

Notice of Intent to Certify Sole Source

To: Interested Parties

From: Craig P. Orgeron, Ph.D.

CC: ITS Project Number 45884

Date: June 2, 2020

Re: Sole Source Certification Number 4313 to provide TruckCRYPT software subscriptions for the Mississippi Department of Public Safety (DPS)

Contact Name: Jay Woodruff

Contact Phone Number: 601-432-8001

Contact E-mail Address: jay.woodruff@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4313 for the Mississippi Department of Public Safety (DPS), please be advised that ITS intends to award Synercon Technologies, LLC, as the sole source provider of TruckCRYPT software subscriptions through June 30, 2023, in an amount not to exceed \$21,600.00. Please be advised that ITS will determine if additional upgrades or support are within scope during the certification period and may increase the spending authority accordingly. Should Synercon Technologies, LLC 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:

The TruckCRYPT software, developed by and duly licensed from the University of Tulsa, is a system of programs that run on the Forensic Link Adapter (FLA) and links to the Synercon server, securing all critical digital forensic data in a heavy vehicle (e.g., semi-tractor trailer) incident for interpretation. The FLA contains an embedded computer specifically designed to produce forensically sound records from heavy vehicle event data recorders, known as electronic control modules (ECM). 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:

TruckCRYPT forensic software will allow the Mississippi Highway Safety Patrol (MHSP) Crash Team to investigate Commercial Motor Vehicle (CMV) crashes by obtaining, encrypting, decoding, and preserving heavy truck forensic ECM data. DPS' proper investigation of crashes involving commercial vehicles is critical for fairly assessing liability and damages, if they exist. In addition to traditional physics-based approaches, the digital records stored within heavy vehicle ECMs are useful in determining the events leading to a crash. 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:

Synercon Technologies, LLC has the exclusive rights to sell the TruckCRYPT software subscriptions. These patent pending technologies are duly licensed and Synercon Technologies is the sole provider of these products. 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 June 2015, DPS purchased four Forensic Link Adapters and two years of software support and subscriptions for each device from Synercon Technologies as a sole source using then approved sole source procurement procedures. In July 2017, ITS, on behalf of DPS, issued Notice of Intent to Certify Sole Source Certification Number 4015 for TruckCRYPT software support and subscriptions to Synercon Technologies' and received no objections. DPS wishes to extend the TruckCRYPT software support and subscriptions through June 30, 2023. The total spend to date is \$47,200.00.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the TruckCRYPT software subscriptions 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 Synercon Technologies, 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 Tuesday, June 16, 2020, at 3:00 p.m. (Central Time) to Jay Woodruff at jay.woodruff@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 Jay Woodruff 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. 4313-45884
Accepted until June 16, 2020 @ 3:00 p.m.,
ATTENTION: Jay Woodruff

If you have any questions concerning the information above or if we can be of further assistance, please contact Jay Woodruff at 601-432-8001 or via email at jay.woodruff@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: MBI Crash Team CMV Application			Stimulus (ARRA) Funds? Yes_ No x_	
Customer Contact Information				
Agency/Public University: Department of Public Safety Address: 3891 Highway 468 West, Pearl, MS. 39208			Contact Person: Patricia Bryant Phone: 601-933-2646 or 601-941-5168 Fax: 601-933-2676 Email Address: pbryant@dps.ms.gov	
MAGIC Customer Number (only required from state agencies):			Division/Dept: Handmail: <input type="checkbox"/> Yes x No	
Project Summary Narrative Description of Project (include details of original acquisition if applicable): The Mississippi Highway Safety Patrol (MHSP) Crash Team will use the Forensic Link Adapter to capture forensically sound accident data. This will allow MHP to obtain, decode, and preserve heavy truck Electronic Control Modules (ECM) data. Synercon Technologies, LLC has certified that they have exclusive rights to sell the Forensic Link Adapter, and TruckCRYPT software.				
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: 06/30/20 Funds Expire:	Anticipated Lifecycle of Products/System (i.e. estimated years of effective use): 3 years
2021		\$7,200.00	Discuss Funding (e.g. how much of needed funding is definite; total project budget; any matching or other non-state funds)	
2022		\$7,200.00		
2023		\$7,200.00		
Total		\$21,600.00		
Acquisition Details				
Items Requested	Quantity	Description		Building Location(s)
TruckCRYPT software subscriptions	4	Annual software and service subscription to obtain, decode, and preserve heavy truck forensic Engine Control Module (ECM) data		
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: Field Cables and software needed for the MHSP Crash Team to investigate Commercial Motor Vehicle (CMV) crashes.				
Progress to Date: What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? MHSP Crash Team supervisor contacted Synercon Technologies, LLC. for a quote.				
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: TruckCRYPT forensic software will allow the Mississippi Highway Safety Patrol (MHSP) Crash Team to investigate Commercial Motor Vehicle (CMV) crashes by obtaining, encrypting, decoding, and preserving heavy truck forensic ECM data. DPS' proper investigation of crashes involving commercial vehicles is critical for fairly assessing liability and damages, if they exist. In addition to traditional physics-based approaches, the digital records stored within heavy vehicle ECMs are useful in determining the events leading to a crash.				
Explain why these products or services are the only ones that can meet your needs (include unique features/special functionality): The TruckCRYPT software, developed by and duly licensed from the University of Tulsa, is a system of programs that run on the Forensic Link Adapter (FLA) and links to the Synercon server, securing all critical digital forensic data in a heavy vehicle (e.g., semi-tractor trailer) incident for interpretation. The FLA contains an embedded computer specifically designed to produce forensically sound records from heavy vehicle event data recorders, known as electronic control modules (ECM).				
Explain why the source is the only entity that can provide the products or services (Include other products/vendors researched or evaluated): Synercon Technologies, LLC has the exclusive rights to sell the TruckCRYPT software subscriptions. These patent pending technologies are duly licensed and Synercon Technologies is the sole provider of these products.				
Vendor's Certification of Sole Source attached: x Yes <input type="checkbox"/> No			Vendor's proposal attached: x Yes <input type="checkbox"/> No	
MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.				
Place Order To: 3102013982 Vendor Name: Synercon Technologies Vendor Address: 125 W. Third St., First Floor, Tulsa, OK 74103		Remit To: 3102013982 Vendor Name: Synercon Technologies Vendor Address: 125 W. Third St., First Floor, Tulsa, OK 74103		

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.

Clay Johnston, MIS Director
Name (Agency Head or Public University CIO)/Title

Clay Johnston 5-27-20
Signature Date



33604 West Eight Mile Road
Farmington Hills, MI 48335
(248) 888-2000

Sole Source Justification Statement

24 February 2020

To Whom It May Concern:

This information provided here is to certify that Synercon Technologies has the exclusive rights to sell the Forensic Link Adapter, Smart Sensor Simulator 2 and TruckCRYPT software. These patent pending technologies are duly licensed and Synercon Technologies is the sole provider of these products. No other entity offers a system that allows the uniform communication with a harvested Engine Control Module through one central system except for Synercon Technologies.

Synercon Products the (Forensic Link Adapter, Smart Sensor Simulator 2 and TruckCRYPT software) are designed and assembled in the United States of America and comply with the Buy America Act. Final assembly is performed in Farmington Hills, Michigan.

Detailed Justification

At the request of numerous crash investigators and law enforcement agencies, Synercon Technologies LLC was founded in 2013. Dr. Jeremy Daily (then an Associate Professor of Mechanical Engineering at the University of Tulsa) and his team of founders transitioned the licensed technology developed at The University of Tulsa under a federal cooperative agreement with the National Institute of Justice. The technology extracts heavy vehicle crash data from the vehicle's engine control module (ECM) in both a forensically sound and more efficient way than existing methods.

In 2018, Dearborn Group, Inc. dba DG Technologies, Inc. acquired Synercon Technologies combined it with its heavy vehicle diagnostic technology to continue and enhance support and development of products needed by today's crash investigator --- making it the only company with the comprehensive, *Ultimate Kit*, capability to forensically extract/encrypt/preserve/decrypt & replay authenticated data at a crash site, or on a bench; and perform electronic diagnostics on heavy truck crash events or investigative scenarios.

Forensic Link Adapter

The FLA is a rugged field computer that communicates with heavy vehicle electronic control modules (ECMs) over the J1939 and J1708 networks. It downloads information from heavy vehicle event data recorders (HVEDRs). It can be used by itself on Navistar MaxxForce, PACCAR MX, all Caterpillar, older Detroit Diesels, and Mercedes Engine Control Modules or it can be used as a forensic RP1210 compliant device with OEM software. The FLA employs patent pending technology to prevent a user

Attachment B

from altering the digital records from HVEDRs. It securely downloads, preserves, and authenticates digital forensic data.



When Getting the Data, the FLA is encrypting the information as it is received to establish its authenticity and reliability. When finished, the screen will prompt the user to upload and end. A friendly shutdown is encouraged to reduce the risk of file system issues. The data is preserved indefinitely on the FLA, and with 16 GB of memory, countless downloads can be performed.

With field operations complete, the FLA can be packaged in its dedicated carrying case along with its accessories. Once back to a location with a hard Ethernet line to the internet, the encrypted data from the Forensic Link Adapter is uploaded for decoding and display on the Synercon Technologies server.

TruckCRYPT Software

With an active subscription to the TruckCRYPT Software, you can log in to view and print the data. A list of your FLAs is displayed. All the uploaded and decoded data packages will be available from that FLA. Clicking on the download of interest brings you to the data page where event data is displayed on a dynamic chart and also available as a comma separated values table for importing into Microsoft Excel.

Smart Sensor Simulator 2

The SSS2 is a universally compatible device that emulates the electronic systems of a truck. This “truck-in-a-box” technology enables investigators to retrieve data out of electronic control units (ECUs) from damaged vehicles and perform a forensically sound bench-top download. The SSS2 can provide a fault-free environment for a forensically neutral download of the data contained in an ECU. The SSS2 is adjustable by the user with our Smart Sensor Simulator Interface program so a single SSS2 can provide solutions across the wide array of ECUs found on the road.



Cables

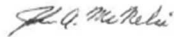
Attachment B

Various cables are part of the kit to connect up the SSS2 to various ECUs that may be encountered.

The Smart Sensor Simulator 2 is a small package to simulate a big truck. The SSS2 creates an electrically equivalent system to emulate the sensors, actuators, power and communications found on an actual vehicle. You can use the DG Technologies DPA family of tools or any RP1210 device to connect to the SSS2 through its built-in 9-pin connector. You can also use the FLA to perform a benchtop download with the SSS2.

Through a software interface application the SSS2 configuration is changed by sending the unit commands over the USB connection. The Interface App has all these commands laid out in a graphical format so you can easily adjust the settings to accommodate the programmed configuration of any ECU. If you need some pre-defined settings, the SSS2 Interface App has a default directory of common ECUs.

Respectfully,



John McNelis
Sales & Marketing Manager

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

Attachment C

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 requires 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.