attach justification: The software is installed on our in-house computer server in Starkville and it does not impact the State Data Center resources.				
Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)?				
Sole Source Certification Note: Certification must be renewed for each revision or continuation of previous Sole Source Approvals.				
Specific business requirements to be met by the requested products or services: The Pure Harvest software license certifies the seed samples processed by the Bureau of Plant Industry Seed Lab. Also the software tracks the lab results, the purity rates, and maintains accounting and billing functions of the Seed Lab. The use of this software has allowed the agency to meet its regulatory and program needs as mandated by State law for the last sixteen years.				
Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality): Pure Harvest is built on the standards and guidelines of the American Association of Seed Certification Agencies, the Association of Official Seed Analysts, the Organization for Economic Co-operation and Development (OECD) and the International Seed Testing Association. Pure Harvest is the only program on the market that meets State law requirements and is copyrighted by Elmwood Solutions. This licensed program was initially installed in August 2000 on our agency's computer server and is provided on an annual subscription basis; thus requiring no capital investment on our part and having no risk of becoming obsolete. This program has continually allowed the agency to meet state legal compliance and track seed certification requirements since 2000.				
Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated): The Pure Harvest software is the only program in the industry that supports both the regulatory and certification needs in one integrated program. The benefits of having one integrated program include ease of workflow throughout the lab, less cost, and avoidance of compatibility and maintenance issues between two separate programs.				
Explain why the amount to be expended for the services is reasonable: N/A				

Attachment A

Explain what your agency did to obtain the best possible price for the services:
N/A

Vendor's Certification of Sole Source attached: Yes No Vendor's proposal submitted: Yes No

MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.

Place Order To

Remit To

Vendor Name: Elmwood Solutions Inc.

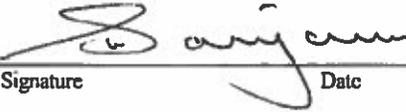
Vendor Name: Elmwood Solutions Inc.

Vendor Address: 1290 Osage Street, St. Paul, MN 55117

Vendor Address: 1290 Osage Street, St Paul, MN 55117

By my signature, I certify that, to the best of my professional knowledge: the requested product or services are a sole source as outlined in the ITS Procurement Handbook, Rule 207.2:013-030 Procurement Types: Sole Source, and as outlined in Mississippi Code annotated Section 31-7-13. In addition, I acknowledge that there is a charge for ITS procurement services associated with this request which will be billed to the requestor by ITS and that my agency/public university is responsible for these charges/costs.

Umesh Sanjanwala, CIO
Name (Agency Head or Institution CIO) Title

 9-29-16
Signature Date



**Elmwood Solutions Inc
1290 Osage Street North
Saint Paul, MN 55117**

March 11, 2016

Umesh Sanjanwala, Director
Information Management Division
Mississippi Department of Agriculture and Commerce
121 North Jefferson Street
Jackson, MS 39201

Pure Harvest(tm) is the only program on the market that supports the regulatory needs of both seed labs and seed certification agencies in an integrated program. It is a copyrighted program available only from Elmwood Solutions Inc.

Although it stands out as the only program, it also offers exceptional completeness and quality. Pure Harvest is built on the standards and guidelines of the American Association of Seed Certification Agencies, the Association of Official Seed Analysts, the Organisation for Economic Co-operation and Development (OECD) and the International Seed Testing Association.

It not only supports the guidelines of these organizations, many of the seed testing rules and formulas are built into the system. Information is shared automatically between the lab and the certification agency.

Because the Pure Harvest programs are provided on an annual subscription basis, there is no large capital investment, and the program will not become obsolete.

Please feel free to call at 651-487-3295 with any questions.

A handwritten signature in black ink, appearing to read 'Bob Treumann', with a long horizontal line extending to the right.

Bob Treumann, President, Elmwood Solutions Inc.

Attachment C: Sole Source Procurement Overview

The acquisition of information technology for all state agencies and institutions of higher learning (IHLs) is within the scope of the ITS law, found in Mississippi Code Section 25-53-1, et seq., and the policies and procedures established in accordance with this statute, found in the ITS Procurement Handbook posted on the ITS website (www.its.ms.gov).

ITS enabling legislation requires that information technology hardware, software and services be acquired in a manner that insures the maximum of competition among all manufacturers and suppliers of such equipment and services. Accordingly, ITS promotes full and open competition through the issuance of open specifications and the objective evaluation of Interested Party proposals to determine the lowest and best offering to meet an agency's or public university's business requirements. True competition protects the integrity and credibility of purchasing in the public sector and is essential in providing best value and adequate contractual protection for the purchasing entity. In certain limited situations, information technology acquisitions may be sole-sourced.

ITS utilizes the provisions of Public Purchasing Law for Sole Source and Emergency procurements of information technology. Mississippi Public Purchasing Law (Mississippi Code Section 31-7-13) specifies that noncompetitive items available from one source only be exempted from bid requirements (sole-sourced). ITS statute, in Section 25-53-5 (p), permits ITS to utilize provisions in Public Purchasing Law or regulations, when applicable.

Per Public Purchasing law, acquisitions must meet the following criteria to be authorized as sole source:

1. The product or services being purchased must perform a function for which no other product or source of services exists,
2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services, AND
3. The product or services must be available only from the manufacturer and NOT through resellers who could submit competitive pricing for the product or services. The vendor's correspondence regarding this criterion for this project is included as Attachment B.

By policy as documented in the ITS Procurement Handbook, acquisitions of IT services must include the following information to be authorized as sole source:

1. An explanation about why the amount to be expended is reasonable, and
2. An explanation regarding the efforts by the purchaser to obtain the best possible price.

For state agencies, approval of all technology purchases with a lifecycle cost of \$5,000 or less, including sole source purchases, has been delegated to the agency. The ITS Procurement Limits Policies for Agencies (a section in the ITS Procurement Handbook) require a minimum of two competitive written bids or proposals for technology purchases with a lifecycle cost over \$5,000 but not over \$50,000 (not over \$25,000 for projects funded by the American Recovery and Reinvestment Act). Since, for single source items, the procuring agency will be unable to obtain two written bids, ITS must certify all sole source acquisitions of information technology with a lifecycle cost greater than \$5,000.

Institutions of Higher Learning (IHLs) or public universities have been delegated the authority to certify sole source procurements up to \$250,000 lifecycle cost under the ITS Procurement Limits Policies for IHLs (a section in the ITS Procurement Handbook). For the certification of sole source procurements delegated to the CIOs at public universities, the public university must follow ITS' Sole Source Procedure, including advertisement of the intent to award as sole source. Institutions certifying a sole source purchase must ensure the criteria listed above are met and documented in writing by the institution and the Interested Party prior to certifying a product or service as sole source. Sole source documentation must be reviewed and approved by the IHL's CIO for any sole-source certification above \$5,000. All sole source documentation should be retained in the public university's procurement file. Sole source requests above \$250,000 lifecycle cost require ITS approval.

Attachment C: Sole Source Procurement Overview

Other than the delegations outlined above, all sole source technology procurements must be certified by ITS. The customer's Sole Source Certification Request for this project is included as Attachment A.

ITS thoroughly reviews Sole Source Certification Requests, determining if competing products and/or services exist. If so, ITS conducts a competitive procurement. If ITS' review confirms the sole source, then a Sole Source advertisement is issued, giving other Interested Parties an opportunity to identify competing products and/or services. Based upon the results of the Sole Source advertisement, ITS will either certify the request as a sole source or conduct a competitive procurement.