

## Notice of Intent to Certify Sole Source

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**To:** Interested Parties

**From:** Michele Blocker, Interim Executive Director

**CC:** ITS Project Number 45667

**Date:** August 11, 2020

**Re:** Sole Source Certification Number 4336 to provide State-to-State (S2S) Verification Service enhancements for the Mississippi Department of Public Safety (MDPS)

**Contact Name:** Alec Shedd

**Contact Phone Number:** 601-432-8162

**Contact E-mail Address:** [Alec.Shedd@its.ms.gov](mailto:Alec.Shedd@its.ms.gov)

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### Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4336 for the Mississippi Department of Public Safety (MDPS), please be advised that ITS intends to award American Association of Motor Vehicle Administrators (AAMVA), as the sole source provider of S2S Verification Service enhancements through June 30, 2021, in an amount not to exceed \$0.00. Please be advised that ITS will determine if additional enhancements, upgrades, or support are within scope during the certification period and may increase the spending authority accordingly. Should American Association of Motor Vehicle Administrators (AAMVA) 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:

**AAMVA operates and maintains the S2S Verification Service for the MDPS and was procured as a sole source product in 2012. AAMVA designed, developed, installed, and currently hosts the S2S Verification Service for the MDPS. The service was designed to provide driver license verification services to multiple states in a coalition under federal grant programs. Driver License Agencies (DLA) currently exchange driver and vehicle information nationwide in real time only via AAMVAnet services and systems. There is no other solution used for this purpose. No other service or software is currently available that would serve the same purpose or**

**provide the same functionality to multiple states. 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:

**Mississippi is the lead state for the State-to-State (S2S) Verification Service, a cooperative effort involving more than thirty states to enhance the interstate exchange of driver control information, making this exchange more effective, efficient, and less costly which will create a means for more timely, accurate, and complete records. Although the S2S was originally intended as a homeland security effort, the participating states soon realized that S2S could also serve as an effective highway safety tool, providing states with an improved ability to execute their driver control responsibilities.**

**Due to COVID-19, some states had to move their S2S implementation dates beyond what was initially planned and covered under the MDPS contract. This extension will extend the certification to allow those states that have suffered delays to be covered by the grant funding. 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:

**AAMVAnet services and systems are not available through any source but through AAMVA only. AAMVA is also federally identified as the only entity to provide such services for commercial driver purposes. The Vendor's sole source certification letter is included as Attachment B.**

## **Schedule**

<b>Task</b>	<b>Date</b>
First Advertisement Date	08/11/20
Second Advertisement Date	08/18/20
Response Deadline From Objectors	08/25/20 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 08/26/20

## **Project Details**

The Mississippi Department of Public Safety originally procured the S2S Verification Service from AAMVA as a sole source in 2012. A Software License and Hosting Agreement for \$28,516,445.00 was executed on October 15, 2012. Five Change Orders have been executed for enhancements and to extend the expiration date of maintenance and support for the system. The current Agreement expires September 30, 2020. Due to COVID-19, some states that would have had their onboarding expenses covered under the MDPS contract has had to move their S2S implementation dates beyond the originally planned dates. This extension will allow those states that have suffered delays to be covered by the grant funding. The Mississippi Department of Public Safety has received \$35,690,237.72 in procurement approval from ITS to-date.

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

Interested parties who have reason to believe that the State-to-State (S2S) Verification Service enhancements 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 American Association of Motor Vehicle Administrators (AAMVA).

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, August 25, 2020, at 3:00 p.m. (Central Time) to Alec Shedd at [Alec.Shedd@its.ms.gov](mailto: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:

**SUBMITTED IN RESPONSE TO  
Sole Source Certification No. 4336-45667  
Accepted until August 25, 2020 @ 3:00 p.m.,  
ATTENTION: Alec Shedd**

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](mailto:Alec.Shedd@its.ms.gov).

Attachment A: Customer Sole Source Certification Request

Attachment B: Vendor Correspondence

Attachment C: Sole Source Procurement Overview



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

## Sole Source Certification Request

<b>Project Title:</b> AAMVA Ext.		<b>Stimulus (ARRA) Funds?</b> Yes No <u>X</u>	
<b>Customer Contact Information</b>			
<b>Agency/Public University:</b> MS Dept. of Public Safety <b>Address:</b> 3891 Highway 468 West Pearl, MS 39208		<b>Contact Person:</b> Tevin Coleman <b>Phone:</b> 601-933-2644 <b>Fax:</b> 601-933-2676 <b>Email Address:</b> Tcoleman@dps.ms.gov	
<b>MAGIC Customer Number</b> (only required from state agencies): 771		<b>Division/Dept.:</b> <b>Handmail:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Project Summary Narrative Description of Project</b> (include details of original acquisition if applicable): Extension of services provided by AAMVA in support of the S2S project that created the State Pointer Exchange Service (SPEXS) allowing state driver license agencies to query all other participating states for existence of a prior credential before issuing a new credential to a customer.			
<b>ITS Acquisition Approval (CP-1) should be effective through this date</b> (Please allow time for all vendor invoices to be paid): 6/30/21			
<b>Cost Estimates</b> <b>Fiscal Year</b>	<b>Initial Costs</b>	<b>Ongoing Costs</b>	<b>Time Constraints</b> Item Needed by: 9/1/2020 Funds Expire: 3/31/2021
FY20		\$0.00	<b>Anticipated Lifecycle of Products/System</b> (i.e. estimated years of effective use): 6+  <b>Discuss Funding</b> (e.g. how much of needed funding is definite; total project budget; any matching or other non state funds). 100% U.S. Department of Homeland Security Driver License Security Grant Program (DLSGP) funded.
Total		\$0.00	
<b>Acquisition Details</b>			
<b>Items Requested</b>	<b>Quantity</b>	<b>Description</b>	<b>Building Location(s)</b>
S2S enhancements	2	Date extension and meeting changed to remote	
<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: Software and hardware infrastructure provided by AAMVA.			
<b>Progress to Date:</b> What has been done related to this project, including any communication with ITS staff (data/voice/procurement/other)? The SPEXS has progressed from pilot to operational status and is enrolling additional states. Due to COVID-19, some states that would have had their onboarding expenses covered under this Contract have had to move out their S2S implementation dates beyond the originally planned dates. This extension will allow those states that have suffered delays to be covered by the grant funding.			
<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> Mississippi is the lead state for the State-to-State (S2S) Verification Service, a cooperative effort involving more than thirty states to enhance the interstate exchange of driver control information, making this exchange more effective, efficient, and less costly which will create a means for more timely, accurate, and complete records. Although the S2S was originally intended as a homeland security effort, the participating states soon realized that S2S could also serve as an effective highway safety tool, providing states with an improved ability to execute their driver control responsibilities. Due to COVID-19, some states had to move their S2S implementation dates beyond what was initially planned and covered under the MDPS contract. This extension will extend the certification to allow those states that have suffered delays to be covered by the grant funding.			
<b>Explain why these products or services are the only ones that can meet your needs</b> (include unique features/special functionality): AAMVA operates and maintains the S2S Verification Service for the MDPS and was procured as a sole source product in 2012. AAMVA designed, developed, installed, and currently hosts the S2S Verification Service for the MDPS. The service was designed to provide driver license verification services to multiple states in a coalition under federal grant programs. Driver License Agencies (DLA) currently exchange driver and vehicle information nationwide in real time only via AAMVAnet services and systems. There is no other solution used for this purpose. No other service or software is currently available that would serve the same purpose or provide the same functionality to multiple states.			
<b>Explain why the source is the only entity that can provide the products or services</b> (Include other products/vendors researched or evaluated): AAMVAnet services and systems are not available through any source but through AAMVA only. AAMVA is also federally identified as the only entity to provide such services for commercial driver purposes.			
<b>Vendor's Certification of Sole Source attached:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		<b>Vendor's proposal submitted:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<b>MAGIC Vendor Code(s)</b> Vendor must be in MAGIC before a CP-1 can be issued.			
<b>Place Order To</b> <b>Vendor Name:</b> AAMVA <b>Vendor Address:</b> 4401 Wilson Blvd. STE 700, Arlington, VA 22103		<b>Remit To</b> <b>Vendor Name:</b> AAMVA <b>Vendor Address:</b> P.O. Box 38056, Baltimore, MD 21297-8056	

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

Clay Johnston 8.6.20  
Signature Date



July 20, 2020

Clay Johnston, MIS Director  
MS Department of Public Safety  
P.O. Box 958  
Jackson, MS 39205-0958

Re: **SOLE SOURCE JUSTIFICATION WITHIN THE MISSISSIPPI CONTEXT**

Dear Mr. Johnston:

This letter is to provide the necessary background to justify the sole source procurement with AAMVA for the State-to-State system:

**Overview**

Section 013-030 of the Mississippi Procurement Handbook<sup>1</sup> states that the following criteria must be met for a procurement 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. 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 sections that follow clarify how these requirements are met in the case of AAMVAnet™ services and systems.

**No other products/services exist**

Driver License Administrations (DLA) currently exchange driver and vehicle information nationwide in real time only via AAMVAnet™ services and systems. There is no other solution used for this purpose.

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Mr. Johnston  
July 20, 2020  
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AAMVA is also federally identified as the only entity to provide such services for commercial driver purposes. Even under competitive conditions it will be cost prohibitive to implement a separate solution for all other drivers as opposed to utilizing AAMVAnet™ services and systems.

**Business objectives met only by AAMVA**

Specific business objectives that can be met only by AAMVA and its supporting AAMVAnet™ services and systems are the following:

- Provide an existing solution in which all States already participate, serving as basis for further expansion and for voluntary participation by any State.
- Provide at least 20 years of know-how, experience and technical expertise in developing systems that share information between Federal Agencies and all DLAs.
- Provide the DLAs with a common look and feel for all of the DLA applications.
- Provide oversight by one single Operator, AAMVA, under an existing governing structure representative of all States to oversee policy and operations.

**Services not available through resellers**


AAMVAnet services and systems are not available through any source but through AAMVA.

Based on all the above justifications, AAMVA believes that it is a qualified sole source provider for the development of the State-to-State system.

Please feel free to contact me at 703-908-2952 or [pdsa@aamva.org](mailto:pdsa@aamva.org) should you have any questions on the above.

Best regards,

Pamela  
Dsa

 Digitally signed by Pamela Dsa  
DN: dc=aamva, ou=User  
Accounts, ou=Staff, cn=Pamela  
Dsa, email=pdsa@aamva.org  
Date: 2020.07.21 15:27:49 -0400

Pamela Dsa  
Senior Project Director, Driver Systems

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 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.