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Craig P. Orgeron, CPM, Ph.D., Executive Director

Notice of Intent to Certify Sole Source

To: Interested Parties

From: Craig P. Orgeron, CPM, Ph.D.

CC: ITS Project Number 49140

Date: September 10, 2025

Re: Sole Source Certification Number 4710 for oil and gas production system upgrades for the Mississippi State Oil and Gas Board (MSOGB)

Contact Name: Matthew Livingston

Contact Phone Number: 601-432-8244

Contact E-mail Address: matthew.livingston@its.ms.gov

Initial
CPD

Sole Source Certification Award Details

Regarding Information Technology Services (ITS) Sole Source Certification Number 4710 for the Mississippi State Oil and Gas Board (MSOGB), please be advised that ITS intends to award Ground Water Protection Council (GWPC) as the sole source provider of oil and gas production system upgrades through June 30, 2028, in an amount not to exceed \$1,032,404.00. Please be advised that ITS will determine if additional licenses or support are within scope during the certification period and may increase the spending authority accordingly. Should Ground Water Protection Council 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 MSOGB Risk Based Data Management System (RBDMS) has been in place since 1994 and now requires upgrades that can only be provided by the Ground Water Protection Council. The upgrades are for new functionality and processes to be developed that will run in web pages and allow and support Class VI wells within MSOGB's existing database, as well as other processes needed to support said wells like permitting, well entry and maintenance, and inspections. The new processes must be capable of reading data from the existing RBDMS database (both historical and current) related to existing companies, wells, permits, bonds, inspections, and then be capable of displaying that information in the new Class VI

processes. Then the new processes must be capable of verifying that the existing data does not conflict with any of the new data. After capturing that entered data, the new processes must be capable of generating permit information based on MSOGB business rules and requirements then writing that data back into the existing database in such a way that it does not conflict with data already in the database. That new data will then be available to be displayed within MSOGB's existing RBDMS application. Other new processes will also be implemented that will display all of the data in the database, but updates will be limited to new processes like inspections, facilities, incidents, and UIC (underground injection control). They will also support security and user management for the new processes.

MSOGB searched for other applications that would do the same functionality and found that of the 32 states with oil or gas programs, 24 (75%) of them (including Mississippi) are currently using a version of the GWPC developed RBDMS suite of programs. RBDMS represents the national standard for governmental oil, gas, and underground injection data management. Through those partnerships RBDMS continues to evolve and meet the changing needs of Mississippi and the other agencies. The GWPC has a longstanding partnership with Mississippi and other state and tribal agencies to support their ability to manage oil and gas data using RBDMS products. No programs could integrate MSOGB's historical database with new data and processes.

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

The MSOGB Injection Form (Form 14) is used for the monthly reporting per injection (disposal) well of injected fluids and information about them such as quantities that are injected into underground rock strata. The types of fluids, quantities, injection pressures, etc. are subject to review and are also subject to state and Federal (EPA) regulations. It is crucial that all collected information be as correct as possible. That collected information is also used for environmental purposes. The collection, validation and possible importation of all of that information as well as the workflow associated with each step is extremely complicated and must work as expected to the MSOGB specifications. All data must be subject to audit. The MSOGB has already asked the EPA to grant MSOGB primacy over Class VI wells like MSOGB currently have over Class II wells. Granting the primacy means the MSOGB will have the authority to locally permit and manage those wells as they are requested. The software will be needed to capture and update all of the necessary Class VI data rather than just have it on paper. The data that is captured must be safely written back into MSOGB's existing database and it must be capable of being retrieved within MSOGB's existing RBDMS application. MSOGB also display all of the data on public websites.

The EPA is providing grants to assist states with creating new Class VI programs. The MSOGB was awarded such a grant to help develop a new Class VI well program. Part of the grant may be used to cover the development costs of new software to support the new well program and integrate it into the existing databases and processes. The EPA grant money set aside for that development cannot be used for any purpose that is not related to the new Class VI program.

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 GWPC is the only vendor and the only organization authorized to develop, enhance, extend, or customize RBDMS and its associated components. The Vendor's sole source certification letter is included as Attachment A.

Schedule

Task	Date
First Advertisement Date	09/09/25
Second Advertisement Date	09/16/25
Response Deadline From Objectors	09/24/25 at 3:00 P.M. Central Time
Notice of Award/No Award Posted	Not before 09/25/25

Project Details

The Groundwater Protection Council (GWPC) was the original developer of a desktop program called the Risk Based Data Management System (RBDMS) for tracking Oil and Gas wells, as well as other types of well information. The RBDMS database was first deployed at the Mississippi Oil and Gas Board (MSOGB) in 1994. Through a GWPC sole-source contract an upgraded version of the RBDMS was deployed in 2010 for the MSOGB to track oil, gas, and other well types as well as data related to permitting, inspecting, and the risks associated with those wells. Since the initial deployment, the GWPC has developed additional modules for the MSOGB.

The GWPC has acquired, developed, and retained in-depth knowledge of the database and regulatory practices. Then in 2011, MSOGB had a need to capture payment information and generate fees based upon requested permits within the desktop program as well as submitted production information that was entered into the RBDMS database. There were also needed enhancements to the agencies' "Data Explorer" website. ITS issued Notice of Intent to Certify Sole Source 4503 for Risk Based Data Management System (RBDMS) Upgrade and Development Services on January 24, 2023, and received no objections. A Professional Services Agreement was executed on April 27, 2023. MSOGB had a need to discover and document user stories and project requirements for upgrading the state's RBDMS.NET desktop application to RBDMS Connect. ITS issued Notice of Intent to Certify Sole Source 4613 for Risk Based Data Management System (RBDMS) Upgrade and Development Services on June 4, 2024, and received no objections. The total amount spent to date is \$801,243.90.

Submission Instructions and Format of Response from Objecting Parties

Interested parties who have reason to believe that the oil and gas production system upgrades 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 Ground Water Protection Council.

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, September 24, 2025 at 3:00 p.m. (Central Time) to Matthew Livingston at 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. 4710-49140 Accepted until September 24, 2025 @ 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.

Attachment A: Vendor Correspondence

Attachment B: Sole Source Procurement Overview

Attachment A



Dedicated to protecting our nation's ground water

The Ground Water Protection Council

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Oklahoma City, OK 73142

Tel: (405) 516-4972

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www.gwpc.org

July 3, 2025

Mississippi State Oil and Gas Board
500 Greymont Avenue, Suite E
Jackson, MS 39202

To Whom It May Concern:

The Ground Water Protection Council (GWPC) requests that the Mississippi Department of Information Technology Services (ITS) consider a sole-source contract with GWPC to replace the Mississippi State Oil and Gas Board's (MSOGB) current Risk Based Data Management System (RBDMS) program with a new suite of web-based applications to process all of the functions carried out by the current windows desktop application. This new system would also include an additional set of new functions deemed necessary by MSOGB. The existing RBDMS database will be used by the new suite of applications.

Through a GWPC sole-source contract, the current windows desktop version of RBDMS was deployed in 2010 for MSOGB to track oil, gas, and other well types as well as data related to permitting, inspecting, and the risks associated with those wells. Since the initial deployment, GWPC has developed additional modules for MSOGB.

The first part of an RBDMS upgrade project consisted of GWPC performing an in-depth needs-assessment of MSOGB's existing RBDMS desktop application and database to determine which functionality needs to be preserved as well as which new capabilities need to be added. GWPC has completed that needs analysis and now proposes to develop a plan to implement those capabilities into an upgraded web-based application. That plan may entail changes to the current database and functionality and may also host any needed new information and permit types.

In order to meet the functional requirements for MSOGB, GWPC recommends the new web-based applications use the results of the recently completed needs-assessment to develop a set of web pages to include, but not be limited to, the aspects detailed below. The needs assessment included all aspects of permitting oil, gas and other types of wells such as injection or cavern storage wells along with locations (county, township, range, latitude, longitude, etc.) for all wells. It included the ability to enter and maintain company information for all parties involved with any type of well related activities and any bonding information associated with those activities. It included management and maintenance of all aspects of existing wells throughout their lifetime such as various types of repeated inspections, construction changes and well history. It will also be necessary to track production and injection information regarding all wells where applicable.

Reported production information will be used to generate financial reports for all parties which may result in the assessment of fees to the operators of the wells; this information and data must be verifiable as it may be subject to audit. The analysis included the ability to enter and maintain all legal information associated with MSOGB activities pertaining to well activities as mandated by state statute. All of the applications listed above as well as any others that may be included will use the existing RBDMS database.

The first phase of an RBDMS upgrade to a web-based application will include procedures to implement Class VI wells as well as facilities needed for those wells. It will also include the ability to inspect Class VI wells and all other wells in a web-based application.

Since 1995, GWPC has developed, extended, enhanced, and continuously maintained the RBDMS database and associated programs for many state and tribal regulatory oil and gas agencies to manage their regulatory programs and analyze oil and gas data. GWPC is the only vendor and the only organization authorized to develop, enhance, extend, or customize RBDMS and its associated components.

GWPC has a longstanding partnership with Mississippi and other state and tribal agencies to support their ability to manage oil and gas data using RBDMS products. One prime example of those partnerships is the fact that as of 2023 there were 32 states involved with the production of oil or gas. Information pertaining to all 50 states was obtained from a Department of Energy (DOE) Energy Information Agency (EIA) web site. Of the 32 states that produced oil or gas, 26 (75%) of them are currently using a version of the GWPC developed RBDMS suite of programs. RBDMS represents the national standard for governmental oil, gas, and underground injection data management. Through those partnerships RBDMS continues to evolve and meet the changing needs of Mississippi and the other agencies. Continued development of RBDMS has been supported and funded in part by the U.S. Department of Energy through several cooperative agreements and is the recipient of a DOE Energy 100 Award.

Sincerely,

A handwritten signature in cursive script, appearing to read "Dan Yates".

Dan Yates
Executive Director
The Ground Water Protection Council

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.