
Notice of Intent to Certify Sole Source

To: Interested Parties
From: Craig P. Orgeron, Ph.D.
CC: ITS Project Number 45678
Date: April 28, 2020
Re: Sole Source Certification Number 4281 to provide OpenFox® Configurator upgrades for the Mississippi Department of Public Safety-Criminal Information Center (MDPS-CIC)
Contact Name: Alec Shedd
Contact Phone Number: 601-432-8162
Contact E-mail Address: Alec.Shedd@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4281 for the Mississippi Department of Public Safety-Criminal Information Center (MDPS-CIC), please be advised that ITS intends to award Computer Projects of Illinois, Inc. (CPI), as the sole source provider of OpenFox® Configurator upgrades through December 31, 2022, in an amount not to exceed \$75,000.00. Please be advised that ITS will determine if additional enhancements, upgrades, and support are within scope during the certification period and may increase the spending authority accordingly. Should Computer Projects of Illinois, Inc. change its name during this certification period, then ITS will determine if a recertification is necessary. 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:

The National Law Enforcement Telecommunications System (Nlets) links together and supports every state, local, and federal law enforcement, justice, and public safety agency for the purposes of sharing and exchanging critical information. Through the Nlets network, law enforcement and criminal justice agencies can access a wide range of information from standard driver license and vehicle queries to criminal history and Interpol information. The asynchronous, transactional nature of Nlets requires switching and routing infrastructure at each level of the communications, including the Nlets national switching systems at the top level that route to switching infrastructure at the State level, OpenFox in Mississippi's

case, down to switches at local police departments and sheriffs' offices and terminal services that connect individual terminals. Due to federal requirements for National Information Exchange Model (NIEM) compliance, Nlets is being required to transition from its legacy teletype protocol to this Extensible Markup Language (XML) based NIEM protocol. These enhancements to the OpenFox® Configurator will allow MDPS-CIC to continue interfacing with Nlets since XML is the new standard text message format. 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:

Nlets allows the exchange of information with law enforcement and other justice and public safety agencies for information such as criminal history and standard driver's license queries. 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:

Computer Projects of Illinois, Inc. (CPI) is the sole owner of the software and marketing rights to the OpenFox® Message Switching suite of products and, therefore, is the sole source for maintenance, new development, and enhancements. The Vendor's sole source certification letter is included as Attachment B.

4. Explanation of why the amount to be expended for the services is reasonable.

Costs are based on agreed upon flat rates for the scope of services obtained.

5. Explanation of what the agency did to obtain the best possible price for these services.

MDPS-CIC negotiated with CPI on the scope of services to be included for this project.

Schedule

Task	Date
First Advertisement Date	04/28/2020
Second Advertisement Date	05/05/2020
Response Deadline From Objectors	05/12/2020 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 05/13/2020

Project Details

In 2008, MDPS-CIC purchased consulting services from Computer Projects of Illinois, Inc. (CPI) through then approved sole source methods to create an interface from the State messaging switch to an SQL database used by law enforcement officers for vehicle tag information using the OpenFox® suite of products. Since 2008, MDPS-CIC has continued to purchase maintenance and support for the OpenFox® interface through approved sole source methods. In November 2017, ITS issued Notice of Intent to Certify Sole Source Number 4049 for maintenance and support of the Driver's License and Boater Registration Interface that uses the OpenFox® suite of products. MDPS-CIC is now requesting to procure upgrades to the OpenFox® Configurator in order to align with the stated direction of the National Law Enforcement Telecommunications System (Nlets) and its goal of sunsetting legacy text

message formats. With this project, MDPS-CIC will have spent approximately \$2,208,994.85 on the OpenFox® suite of products.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the OpenFox® Configurator upgrades 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 Computer Projects of Illinois, Inc. (CPI).

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, May 12, 2020, at 3:00 p.m. (Central Time) to Alec Shedd at Alec.Shedd@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 Alec Shedd 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:

<p style="text-align: center;">SUBMITTED IN RESPONSE TO Sole Source Certification No. 4281-45678 Accepted until May 12, 2020 @ 3:00 p.m., ATTENTION: Alec Shedd</p>

If you have any questions concerning the information above or if we can be of further assistance, please contact Alec Shedd at 601-432-8162 or via email at Alec.Shedd@its.ms.gov.

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



Sole Source Certification Request

Project Title: Nlets XML Conversion		Stimulus (ARRA) Funds? Yes No <u>X</u>	
Customer Contact Information			
Agency/Public University: MS Department of Public Safety – Criminal Information Center Address: 3891 Highway 468 West, Pearl, MS 39208		Contact Person: Shelia Miller Phone: 601-933-2624 Fax: 601-8933-2676 Email Address: smiller@dps.ms.gov	
MAGIC Customer Number (only required from state agencies): 711		Division/Dept.: Handmail: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Project Summary Narrative Description of Project (include details of original acquisition if applicable): Computer Projects of Illinois (CPI) will convert from the legacy text message formats to standardized Extensible Markup Language (XML) message formats which aligns with the stated direction of National Law Enforcement Telecommunications (Nlets) to sunset the legacy text message formats. This will include the conversion of state message switch to Nlets message switch transactions in the new XML formats. (Note this project does not include conversion of FBI, local agency sub-switch or data-source transactions which will be handled in later phases.)			
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: 12/31/20 Funds Expire:
FY20	\$75,000.00		Anticipated Lifecycle of Products/System (i.e. estimated years of effective use): 6 years
Total	\$75,000.00		
Discuss Funding (e.g. how much of needed funding is definite; total project budget; any matching or other non state funds). The funding is through MDPS-CIC funds.			
Acquisition Details			
Items Requested	Quantity	Description	Building Location(s)
Nlets XML Configurator updates		Contracted services for state message switch upgrades	CIC
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 existing hardware platform will remain unchanged and no additional third-party products are required.			
Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? The sole source letter and quotes have been requested and received from CPI. The State negotiated services and interfaces to be covered by the project			
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: Nlets allows the exchange of information with law enforcement and other justice and public safety agencies for information such as criminal history and standard driver's license queries.			
Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality): The National Law Enforcement Telecommunications System (Nlets) links together and supports every state, local, and federal law enforcement, justice, and public safety agencies for the purposes of sharing and exchanging critical information. Through the Nlets network, law enforcement and criminal justice agencies can access a wide range of information from standard driver license and vehicle queries to criminal history and Interpol information. These enhancements would allow MDPS-CIC to continue compliance with Nlets since Extensible Markup Language (XML) is the new standard text message format.			
Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated): Computer Projects of Illinois, Inc. (CPI) is the sole owner of the software and marketing rights to the OpenFox® Message Switching suite of products and therefore is the sole source for maintenance, new development, and enhancements.			
Explain why the amount to be expended for the services is reasonable: Costs are based on agreed upon flat rates for the scope of services obtained.			
Explain what your agency did to obtain the best possible price for the services: MDPS-CIC negotiated with CPI on the scope of services to be included for this project.			
Vendor's Certification of Sole Source attached: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		Vendor's proposal submitted: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.			
Place Order To Vendor Name: Computer Projects of Illinois, Inc. Vendor Address: 400 Quadrangle Drive, Suite F, Bolingbrook, IL 60440		Remit To Vendor Name: Computer Projects of Illinois, Inc. Vendor Address: 400 Quadrangle Drive, Suite F, Bolingbrook, IL 60440	

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.

Clay Johnston/MIS Director

 Name (Agency Head or Public University CIO)/Title

 Signature

 Date



Computer Projects of Illinois, Inc.

400 Quadrangle Drive, Bolingbrook, IL 60440

Telephone: (630) 754-8820 FAX: (630) 754-8835

January 29, 2020
Mr. Clay Johnston
Mississippi DPS
PO Box 958
Jackson, MS 39205

Mr. Johnston:

The purpose of this letter is to advise you that Computer Projects of Illinois, Inc. (CPI) is the sole owner of the software and marketing rights to the OpenFox® Message Switching suite of products deployed for use by the Mississippi Department of Public Safety (DPS) and therefore is the sole source for maintenance, new development and enhancements including new interfaces and user-authentication.

The OpenFox® suite of productions includes:

- OpenFox® Message Switching System and all modules and customizations
- OpenFox® Hot Files System and all modules and customizations
- OpenFox® Validations System and all modules and customizations
- OpenFox® Audit Application System and all modules and customizations
- OpenFox® Archive and Retrieval System and all modules and customizations
- OpenFox® Configurator System and all modules and customizations
- OpenFox® Operator Aid System and all modules and customizations
- OpenFox® Desktop System and all modules and customizations
- OpenFox® Messenger System and all modules and customizations
- OpenFox® Forms Configurator System and all modules and customizations
- OpenFox® Interceptor System and all modules and customizations
- OpenFox® Archive and Retrieval (java) client System and all modules and customizations
- OpenFox® Computerized Criminal History (CCH) System and all modules and customizations

If you have any questions regarding this letter please feel free to call us at 630-754-8820 Ext. 117.

Sincerely,
Kevin Sawatzky
Kevin Sawatzky,
Vice President
Computer projects of Illinois, Inc.
400 Quadrangle Drive; Suite F
Bolingbrook, IL 60440
ksawatzky@openfox.com

Attachment C

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.