

## Notice of Intent to Certify Sole Source

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**To:** Interested Parties

**From:** David C. Johnson 

**CC:** ITS Project Number 48240

**Date:** June 4, 2024

**Re:** Sole Source Certification Number 4626 to provide ADSi Records Management Software Maintenance and Support for the Mississippi Department of Public Safety (MDPS)

**Contact Name:** Matthew Livingston

**Contact Phone Number:** 601-432-8244

**Contact E-mail Address:** Matthew.Livingston@its.ms.gov

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### Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4626 for the Mississippi Department of Public Safety (MDPS), please be advised that ITS intends to award Application Data Systems, Inc., as the sole source provider of ADSi Records Management Software Maintenance (RMS) through June 30, 2027, in an amount not to exceed \$142,167.00. Please be advised that ITS will determine if additional maintenance or support are within scope during the certification period and may increase the spending authority accordingly. Should Application Data Systems, 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 B: 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 currently installed ADSi software systems CADForce, MapForce, MTDForce, AVLForce, DataForce, and Archive modules within the RMS are written, manufactured, maintained, and supported solely by ADSi with no other entity authorized to manufacture, maintain, or support any ADSi system. The ADSi Records Management Software (RMS) provides the Mississippi Bureau of Investigation (MBI) with the tools to manage its investigation case load while providing a historical electronic archive of case information and agency level reporting. The ADSi software support allows MBI to receive software upgrades and routine maintenance and also includes Suspicious Activity support, Request for Information support, and Mobile Intake Processing support.**

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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:

**ADSi's RMS system allows the MBI Intelligence Analysts to read the former microfilm files that have been converted and stored in the ADSi Archive module. Cases stored in the archive module have historical significance relevant to the State of Mississippi. The software is also critical in the coordination and dispatch of vehicles across the State as well as tracking calls for service that involve arrests, reported incidents, or towed vehicles.**

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:

**All the currently installed ADSi software systems, revisions, and proposed software upgrades are written, manufactured, maintained, and supported solely by ADSi. There are no other entities or companies authorized by ADSi to manufacture, maintain, or support any ADSi software system. At no time is the State permitted to extend the existing ADSi license or allow 3<sup>rd</sup> parties into their software. The Vendor's sole source certification letter is included as Attachment A.**

### Schedule

| Task                             | Date                               |
|----------------------------------|------------------------------------|
| First Advertisement Date         | 06/04/24                           |
| Second Advertisement Date        | 06/11/24                           |
| Response Deadline From Objectors | 06/18/24 at 3:00 P.M. Central Time |
| Notice of Award/No Award Posted  | Not before 06/19/24                |

### Project Details

In April 2011, using then-approved Sole Source methods, ITS certified the Records Management System, services, and maintenance as sole source for five years. A Software License and Maintenance Agreement was executed with Application Data Systems, Inc. (ADSi) for a five year term. In June 2015, ITS issued Sole Source No. 4102 for additional modules and two years of maintenance and support and received no objections. Two subsequent Sole Source Certifications were issued in June 2018 and June 2021, respectively, to extend maintenance and support of the RMS. The existing Agreement expires June 30, 2024. MDPS' total spend to date is \$788,619.00.

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

Interested parties who have reason to believe that the ADSi RMS 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 Application Data Systems, 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 June 18, 2024, at 3:00 p.m. (Central Time) to Matthew Livingston at [Matthew.Livingston@its.ms.gov](mailto:Matthew.Livingston@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 Matthew Livingston 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. 4626-48240  
Accepted until June 18, 2024 @ 3:00 p.m.,  
ATTENTION: Matthew Livingston**

If you have any questions concerning the information above or if we can be of further assistance, please contact Matthew Livingston at 601-432-8244 or via email at [Matthew.Livingston@its.ms.gov](mailto:Matthew.Livingston@its.ms.gov).

Attachment A: Vendor Correspondence  
Attachment B: Sole Source Procurement Overview

A P P L I C A T I O N   D A T A   S Y S T E M S ,   I N C .

SPECIALISTS  
IN PUBLIC  
SAFETY  
SOFTWARE  
SINCE 1981



April 27, 2024

MDPS  
Clay Johnson  
Donald Loper  
Shelia Miller  
1900 Woodrow Wilson Dr  
Jackson, MS 39216

Re: Sole Source letter covering all installed copyrighted ADSi software until 2029

Currently, MDPS, MBI, MBN, Fusion have ADSi and have been granted a license and are in good standing with ADSi. All developed software and source code installed and is currently in use:

- ADSi CADForce this software is used to coordinate and dispatch vehicles statewide. Any calls for service that involves arrests, reported incidents, or towed vehicles will be entered into the ADSi system. This software will contain incident locations, response times, unit numbers for MHP vehicles involved, dispatcher remarks, caller remarks, and associated NCIC lookup information. CAD is truly the starting point for incidents that occur within the state additionally all RMS modules, databases, source code are owned and copyrighted and supported by ADSi exclusively.
- MBI & MBN use DataForce Police RMS modules including Incident, time keeping, and SAR.

All the currently installed ADSi software systems, revisions, proposed software upgrades are written, manufactured, maintained, and supported solely by ADSi. There are no other entities or companies authorized by ADSi to manufacture, maintain, or support any ADSi software system.

ADSi will proudly provide ongoing support, and maintenance of these modules if MDPS maintains a current maintenance/support contract for these software modules. Each entity may be licensed by ADSi, at no time is the state permitted to extend the existing ADSi license or allow 3<sup>rd</sup> parties into our software. The license may not be extended to any other entity without our knowledge or permission from ADSi or the ADSi ownership group the Perkins Family Trust.

Sincerely,

Mike Perkins, CEO, & Trustee Perkins Family Trust  
800.730.2374  
662.404.1117 cell  
[mikep@adsisoftware.com](mailto:mikep@adsisoftware.com)  
[www.adsisoftware.com](http://www.adsisoftware.com)

## Attachment B

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 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 A*.

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 \$75,000 (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.

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.