



Max Bricka, CPSM
PURCHASING AGENT / DIRECTOR

12/07/16

Williamson County Commissioners Court

Re: Sole Source recommendation for Deccan International: LiveMUM 2.0 Upgrade

Dear County Judge and Commissioners,

Recently our county Technology department made a request for qualifying the **sole source purchase of LiveMUM 2.0 Upgrade from Deccan International. This item is supplied only by Deccan International who is the owner, manufacturer, and the only provider of software maintenance and support.**

After reviewing all documentation requested and submitted, **I recommend qualifying this request as a sole source purchase and exempting these goods from competitive bidding requirements per Texas Local Government Code sections 262.003 (a) and 262.024 (a) (7),**

The process has included the following:

- Public posting of an RFI in BidSync for 14 days, with no responses received from any other competitor, requiring any additional analysis or consideration.
- A signed Sole Source Justification Request from Jay Schade, Senior Director of Technology Services
- A signed letter of justification from the supplier, establishing why they their product / service is only available from their company
- A notarized Sole Source Affidavit completed by the supplier
- A signed letter of recommendation from Lisa Maraden, IT Analyst I
- A price quote of requested items / services

The term of this Sole Source exemption will be effective for 36 months from the date of approval.

If you have any questions or concerns, please contact me at any time.

Sincerely,



Deputy Purchasing Agent / Director

[Home](#)[Search](#)[Source](#)[Tools](#)
[Schedule](#)
[Task](#)
[Note](#)
[Vendor view of bid](#)[Chat](#) | [Description](#)

Bid #SOS-1703 - Intent To Deem Deccan International As The Sole Source For LIVEMUM 2.0 Upgrade.

Time Left	closed	# of offers	0
Bid Started	Nov 18, 2016 3:09:20 PM CST	Notifications	Report (Bidder Activity)
Bid Ended	This bid closed on Dec 2, 2016 3:00:00 PM CST	# of suppliers viewed	9 (View)
Agency Information	Williamson County, Texas, TX (view agency's bids)	Q & A	Questions & Answers
Department	ITS (view department's bids)		
Bid Classifications	Classification Codes		
Bid Regions	Regions		
Bid Contact	see contact information		
Delivery Location	One or more of the following locations Williamson County, Texas No Location Specified		
	Qty 1		
	Expected Expenditure n/a		
View Rules	Click here to change the rules for this bid.		
Best and Final Offer:	Create		

Approval

View Approval Flow [View Approval Flow](#)**Approval Status** Approved

Description

Bid Number	SOS-1703
Title	Please attach all supporting documents to this line.
Contract Duration	One Time Purchase
Budgeted Amount	\$0.00 (change)
Bid Comments	Williamson County, Texas intends to award a sole-source contract with Deccan International for the following item(s): LIVEMUM 2.0 Upgrade. THIS IS NOT A REQUEST FOR COMPETITIVE PROPOSALS AND A SOLICITATION WILL NOT BE ISSUED. Interested parties must show clear and compelling evidence of competitive equivalency in order for alternative goods or services to be considered. Williamson County will review any information collected through this RFI to determine if offers of any equivalent goods or services meet the needs of the County. If it is concluded that additional suppliers of equivalent goods or services do exist, then a formal solicitation may follow. If no affirmative responses are received by 3:00 PM December 2, 2016 showing clear and compelling evidence of competitive equivalency to the items described herein, an award will be made without further notice. Oral communications are not acceptable in response to this notice.
Description	Please attach all supporting documents to this line.

Contractor Advertisements

[View All Ads](#)

There are no advertisements on this solicitation.

[Product Feedback](#)

**Williamson County Purchasing Department**

901 South Austin Ave.

Georgetown, Texas 78626

(512) 943-3553

www.wilco.org/purchasingpurchase@wilco.org

Sole Source Justification Request

This request is for a:

Sole Source Item (goods or services are available from ONLY this supplier due to a unique capability, patent, copyright, secret process, or capability to meet the requirements of the solicitation)

This Sole Source justification requires additional documentation and requirements as listed below. **One of these steps may require placing a public notice in BidSync for 14 days, in order to allow any possible competitors to come forward with equivalent goods or services.** This step will be completed by the Purchasing Team that supports your office or county department after all required documents have been submitted. In addition, all sole source justifications must be approved in Commissioners Court.

Required Documentation that must accompany this request before this purchase can be considered (any missing documentation will result in delays). *Check all included documents:*

- ☒ This request form completed and signed
- ☒ A written quote from the supplier, listing the goods, services and pricing
- ☒ Letter of justification from the supplier (on company letterhead and signed by an authorized representative) establishing why they are the only Sole Source provider of the service or item
- ☒ Notarized Sole source affidavit completed by the supplier
- ☒ Signed letter of recommendation from the Elected Official or County Department Head

Requestor Name and County Office / Department: Lisa Maraden ITS

Requestor Title: IT Analyst I

Requestor Phone Number: 512-943-1985

Requested Sole Source Supplier:

Company Name: Deccan International

Contact Name: Chris Lawrence

Address 5935 Cornerstone Ct. W, Ste. 230

City: San Diego

State: CA

Zip Code: 92121

Phone Number: 858-764-8400

Email Address: chrisl@deccanintl.comWebsite: <http://deccanintl.com/>Is the recommended supplier the manufacturer? ☒ Yes ☐ NoDoes the manufacturer sell the item(s) through distributors? ☐ Yes ☒ No

Description of the Product or Service: (if additional space is needed, include a separate page) *Describe the full scope of work, including installation if required, items should include brand, model and part number if applicable.*

Upgrade and maintenance for current software.

Schedule: *Identify the date items are needed to be delivered, or month work is to be performed. Please be specific and do not use "ASAP".*

12/1/2016

Estimated Cost: 26,500.00

SOLE SOURCE RATIONALE

Complete the following checklist:

The requested supplier is the only source of required item(s) or service(s) because:

Check all that apply:

- ☒ The required item or service is proprietary to the supplier
- ☐ The recommended supplier holds the patent on the requested item(s)
- ☒ The recommended supplier is the only supplier capable of performing the requested service
- ☐ A specific item is needed
- ☐ To be compatible or interchangeable with existing hardware
- ☐ As a spare or replacement hardware
- ☐ For the repair or modification of existing hardware
- ☐ For technical evaluation or testing
- ☐ Have there been any prior attempts to obtain competitive bids or proposals for the items or services that failed?

If so, please list and describe such attempts:

- ☐ There is a substantial risk in selecting another product or service provider.

If so, please describe:

- ☒ It is not possible to obtain competitive bids for consideration.

If so, why:

The the upgrade from Deccan is highly proprietary and is considered a trade secret of Deccan.

☐ Are there any other companies who can provide the services or needed items?

If so, please list and provide explanation of why they were unable to meet the requirements:

☐ List any other sources, suppliers, products or service providers that you reviewed in your selection process:

☐ List all research methods that you reviewed in your selection process (i.e.: specific internet searches, trade publications, references, etc.):

ACKNOWLEDGEMENT

☒ I affirm and acknowledge Williamson County's requirements, justification and criteria for Sole Source purchases. I have gathered the required technical information, provided all required documentation, have made a concerted effort to review comparable / equal equipment or services to the best of my ability, and further affirm that there is no conflict of interest in my recommendation of the selected item(s), service(s) or supplier.

☒ I also acknowledge and understand that I may be subject to criminal prosecution for the willful falsification of information in this document. I, by the act of signing or typing my name below, hereby certify under penalty of perjury, under the laws of the State of Texas, the foregoing is true and correct.

Date: 11/2/2016

Signature: Lisa Maraden

** By typing your name, this is equivalent to a legal signature*

NOTE: After a passage of time, an item or service may no longer qualify as a sole source purchase due to other similar items or services becoming available from other suppliers. Thus, all prior sole source determinations must be reapproved by the Williamson County Purchasing Department following completion of a Sole Source Justification Request Process and satisfactory completion of such process must be noted on requisitions and purchase orders.

**DECCAN INTERNATIONAL***Decision-support Software Solutions for Fire and EMS*

5935 Cornerstone Ct W, Ste. 230
San Diego, CA 92121
O: 858.764.8400
www.deccanintl.com

Quote Number: 20160927-LM2U-C**Cost Proposal for LiveMUM 2.0 Upgrade**

Williamson County Emergency Medical Services	9/27/2016
	Price
LiveMUM 2.0 Upgrade Fee* (Includes build, configuration, project management, installation, and six (6) additional user licenses)	\$26,500

Total Cost	
	Total Price
Total Cost for LiveMUM 2.0 Upgrade	\$26,500

All Prices are quoted in USD**Quotes are valid for 180 days*****Please note: This is a one-time fee**



DECCAN INTERNATIONAL

Decision-support Software Solutions for Fire and EMS

5935 Cornerstone Ct W, Ste. 230
San Diego, CA 92121
O: 858.764.8400
www.deccanintl.com

September 27, 2016

Williamson County Emergency Medical Services
303 Martin Luther King St.
Georgetown, Texas 78626

To Whom It May Concern:

The LiveMUM 2.0 Upgrade computer software product that Williamson County Emergency Medical Services would like to license for use from Deccan International is highly proprietary and is considered a trade secret of Deccan International.

No other party is capable of performing the various maintenance responsibilities (i.e., code corrections, product update and technical support) since there is no outside access to the source code for the product. Thus, Deccan International is the sole source for maintenance services on the software in question.

In addition, no other party is authorized to provide additional capacity or hardware upgrades for our product in the United States.

I hope that this meets with your needs. Should you have any questions, or if we may be of any further assistance, please do not hesitate to contact me.

Sincerely,

Latha Nagaraj
President



Williamson County Purchasing Department
901 South Austin Avenue
Georgetown, Texas 78626
(512) 943-3553
www.wilco.org/purchasing
purchase@wilco.org

NOTARIZED SOLE-SOURCE PURCHASE AFFIDAVIT

STATE OF TEXAS
COUNTY OF WILLIAMSON

KNOW ALL MEN BY THESE PRESENTS THAT:

Before me, the undersigned authority duly authorized to take acknowledgments and administer oaths, on this day personally appeared Tracy Gonzales, who after being duly sworn on oath stated the following:

My name is Tracy Gonzales. My title is Director of Sales.
I am aware that the Williamson County Purchasing Department is required to comply with competitive bidding requirements of Chapter 262 of the Texas Local Government Code. I am aware that the statutory competitive bidding provisions do not apply to the purchase of an item that can be obtained from only one source. See, Texas Local Government Code section 262.003.

Sole-source items include:

Items for which competition is precluded because of the existence of patents, copyrights, secret processes, or monopolies, films, manuscripts, or books, electric power, gas, water, and other utility services, and captive replacement parts or components for equipment.

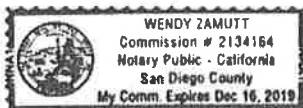
I have represented to the Purchasing Department of Williamson County and I hereby warrant that as of the date below, I am the sole-source supplier of the following item: LiveMUM 2.0 upgrade.
I am the sole-source supplier of this item because: the product is highly proprietary and the code is a trade secret of Deccan International. No other party is able to maintain it. I agree that if I ever cease being the sole-source supplier of this item, I shall immediately make a full disclosure in writing to the Williamson County Purchasing Department of all relevant facts and circumstances.

IN WITNESS WHEREOF, the undersigned has executed this Affidavit on the 2nd day of November, 2016.

Tracy Gonzales
[Signature]

Tracy Gonzales, Director of Sales
[Printed Name] [Title]

SWORN TO AND SUBSCRIBED before me on November 2, 2016, by
Tracy Gonzales
[Printed Name]



[Signature] Notary Public
State of California
My Commission expires on 12/16/2019

JURAT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

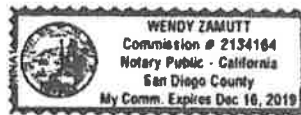
County of San Diego

Subscribed and sworn to (or affirmed) before me on this 2nd day of November,

2016 by Tracy Gonzales,

proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature [Handwritten Signature] (Seal)



OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Notarized Sole-Source Purchase Affidavit

(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 1 Document Date 11/2/16

Additional information

INSTRUCTIONS

The wording of all Jurats completed in California after January 1, 2015 must be in the form as set forth within this Jurat. There are no exceptions. If a Jurat to be completed does not follow this form, the notary must correct the verbiage by using a jurat stamp containing the correct wording or attaching a separate jurat form such as this one with does contain the proper wording. In addition, the notary must require an oath or affirmation from the document signer regarding the truthfulness of the contents of the document. The document must be signed AFTER the oath or affirmation. If the document was previously signed, it must be re-signed in front of the notary public during the jurat process.

- State and county information must be the state and county where the document signer(s) personally appeared before the notary public.
- Date of notarization must be the date the signer(s) personally appeared which must also be the same date the jurat process is completed.
- Print the name(s) of the document signer(s) who personally appear at the time of notarization.
- Signature of the notary public must match the signature on file with the office of the county clerk.
- The notary seal impression must be clear and photographically reproducible. Impression must not cover text or lines. If seal impression smudges, re-seal if a sufficient area permits, otherwise complete a different jurat form.
 - ❖ Additional information is not required but could help to ensure this jurat is not misused or attached to a different document.
 - ❖ Indicate title or type of attached document, number of pages and date.
- Securely attach this document to the signed document with a staple.



Technology Services

November 9, 2016

From: Jay Schade, Sr Director
Williamson County Technology Services

To: Max Bricka
Purchasing Agent / Director
Williamson County Purchasing

Subject: Single / Sole Source Justification Letter

I recommend that we identify Deccan as the sole source provider of software maintenance (technical support plus Deccan software updates/upgrades) for Deccan products.

Deccan is the owner and manufacturer of Deccan products and they have certified that they are the only entity authorized to access, and modify, the source code/software for their products, as well as provide maintenance and support for their products.

Please let me know if you have any questions.

Thank you.

A handwritten signature in black ink, appearing to read 'J Schade'.

Jay Schade, Sr Director
Williamson County Technology Services

