Notice of Intent to Certify Sole Source

To: Interested Parties

From: Craig P. Orgeron, Ph.D.

CC: ITS Project Number 44496

Date: September 24, 2018

Re: Sole Source Certification Number 4128 for iManage Work maintenance support for the Mississippi Division of Medicaid (DOM)

Contact Name: Chris Grimmer

Contact Phone Number: 601-432-8208

Contact E-mail Address: chris.grimmer@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4128 for the Mississippi Division of Medicaid (DOM), please be advised that ITS intends to award the iManage Work maintenance support to iManage, LLC as the sole source provider of the maintenance support through July 30, 2019. The total not-to-exceed cost of the project is $75,519.74. 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:

   iManage Work provides a centralized digital storage/management of DOM documents. DOM uses iManage Work to store over 75 different document types that are divided into over 20 work types. The work types include: accounting, archive and history, beneficiary files, audit and recovery, contracts, financial reporting, human resources, legal, long term care, medical services, mental health, pharmacy, policy, procurement, program integrity, provider beneficiary relations, provider review, reimbursement, state plan, strategic planning, third party legal, and vouchers.

   DOM has made a business decision to continue the use of Worksite now called iManage Work software, rather than purchasing new licenses for similar document management software. DOM requires maintenance support for iManage Work to access manufacturer support assistance, supported releases, and patch releases.

iManage, LLC is the sole provider of maintenance support for iManage Work. 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:

   Failure to have maintenance support for iManage Work would mean that DOM would not have access to manufacturer support assistance to address software issues. It would also mean that DOM would not have access to software updates and bug fixes. The software maintenance support provided by iManage includes software upgrades, fix patches, and security patches. 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 who could submit competitive pricing for the product or services:

   iManage, LLC allows resellers to sell licenses and first year maintenance support; however, iManage, LLC is the sole source provider for maintenance support renewals after the customer's initial maintenance support term expires. iManage is also the sole source provider of any updates/upgrades for the iManage proprietary software. iManage resellers are not allowed to resell maintenance support renewals. The vendor's sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	09/11/18
Second Advertisement Date	09/18/18
Response Deadline From Objectors	10/08/18, at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 10/09/18

Project Details

iManage Work is a document management solution for all documents, emails and other communication streams that seamlessly integrates with Microsoft Office. This product, originally called WorkSite, was purchased in 2006 through a Master End User License Agreement with Interwoven based on RFP No. 3199. Interwoven was purchased by Autonomy in January 2009 and a CP-1 was never issued to Autonomy for WorkSite. Hewlett Packard (HP) subsequently purchased Autonomy in August 2011. The iManage leadership team completed a buyout in July 2015 from HP of the complete iManage business, including its brand, products, and services. DOM plans to purchase one year of maintenance support for their iManage Work solution. Total expenditures to date are $1,887,000.90.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that this maintenance support 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 iManage, LLC.

      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 Monday, October 8, 2018, at 3:00 p.m. (Central Time) to Chris Grimmer at chris.grimmer@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 Chris Grimmer 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. 4128-44496**
> **Accepted until October 8, 2018 @ 3:00 p.m.,**
> **ATTENTION: Chris Grimmer**

If you have any questions concerning the information above or if we can be of further assistance, please contact Chris Grimmer at 601-432-8208 or via email at chris.grimmer@its.ms.gov.

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

ITS
mississippi department of
Information Technology Services

Sole Source Certification Request

Project Title: iManage Work Maintenance Support Renewal	**Stimulus (ARRA) Funds? Yes__ No X**

Customer Contact Information

Agency/Public University: MS Division of Medicaid
Address: Walter Sillers Building
          550 High Street
          Jackson, MS 39201
	Contact Person: Grant Banks
	Phone: 601-359-6153
	Fax: N/A
	Email Address: grant.banks@medicaid.ms.gov

MAGIC Customer Number (only required from state agencies): 7000000183	**Division/Dept:** iTech **Handmail:** ☐ **Yes** ☒ **No**

Project Summary *Narrative Description of Project* (include details of original acquisition if applicable): iManage Work is a document management solution for all documents, emails and other communication streams that seamlessly integrates with Microsoft Office. This product was originally purchased in 2006 through a competitive procurement. The product was originally called WorkSite and at the time of the competitive procurement, it was owned by Interwoven. Interwoven was purchased by Autonomy. Hewlett Packard (HP) subsequently purchased Autonomy. The iManage leadership team has completed a buyout from HP of the complete iManage business, including its brand, products, and services.

ITS Acquisition Approval (CP-1) should be effective through this date (Please allow time for all Vendor invoices to be paid): July 30, 2019

Cost Estimates
Fiscal Year
	Initial Costs	*Ongoing Costs*	**Time Constraints**
			  Item Needed by: 7/1/18
			  Funds Expire: N/A
				Anticipated Lifecycle of Products/System (i.e. estimated years of effective use): 1 year

FY2019		$75, 519.74	**Discuss Funding** (e.g. how much of needed funding is definite; total project budget; any matching or other non-state funds):	
Total		**$75, 519.74**		

Acquisition Details

Items Requested	Quantity	Description	Building Location(s)
IM_WMS BB	1	WorkSite Mobility Server	Sillers and ITS
WS-BUS-USERFULLBUN	400	WorkSite Business User Full Bundle	Sillers and ITS
WS-SERV-BUS	2	WorkSite Business Server per Server	Sillers and ITS
RM-SVR-100 MORE	1	WorkSite Records Server	Sillers and ITS
SOFTLIC	1	Sofware Maintenance	Sillers and ITS
IM_12001	650	DeskSite	Sillers and ITS

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: Software is hosted at DOM and co-located at ITS.

Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? Contacted Vendor and received updated quote and Sole Source Certification Letter.

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:
Failure to have maintenance support for iManage Work would mean that DOM would not have access to manufacturer support assistance to address software issues. It would also mean that DOM would not have access to software updates and bug fixes. The software maintenance support provided by iManage includes software upgrades, fix patches, and security patches.

Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality)**:**
iManage Work provides a centralized digital storage/management of DOM documents. DOM uses iManage Work to store over 75 different document types that are divided into over 20 work types. The work types include: accounting, archive and history, beneficiary files, audit and recovery, contracts, financial reporting, human resources, legal, long term care, medical services, mental health, pharmacy, policy, procurement, program integrity, provider beneficiary relations, provider review, reimbursement, state plan, strategic planning, third party legal, and vouchers.
DOM has made a business decision to continue the use of Worksite now called iManage Work software, rather than purchasing new licenses for similar document management software. DOM requires maintenance support for iManage Work to access manufacturer support assistance, supported releases, and patch releases. iManage, LLC is the sole provider of maintenance support for iManage Work.

Explain why the source is the only entity that can provide the products or services (Include other products/Vendors researched or evaluated)**:**
iManage, LLC allows resellers to sell licenses and first year maintenance support. iManage, LLC is the sole source provider for maintenance support renewals after the customer's initial maintenance support term expires as well as the sole source provider of any updates/upgrades for the iManage proprietary software. iManage resellers are not allowed to resell maintenance support renewals.

Explain why the amount to be expended for the services is reasonable: N/A

Attachment A: Customer Sole Source Certification Request

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: 3102017905	**Remit To** 7002000860
Vendor Name: iManage, LLC	**Vendor Name:** iManage, LLC
Vendor Address: 540 West Madison, Suite 2400, Chicago, IL 60601	**Vendor Address:** PO Box 71701, Chicago, IL 60694-1701

By my signature, I certify that, to the best of my professional knowledge: (1) the requested product or services perform a significant function or provide a service for which no other product or source of services exists; (2) my agency/institution has a business need for these unique functions of services; and (3) there are no other parties who could provide the product or services. 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/institution is responsible for these charges/costs.

Drew Snyder, Executive Director
Name (Agency Head or Institution CIO)/ Title

Signature _____ 9/24/18

Date _____

iManage

Headquarters Address:
540 W. Madison
Suite 300
Chicago, IL 60661-6600
Phone: (312) 767-3200

July 30, 2018

MS Division of Medicaid
Walter Sillers Building, Suite 1000
550 High Street
Jackson, MS 39201

Attn: Grant A. Banks

iManage LLC allows resellers to sell licenses and first year maintenance support. But iManage LLC is the sole source provider for Maintenance Support renewals after the customer's initial maintenance support term expires as well as the sole provider of any updates/upgrades for our proprietary software. Our resellers are not allowed to resell maintenance support renewals.

Sincerely,

Glenn Fong
Director, Finance (Support Sales and Order Ops)
415.806.7424
glenn.fong@imanage.com

iManage

www.imanage.com

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.

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.