Notice of Intent to Certify Sole Source

To: Interested Parties

From: Craig P. Orgeron, Ph.D.

CC: ITS Project Number 45879

Date: June 2, 2020

Re: Sole Source Certification Number 4311 to provide DorgerSoft upgrades and software maintenance and support for the Mississippi Department of Mental Health

Contact Name: Justin Faucette

Contact Phone Number: 601-432-8165

Contact E-mail Address: Justin.Faucette@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4311 for the Mississippi Department of Mental Health (MDMH), please be advised that ITS intends to award Dorger Software Architects, Inc. as the sole source provider of DorgerSoft upgrades and software maintenance and support through June 30, 2023, in an amount not to exceed $114,000.00. Please be advised that ITS will determine if additional enhancements, maintenance, and software usage fees are within scope during the certification period and may increase the spending authority accordingly. Should Dorger Software Architects, Inc. change their 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:

   Dorger Software Architects, Inc. hosts a web-based system for administration of mental health providers. Dorger developed the system for Department of Mental Health and are the owners of the system and application code. Unique features include: initial certification of a provider, continual certification of the provider, workflows associated with this process, capturing and maintaining mental health services for each provider, providing certificates that are audited by Medicaid and the Health Department. The customer's sole source certification request is included as Attachment A.

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

MDMH has a Federal requirement to certify and recertify providers that service Mental Health and Substance Use clients. DorgerSoft allows for MDMH to enter, administer, and track data for providers who are certified to perform mental health, intellectual/developmental disabilities, and substance use treatment services. The initial certification is done and then a provider is recertified every three years to perform these services. The DorgerSoft system was developed by Dorger to meet these certification requirements. 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:

Dorger Software Architects, Inc. represents and warrants that it is the sole manufacturer of the DorgerSoft system for the tracking of community-based service providers. This system and it's maintenance and support can only be purchased directly from Dorger Software Architects, Inc. The Vendor's sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	06/02/20
Second Advertisement Date	06/09/20
Response Deadline From Objectors	06/16/20 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 06/17/20

Project Details

In 2014, the Mississippi Department of Mental Health (MDMH) solicited proposals from qualified vendors for a hosted, web-based software as a service to be used in the regulatory functions of the agency. These functions included tracking licensing, renewal, and examination of regulated providers of mental health services. Dorger Software Architects, Inc. responded to the solicitation and a Professional Services Contract was executed on December 1, 2014. In February 2017, ITS issued Notice of Intent to Certify Sole Source Number 3979 for additional components for the DorgerSoft certification system through June 30, 2020 and received no objections.

MDMH is seeking to obtain a 3-year Agreement to renew their software usage fees to include maintenance and upgrades. MDMH has spent $165,500.00 to-date on the system.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the DorgerSoft upgrades and software maintenance and 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 Dorger Software Architects, 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, June 16, 2020, at 3:00 p.m. (Central Time) to Justin Faucette at Justin.Faucette@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 Justin Faucette 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. 4311-45879
Accepted until June 16, 2020 @ 3:00 p.m.,
ATTENTION: Justin Faucette

If you have any questions concerning the information above or if we can be of further assistance, please contact Justin Faucette at 601-432-8165 or via email at Justin.Faucette@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

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

Sole Source Certification Request

Project Title: DorgerSoft	**Stimulus (ARRA) Funds? Yes_ No _X_**

Customer Contact Information

Agency/Public University: MS Department of Mental Health **Address:** 239 North Lamar St. Suite 1101 Jackson, MS 39201	**Contact Person:** Denise Jones **Phone:** 601-359-1288 **Fax:** 601-359-5330 **Email Address:** denise.jones@dmh.ms.gov
MAGIC Customer Number (only required from state agencies):	**Division/Dept.:** **Handmail:** ☐ Yes ☐ No

Project Summary *Narrative Description of Project* (include details of original acquisition if applicable): The Department of Mental Health's Certification Division seeks to enhance DorgerSoft for entering and tracking certification data. The enhancements requested are only available through DorgerSoft which is a cloud based solution.

ITS Acquisition Approval (CP-1) should be effective through this date (Please allow time for all vendor invoices to be paid):

Cost Estimates *Fiscal Year*	*Initial Costs*	*Ongoing Costs*	**Time Constraints** Item Needed by: July 1 Funds Expire: June 30	**Anticipated Lifecycle of Products/System** (i.e. estimated years of effective use): 3 years
FY21	$54,000.00		**Discuss Funding** (e.g. how much of needed funding is definite; total project budget; any matching or other non state funds). DMH General Funds	
FY22-23	$60,000.00			
Total	$114,000.00			

Acquisition Details

Items Requested	**Quantity**	**Description**	**Building Location(s)**
DorgerSoft System Support and Maintenance		**System Support and Maintenance of existing system**	**Robert E Lee Building**

Describe platform & infrastructure (connectivity; software/hardware platforms; utilization of State Data Center resources: mainframe, eGovernment portal, payment engine, document management, hosting). DMH utilizes DorgerSoft's web-based system in order to enter, administer, and track data for Providers who are certified to perform mental health services. It was developed using LightSwitch which is a part of Visual Studio. The other technologies used in development are .Net, HTML5, JQuery, and SQL server. Department of Mental Health does not have access to the system code.

Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? DorgerSoft was developed in 2014 - 2015 to provide Department of Mental Health the ability to enter, track, and administer Provider certifications. It was awarded with an RFQ and 2 quotes. The initial cost was $33,000.00. An additional contract was executed in 2015, providing an additional year of maintenance for $18,000.

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: MDMH has a Federal requirement to certify and recertify providers that service Mental Health and Substance Use clients. DorgerSoft allows for MDMH to enter, administer, and track data for providers who are certified to perform mental health, intellectual/developmental disabilities, and substance use treatment services. The initial certification is done and then a provider is recertified every three years to perform these services. The DorgerSoft system was developed by Dorger to meet these certification requirements.

Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality):
Dorger Software Architects, Inc. hosts a web-based system for administration of mental health providers. Dorger developed the system for Department of Mental Health and are the owners of the system and application code. Unique features include: initial certification of a provider, continual certification of the provider, workflows associated with this process, capturing and maintaining mental health services for each provider, providing certificates that are audited by Medicaid and the Health Department.

Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated): Dorger Software Architects, Inc. represents and warrants that it is the sole manufacturer of the DorgerSoft system for the tracking of community-based service providers. This system and it's maintenance and support can only be purchased directly from Dorger Software Architects, Inc.

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 Vendor Name: **Dorger Software Architects Inc.** Vendor Address: **1956-J University BLVD South, #195, Mobile, AL 36609**	Remit To Vendor Name: **Dorger Software Architects Inc.** Vendor Address: **1956-J University BLVD South, #195, Mobile, AL 36609**

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.

Denise   Jones
_____
Name (Agency Head or Public University CIO)/Title

DocuSigned by:
Denise Jones
_____
EF7E48E9B87445E...
Signature

6/1/2020
_____
Date

Attachment B

SOFTWARE ARCHITECTS

Dorger

762 Downtowner Loop W #100
Mobile, AL 36609
251-281-2001

04/29/2020

Denise Jones
CIO
MS Department of Mental Health
239 North Lamar St. Suite 1101
Jackson, MS 39201

Dear Ms. Jones,

This is to confirm that Dorger Software Architects, Inc. represents and warrants that it is the sole manufacturer of the DorgerSoft system for the tracking of community-based service providers. This system can only be purchased directly from Dorger Software Architects, Inc. If you require any additional information, please feel free to contact me.

Regards,

Scot Dorger,

President, Dorger Software Architects, Inc.

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.