

## Notice of Intent to Certify Sole Source

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**To:** Interested Parties  
**From:** Craig P. Orgeron, Ph.D.  
**CC:** ITS Project Number 45903  
**Date:** July 21, 2020  
**Re:** Sole Source Certification Number 4320 to provide tcVISION software maintenance for the Mississippi Department of Human Services (MDHS)  
**Contact Name:** Jay Woodruff  
**Contact Phone Number:** 601-432-8001  
**Contact E-mail Address:** jay.woodruff@its.ms.gov

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### Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4320 for the Mississippi Department of Human Services (MDHS), please be advised that ITS intends to award Treehouse Software, Inc. as the sole source provider of tcVISION software maintenance through July 31, 2023 in an amount not to exceed \$113,541.00. Please be advised that ITS will determine if additional licenses or maintenance is within scope during the certification period and may increase the spending authority accordingly. Should Treehouse Software, 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 tcVISION software focuses on change data capture (CDC) to transfer information between mainframe data sources and various databases and applications. Changes occurring in any mainframe application is tracked and captured without additional programming efforts, and then published in a variety of mainframe applications such as DB2, ADABAS, etc. Specific to MDHS, tcVISION provides the ability to retrieve archived data from the legacy ADABAS protection logs (PLOG). SoftwareAG's ADABAS uses transactional data that is currently replicated to various MDHS MS SQL Server Databases. These PLOGs are created in a proprietary format by SoftwareAG and, as such, Treehouse Software, Inc. is**

**licensed by SoftwareAG to retrieve and process PLOG transactional data. 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:

**tcVISION provides MDHS the ability to satisfy audit requests for data from both the legacy z/OS Mainframe (old version of SoftwareAG’s ADABAS PLOGs) and the post-MDHS conversion Linux x86 platforms (new version of SoftwareAG’s ADABAS PLOGs). Therefore, MDHS has made the business decision to continue using the Treehouse Software tcVISION software products. 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:

**Treehouse Software, Inc. is an authorized distributor of tcVISION and is the only distributor permitted to license, provide technical support, and training for tcVISION to the State of Mississippi. The Vendor’s sole source certification letter is included as Attachment B.**

**Schedule**

<b>Task</b>	<b>Date</b>
First Advertisement Date	07/21/20
Second Advertisement Date	07/28/20
Response Deadline From Objectors	08/4/20 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 08/5/20

**Project Details**

In February 2014, ITS, on behalf of the Mississippi Department of Human Services, executed a Software License and Maintenance Agreement with Treehouse Software, Inc. as the sole source provider of the tcVISION system, software licenses, and maintenance. In July 2017, ITS issued Sole Source Certification Number 4004 for tcVISION software licenses and maintenance and received no objections/responses. In August 2018, ITS issued Sole Source Certification Number 4115 for tcVISION software licenses and maintenance and received objections/responses. In August 2018, ITS issued Sole Source Certification Number 4115 for additional licenses and two years of maintenance and received no objections/responses. The current spend to date is \$718,143.00. MDHS wishes to procure three additional years of tcVISION software maintenance.

**Submission Instructions and Format of Response from Objecting Parties**

Interested parties who have reason to believe that the tcVISION software 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 Treehouse Software, Inc.

Interested Party Information

- 1.1.1 Contact Name, Phone Number and email address
- 1.1.2 Company Website URL, if applicable

Attachment A

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, August 4, 2020, at 3:00 p.m. (Central Time) to Jay Woodruff at [jay.woodruff@its.ms.gov](mailto: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:

<p style="text-align: center;"><b>SUBMITTED IN RESPONSE TO</b> <b>Sole Source Certification No. 4320-45903</b> <b>Accepted until August 4, 2020 @ 3:00 p.m.,</b> <b>ATTENTION: Jay Woodruff</b></p>
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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](mailto:jay.woodruff@its.ms.gov).

Attachment A: Customer Sole Source Certification Request

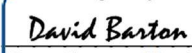
Attachment B: Vendor Correspondence

Attachment C: Sole Source Procurement Overview

## Sole Source Certification Request

<b>Project Title:</b> tcVision Software Support			<b>Stimulus (ARRA) Funds? Yes No <u>X</u></b>	
<b>Customer Contact Information</b>				
<b>Agency/Public University:</b> MS Dept. of Human Services <b>Address:</b> 200 South Lamar Street Jackson, MS 39201			<b>Contact Person:</b> Vicki Brown <b>Phone:</b> (601)359-4610 <b>Fax:</b> (601)359-4698 <b>Email Address:</b> vicki.brown@mdhs.ms.gov	
<b>MAGIC Customer Number</b> (only required from state agencies): 700000190			<b>Division/Dept:</b> <b>Handmail:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Project Summary</b> <i>Narrative Description of Project</i> (include details of original acquisition if applicable): MDHS would like to renew the Software Support Agreement with Treehouse.				
<b>ITS Acquisition Approval (CP-1) should be effective through this date</b> (Please allow time for all vendor invoices to be paid):				
<b>Cost Estimates</b> <i>Fiscal Year</i>	<b>Initial Costs</b>	<b>Ongoing Costs</b>	<b>Time Constraints</b> Item Needed by: 7/31/2020 Funds Expire: N/A	<b>Anticipated Lifecycle of Products/System</b> (i.e. estimated years of effective use): 3 Years
FY21	\$36,734.00		<b>Discuss Funding</b> (e.g. how much of needed funding is definite; total project budget; any matching or other non-state funds) Federal 100%	
FY22		\$37,836.00		
FY23		\$38,971.00		
<b>Total</b>	<b>\$36,734.00</b>	<b>\$76,807.00</b>		
<b>Acquisition Details</b>				
<b>Items Requested</b>	<b>Quantity</b>	<b>Description</b>		<b>Building Location(s)</b>
ADABAS LUW CDC Module	1	Annual Support for 3 Years		
ADABAS LUW Apply Module	1	Annual Support for 3 Years		
<b>Describe platform &amp; infrastructure</b> (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: IBM mainframe and Linux servers; hosted at State Data Center				
<b>Progress to Date:</b> What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? Received quote and Sole Source Letter from Treehouse Software.				
<b>Sole Source Certification</b> Note: Certification must be renewed for each revision or continuation of previous Sole Source Approvals.				
<b>Specific business requirements to be met by the requested products or services:</b> The tcVISION software focuses on change date capture (CDC) to transfer information between mainframe data sources and various databases and applications. Changes occurring in any mainframe application is tracked and captured without additional programming efforts, and then published in a variety of mainframe applications such as DB2, ADABAS, etc. Specific to MDHS, tcVISION provides the ability to retrieve archived data from the legacy ADABAS protection logs (PLOG). SoftwareAG's ADABAS uses transactional data that is currently replicated to various MDHS MS SQL Server Databases. These PLOGs are created in a proprietary format by SoftwareAG and, as such, Treehouse Software, Inc. is licensed by SoftwareAG to retrieve and process PLOG transactional data.				
<b>Explain why these products or services are the only ones that can meet your needs</b> (include unique features/special functionality): tcVISION provides MDHS the ability to satisfy audit requests for data from both the legacy z/OS Mainframe (old version of SoftwareAG's ADABAS PLOGs) and the post-MDHS conversion Linux x86 platforms (new version of SoftwareAG's ADABAS PLOGs). Therefore, MDHS has made the business decision to continue using the Treehouse Software tcVISION software products.				
<b>Explain why the source is the only entity that can provide the products or services</b> (Include other products/vendors researched or evaluated): B.O.S. Software Service und Vertrieb GmbH has certified it is the sole owner and developer of tcVISION software product, and Treehouse Software is the only distributor permitted to license and provide technical support for tcVISION for mainframe and Linux to the State of Mississippi.				
<b>Vendor's Certification of Sole Source attached:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No			<b>Vendor's proposal attached:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>MAGIC Vendor Code(s) Vendor must be in MAGIC before a CP-1 can be issued.</b>				
<b>Place Order To</b>		<b>Remit To</b>		
<b>Vendor Name:</b> Treehouse Software, Inc.		<b>Vendor Name:</b> Treehouse Software, Inc.		
<b>Vendor Address:</b> 2605 Nicholson Rd, Suite 1230 Sewickley, PA 15143		<b>Vendor Address:</b> 2605 Nicholson Rd, Suite 1230 Sewickley, PA 15143		

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.

DocuSigned by:  
  
\_\_\_\_\_  
Name (Agency Head or Institution CIO)/ Title

Deputy Executive Director 7/21/2020  
\_\_\_\_\_  
Signature Date



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2605 Nicholson Road, Suite 1230  
Sewickley, PA 15143

May 14, 2020

Vicki Brown  
Division of Budgets and Accounting  
Procurement Services  
750 North State Street  
Jackson, MS 39202

B.O.S. Software Service und Vertrieb GmbH is the developer and sole owner of the tcVISION software product. Treehouse Software Inc. is an authorized distributor of tcVISION and is the only distributor permitted to license, provide technical support and provide training for tcVISION to the State of Mississippi.

Sincerely,

A handwritten signature in blue ink that reads "Terri Hammerschmitt".

Terri Hammerschmitt  
Controller

## 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](http://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

## Attachment A

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.