



Williamson County Purchasing Department
100 Wilco Way, Ste P101
Georgetown, Texas 78626
(512) 943-3553
www.wilco.org/purchasing
purchase@wilco.org

Sole Source Justification Request

Definition of a Sole Source Purchase

Sole Source Item – goods and/or services which can only be obtained from ONLY ONE source, including:

- 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,
- Captive replacement parts or components for equipment which there is no commercially available substitute, and which can be obtained only from the manufacturer and/or manufacturer's distributor; item where compatibility is the overriding consideration, such as computer operating software enhancements for an existing system, continuation of an existing contract when work is so closely related to that of the uncompleted basic contract that it would not be feasible to consider another potential contractor.

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 needed.
- ☐ Notarized Sole Source affidavit completed by the supplier
- ☐ Signed letter of recommendation from the Elected Official or County Department Head. Must provide a detailed written explanation as to why competitively bidding the product or service would be impracticable and that the cost charged by the supplier is reasonable and customary.

Requestor Name and County Office/Department:

Requestor Title and Phone Number: Lt. Russell Travis

(512) 943-5262

Requested Single Sole Source Supplier:

Company Name: Whooster, Inc.
Contact Name: Zach Artz
Address: 112 Cimarron Park Loop - Suite C
City, State, Zip: Buda, TX 78610
Phone Number: (512) 419-4200
Email: zartz@whooster.com
Website: www.whooster.com

Is the recommended supplier the manufacturer? Yes? No?

Does the manufacturer sell the item(s) through distributors? Yes? No?

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

Whooster is a SMS / MMS text based service that provides immediate phone number provider and subscriber information to investigators utilizing multiple open source databases, as well as multiple government and law enforcement specific databases, to deliver fast and accurate results. Interface is through texting the target number to Whooster, and results are rendered within seconds through users SMS/ MMS "Text messages" on their registered phones. Investigators ability to retrieve this information real time in the field can be advantageous in multiple types of investigations where timely identification of suspects or victims is required. In addition Whooster provides search results for links of target phone number with posting on sites such as craigslist and backpage.

No installation or additional hardware requires. End users only have to have their phone number registered with Whooster in order to have access to search results. Cost is on a per user basis, not per search basis.

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":* 12/31/2019

Estimated Cost: \$ 7,180.00

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: No

- ☒ **There is a substantial risk in selecting another product or service provider.** If so, please describe: No

- ☒ **It is not possible to obtain competitive bids for consideration.** If so, why: Whooster is the
Sole source provider of this service.

- ☒ **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: No
Whooster is proprietary in their collection and delivery methods. There are other open source companies such as TLO, Accurint etc, that can provide phone number informationas well, but not using the same sources or delivery methods.

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

- ☐ List all research methods that you reviewed in your selection process (i.e.: specific internet searches, trade publications, references, etc.): Google searches, Police one, L.E. Trade shows / vendors at conferences.

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: December 2nd, 2019

Signature*: Lt. Russell Travis

** 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 new Sole Source Justification Request Process and satisfactory completion of such process must be noted on requisitions and purchase orders. The sole source term is generally aligned with the contract term. In certain cases, the Purchasing Agent may determine that the 14-day public posting in BidSync is not necessary. This depends on the circumstance of the particular item/service and the type of sole source.



Whooster Inc.
112 Cimarron Park Loop, Suite C
Buda, TX 78610
512-419-4200

QUOTE

Quote Number: 1322895000030310213

Bill To:

Williamson County Sheriff's Department
508 S. Rock St.,
Georgetown, Texas, 78626

Valid Until 12/31/2019
Sales Contact Zach Artz
Amount \$ 7,180.00

Product Details	Qty	List Price	Discount	Total
Whooster LE SMS Plus - Annual WLPA	10	\$ 599.00	\$ 0.00	\$ 5,990.00
Whooster LE SMS Basic - Annual WLBA	10	\$ 119.00	\$ 0.00	\$ 1,190.00

Sub Total \$ 7,180.00

Tax \$ 0.00

Adjustment \$ 0.00

Grand Total

\$ 7,180.00

Terms & Conditions

Upon acceptance by authorized representative of Customer - Agency listed above this Quote shall become a part of and governed by the Account Application - Whooster Terms and Conditions of Service.

Notes



Sole Source Letter

January 30, 2019

To whom it may concern,

This Sole Source Letter confirms that Whooster™, a product of Whooster, Inc. (hereinafter referred to as "Whooster") investigative databases, is hereby classified as a Sole Source Product. The database and delivery system are compiled, sold and distributed exclusively by Whooster.

Whooster maintains all copyright privileges for their products and these products must be purchased directly from the company.

Whooster software and algorithms uniquely sort, match and link multiple open-source databases to deliver the most comprehensive results available. Whooster supports a variety of data delivery platforms; including Web, API, and SMS/MMS, Bulk Data Delivery. Whooster leverages the SMS/MMS (Text Messaging) network as a User Interface.

The Whooster User Interface platforms provide unique data features including...

- Identification of Local Routing Numbers (LRN's).
- Phone Number query which provides additional Telco Names historically associated with a number.
- Current Telco Data appends in Real-Time to Historical Identity Information.
- Phone Number query which provides <https://www.craigslist.org> current and historical results if available; including a summary of activity and the ability to view and download specific ads.
- Phone Number query which provides historical <https://www.backpage.com> results; this includes a summary of activity and the ability to view and download specific ads.
- API access to multiple law enforcement and government specific investigative applications. This includes multiple third-party applications which are integrated with the Whooster platform. For an updated and complete list of these integrated third-party applications please contact Whooster directly.
- International Data Sets - For an updated and complete list of these databases please contact Whooster directly.

Whooster warrants that no other products are available for purchase that would serve the same purpose or function.

If you require any additional information please contact Robert Dugan, Vice President of Sales, at 512-419-4204 or by email at rdugan@whooster.com.

Sincerely,

Richard Spradley
Chief Executive Officer
Whooster, Inc.



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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 Richard Spindley, who after being duly sworn on oath stated the following:

My name is Richard Spindley. My title is CEO.
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: Whooster Investigative Data
I am the sole-source supplier of this item because: Product delivered via SMS Technology. 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 27th day of November 27, 2019.

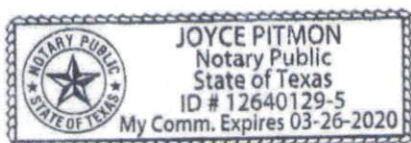
Richard Spindley
[Signature]

Richard Spindley - CEO
[Printed Name] [Title]

SWORN TO AND SUBSCRIBED before me on November 27, 2019, by
Joyce Pitmon
[Printed Name]

Joyce Pitmon
[Signature] Notary Public

State of Texas
My Commission expires on 3/26/2020





Tim Ryle
Chief Deputy

Robert Chody
WILLIAMSON COUNTY SHERIFF
508 South Rock Street
Georgetown, Texas 78626
Phone (512) 943-1300 * Fax (512) 943-1444

Roy Fikac
Asst Chief Deputy- Law Enforcement

Randolph Doyer
Asst Chief Deputy - Corrections

Williamson County Purchasing Department
100 Wilco Way
Georgetown, Tx 78626

Date: 12/03/2019

To whom it may concern,

The Williamson County Sheriff's Office uses "Whooster", and "Whooster Investigative Data" for investigative purposes.

Competitive bidding for their products and services is impractical due to "Whooster" being a sole source provider. Cost's associated with "Whooster" are reasonable and customary.

Sincerely,

Sheriff Robert Chody