

Notice of Intent to Certify Sole Source

To: Interested Parties
From: Craig P. Orgeron, CPM, Ph.D.
CC: ITS Project Number 48502
Date: January 7, 2025
Re: Sole Source Certification Number 4653 to provide Output Manager Software Licenses and Maintenance for the Mississippi Department of Information Technology Services (ITS)
Contact Name: Christopher Gooday
Contact Phone Number: 601-432-8037
Contact E-mail Address: Christopher.Gooday@its.ms.gov

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4653 for the Mississippi Department of Information Technology Services (ITS) please be advised that ITS intends to award Levi, Ray, & Shoup, Inc., as the sole source provider of Output Manager Software Licenses and Maintenance through January 31, 2026 in an amount not to exceed \$131,755.00. If ITS opts to renew Output Manager Software Licenses and Maintenance, this sole source certification shall be valid through January 31, 2028. Please be advised that ITS will determine if additional licenses or maintenance are within scope during the certification period and may increase the spending authority accordingly. Should Levi, Ray, & Shoup, 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:

Levi, Ray & Shoup's (LRS) VTAM Printer Support (VPS) provides a well-established format to administer the printing of payroll and the Statewide Payroll and Human Resource System (SPAHRs) documents to all Mississippi state agencies. VPS is uniquely compatible with ITS's Legacy z/OS system and compatible with various connections to the SPAHRs Legacy system, such as agencies with their own networks and small agencies with remote VPN connections. Printing parameters available in VPS allows ITS to define printers specifically to the needs of agencies both small and large. This includes agencies with centralized on-site technical support as well as agencies with contracted technical support. Such configuration

autonomy is essential as ITS does not have physical access to the serviced agencies hardware setup with their printers. LRS’s VPS provides a central hub to provide agency-specific reports while offering ITS customized support to aid agencies with their own unique setups and problem solving. Such customization and long-established support and experience make it uniquely suited to serve the State of these services.

2. The purchaser must be able to show specific business objectives that can be met only through the unique product or services:

Many state agencies use the State Data Center mainframe environment for access to various statewide applications including the payroll system, title network systems, etc. These applications generate print documents that must be sent to remote printers throughout the state. There is not a standard printer nor are network connections uniform. The LRS software provides the mechanism to print to all the various printers.

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:

Levi, Ray & Shoup, Inc. (LRS) owns the source code for and is the only company that furnishes maintenance for the following products: VPS and VPS/TCPIP. LRS is the sole source for such products. The Vendor’s sole source certification letter is included as Attachment A.

Schedule

Task	Date
First Advertisement Date	12/31/2024
Second Advertisement Date	01/07/2025
NOI posted to ITS website	01/07/2025
Response Deadline From Objectors	01/23/2025 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 01/24/2025

Project Details

ITS originally procured LRS software licenses and support through RFP No. 2386 in 1994. Software licenses and maintenance for four products acquired were VPS, VPS/TCPIP, DRS, and DMCF. Beginning in 2016, ITS issued Notice of Intent to Certify Sole Source for these products, and have not received any objections. A License Schedule – Term Printer Agreement was executed in 2016 and has subsequently been renewed to extend the licenses and maintenance until January 31, 2025. ITS is requesting to renew the licenses and maintenance for the VPS and VPS/TCPIP software products for an additional year. ITS has spent to date \$1,828,532.95.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the Output Manager Software Licenses 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 Levi, Ray, & Shoup, 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 Thursday, January 23, 2025, at 3:00 p.m. (Central Time) to Christopher Gooday at Christopher.Gooday@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 Christopher Gooday 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. 4653-48502
Accepted until January 23, 2025 @ 3:00 p.m.,
ATTENTION: Christopher Gooday

If you have any questions concerning the information above or if we can be of further assistance, please contact Christopher Gooday at 601-432-8037 or via email at Christopher.Gooday@its.ms.gov.

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



LRSTM
LEVI, RAY & SHOUP, INC.

2401 W. Monroe St.
Springfield, IL 62704

P 217.793.3800
F 217.787.3286

LRS.com

December 30, 2024

Christopher Gooday
Mississippi Department of Information Technology Services
3771 Eastwood Drive
Jackson, MS 39211-6381

RE: MS0003

Dear Mr. Gooday:

Levi, Ray & Shoup, Inc. (LRS) owns the source code for and is the only company that furnishes maintenance for the following products: VPS[®] and VPS/TCPIP. LRS is the sole source for such products.

If you have any questions concerning the information contained herein, please contact the undersigned at Chris.Colliver@lrs.com.

Sincerely,

Chris R. Colliver
Sr. Contract Manager, EOM NA

2401 West Monroe
Springfield, IL 62704
www.lrs.com

217.793.3800

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).

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 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.