



Notice of Intent to Certify Sole Source

To: Interested Parties

From: Craig P. Orgeron, Ph.D.

CC: ITS Project Number 45904

Date: June 30, 2020

Re: Sole Source Certification Number 4318 to provide iManage WorkSite support and maintenance for the Mississippi Division of Medicaid (DOM)

Contact Name: Wesley Wright

Contact Phone Number: 601-432-8103

Contact E-mail Address: Wesley.Wright@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4318 for the Mississippi Division of Medicaid (DOM), please be advised that ITS intends to award Netright Intermediate LLC dba iManage LLC, as the sole source provider of iManage WorkSite support and maintenance through July 30, 2021, in an amount not to exceed \$83,260.52. Please be advised that ITS will determine if additional support and maintenance are within scope during the certification period and may increase the spending authority accordingly. Should Netright Intermediate LLC dba iManage 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:

iManage WorkSite provides centralized digital storage/management of DOM documents. DOM uses iManage WorkSite to store over 75 different document types that are divided 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 review, reimbursement, state plan, strategic planning, third party legal, and vouchers.

DOM has made the business decision to continue the use of iManage WorkSite software, rather than purchasing new licenses for similar document management

software. DOM requires maintenance support for iManage WorkSite to access manufacturer support assistance, supported releases, and patch releases. 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 and support for iManage WorkSite would mean that DOM would not have access to manufacturer support assistance to address 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 customer's initial maintenance support term expires, as well as the sole provider of any updates/upgrades for their proprietary software (including, but not limited to, WorkSite Mobility Server, WorkSite Business User Full Bundle, WorkSite Business Server, WorkSite Records Server and DeskSite). The Vendor's sole source certification letter is included as Attachment B.

Schedule

Task	Date
First Advertisement Date	06/30/20
Second Advertisement Date	07/07/20
Response Deadline From Objectors	07/15/20 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 07/16/20

Project Details

iManage WorkSite is a document management solution for all documents, emails, and other communication streams that seamlessly integrate with Microsoft Office. This product was purchased in 2006 through a Master End User License Agreement between Interwoven and ITS, on behalf of the agencies and institutions of Mississippi, based on ITS 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.

After 2012, consulting services and maintenance and support for WorkSite were procured using then approved sole source certification procedures. ITS advertised Notice of Intent to Certify Sole Source Numbers 3838 in October 2015, 4128 in September 2018, and 4223 in July 2019. No objections were received in any certification; therefore, awards were made to iManage LLC for the WorkSite system. DOM has made a business decision to continue maintenance and support for iManage WorkSite. To date, DOM has spent \$1,250,661.45 on this system and migration services.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the iManage WorkSite support and maintenance 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 Netright Intermediate LLC dba 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 Wednesday, July 15, 2020, at 3:00 p.m. (Central Time) to Wesley Wright at Wesley.Wright@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 Wesley Wright 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. 4318-45904
Accepted until July 15, 2020 @ 3:00 p.m.,
ATTENTION: Wesley Wright**

If you have any questions concerning the information above or if we can be of further assistance, please contact Wesley Wright at 601-432-8103 or via email at Wesley.Wright@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: iManage Work Renewal		Stimulus (ARRA) Funds? Yes No <u>X</u>	
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.: Handmail: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 integrate 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 then completed a buyout from HP of the complete iManage business, including its brands, products, and 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: 7/1/20 Funds Expire: n/a
FY2021		\$83,260.52	Anticipated Lifecycle of Products/System: 1 year initially with 2, optional 1 year renewals Discuss Funding (e.g. how much of needed funding is definite; total project budget; any matching or other non state funds) 50/50 Federal/State
Total		\$83,260.52	
Acquisition Details			
Items Requested	Quantity	Description	Building Location(s)
IM WMS BB	1	WorkSite Mobility Server	Sillers & ITS
WS-BUS-USERFULLBUN	400	WorkSite Business User Full Bundle	Sillers & ITS
WS-SERV-BUS	2	WorkSite Business User per Server	Sillers & ITS
RM-SCR-100 MORE	1	WorkSite Records Server	Sillers & ITS
SOFTLIC	1	Software Maintenance	Sillers & ITS
IM 12001	650	DeskSite	Sillers & 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 for 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 and support for iManage WorkSite would mean that DOM would not have access to manufacturer support assistance to address 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 WorkSite provides centralized digital storage/management of DOM documents. DOM uses iManage WorkSite to store over 75 different document types that are divided 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 review, reimbursement, state plan, strategic planning, third party legal, and vouchers. DOM has made the business decision to continue the use of iManage WorkSite software, rather than purchasing new licenses for similar document management software. DOM requires maintenance support for iManage WorkSite to access manufacturer support assistance, supported releases, and patch releases.			
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. However, iManage, LLC is the sole source provider for Maintenance Support renewals after customer's initial maintenance support term expires as well as the sole provider of any updates/upgrades for their proprietary software (including, but not limited to, WorkSite Mobility Server, WorkSite Business User Full Bundle, WorkSite Business Server, WorkSite Records Server and DeskSite).			
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: iManage, LLC Vendor Address: 540 West Madison, Suite 2400, Chicago, IL 60601		Remit To Vendor Name: iManage, LLC Vendor Address: PO Box 71701, Chicago, IL 60694-1701	

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

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.

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


Signature

5/15/20
Date



Headquarters Address:
540 W Madison Street
Suite 300
Chicago, IL 60661-6600
Phone (312) 667-7000

May 5, 2020

Mississippi Division of Medicaid
550 High Street, Suite 1000
Jackson, MS 39201

Attn: Grant 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,

A handwritten signature in black ink, appearing to read 'Don Zapata', written over a horizontal line.

Don Zapata
Support Renewal Representative
Phone: 408 659 4211
don.zapata@imanager.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.