



Purchasing Department

12/17/19

Williamson County Commissioners Court

Re: Sole Source recommendation for Data Transfer Solutions, LLC

Dear County Judge and Commissioners,

Recently our Technology Services Department made a request for a contract with Data Transfer Solutions (DTS), LLC for additional VUEWorks licenses for Facilities Maintenance and other county departments. These actions require qualification as a **sole source purchase of VUEWorks Asset Management and Work Order modules. These services are supplied only by Data Transfer Solutions (DTS), LLC who is the owner, and the only provider of this service.**

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 zero (0) responses received from another competitor.
- A signed Sole Source Justification Request from Minnie Beteille, Technology Services Project Manager
- A signed letter of justification from the supplier, establishing why their product / service is only available from their company
- A notarized Sole Source Affidavit completed by the supplier
- A price quote of requested items/services and amendment

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,

Randy Barker
Purchasing Agent/Director
Williamson County Purchasing Department

Solicitation summary (2646)

Details

Reference number:

Procedure: Sealed without Preselection

Description:

Williamson County, Texas intends to award a sole-source contract with Data Transfer Solutions (DTS), LLC for the following item(s): **Vueworks Software**

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** on November 27, 2019 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.

PARTICIPATION:

Interested Suppliers can view the full details of the Solicitation by clicking the '**PARTICIPATE**' button below.

Selecting the participate button does not obligate you to submit a response to this Solicitation but is necessary in order to view the details of this Solicitation.

***** I DON'T SEE A PARTICIPATE BUTTON *****

You must be on the <https://platform-us.negometrix.com> website in order to access Williamson County's Solicitation information.

SUPPORT

Should you need assistance in using the software please contact the Negometrix Service Desk at:

Telephone: (724) 888-5294

Email: servicedesk.us@negometrix.com

Or view the Negometrix 'Supplier Guide' located on the Help page.

Technical Assistance (Mon - Fri: 8 am to 5 pm)

Awarded supplier(s)

The winner has not been announced

Offers/Applications from suppliers

- **Suppliers** (Number of suppliers: 4)
 - JOHN VANCE MOTORS
 - Participant since : Nov 19 2019 9:31:00 AM
 - SevenOutsource
 - Participant since : Nov 18 2019 4:48:27 AM



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: MINNIE BETEILLE / TECHNOLOGY SERVICE

Requestor Title and Phone Number: PROJECT MANAGER 3512.943.1448
(512) 943-1448

Requested Single Source Supplier:

Company Name: DATA TRANSFER SOLUTIONS (DTS), LLC
Contact Name: TODD A. SPANGLER
Address: 3680 AVALON PARK EAST BLVD., SUITE 200
City, State, Zip: ORLANDO, FL, 32828
Phone Number: (407) 587-4066
Email: tdsangler@dtsgis.com
Website:

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.

WILLIAMSON COUNTY is in the process of implementing an Asset Management Program and to extend the use of Viewworks already installed in its Road and Bridge department to cover Facilities Maintenance and other county departments.

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": NOVEMBER, 2019

Estimated Cost: \$ 100,000

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: BID WAS
DONE TO ACQUIRE ORIGINAL PRODUCT FOR ROAD &
BRIDGE DEPT IN 2013.

- ☒ There is a substantial risk in selecting another product or service provider. If so, please describe: THE PRODUCT COMPONENTS REQUIRED ARE ONLY
COMPATIBLE WITH THE ESTABLISHED PRODUCT
SOURCE ALREADY IMPLEMENTED AT THE COUNTY.

- ☒ It is not possible to obtain competitive bids for consideration. If so, why: TO DISCARD THE ORIGINAL PRODUCT IS NOT DESIRABLE.

- ☒ 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 OTHER COMPANIES CAN PROVIDE THE ADDITIONAL
VUEWORKS MODULES EXCEPT DTS

☒ 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.): INTERNET RESEARCH, INFORMATION FROM COMPARABLE COUNTY ORGANIZATIONS.

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: 11/4/, 2019

Signature*: Minnie Beteille

** 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.

Johnny Grimaldo

From: Alison Gleason
Sent: Wednesday, November 13, 2019 11:18 AM
To: Minnie Beteille
Cc: Blake Skiles; Johnny Grimaldo
Subject: RE: Sole Source Justification - Vueworks for Facilities and Parks (in addition to R&B)

Williamson County would like to purchase additional VUEWorks licenses to expand Asset Management and Work Order modules to the Facilities and Parks departments. VUEWorks is the sole provider of development, products and support for all VUEWorks products.

Thank you,
Alison

Alison Gleason, PMP, CGCIO
Director of Enterprise Applications
Williamson County
Technology Services
512-943-1680
Email: agleason@wilco.org
Williamson County Web: <http://www.wilco.org>

From: Minnie Beteille <mbeteille@wilco.org>
Sent: Wednesday, November 13, 2019 9:59 AM
To: Alison Gleason <agleason@wilco.org>
Cc: Blake Skiles <blake.skiles@wilco.org>; Johnny Grimaldo <johnny.grimaldo@wilco.org>
Subject: FW: Sole Source Justification - Vueworks for Facilities and Parks (in addition to R&B)

Alison

As discussed – the attached email **Updated Proposal and HGAC Form and Documentation** contains the vendor's notarized Sole Source Declaration.
Please review and if you are satisfied, kindly sign off, on the attached **0001scanimage0001.pdf** which is our sole source declaration for the Vueworks licensing only.
This will be further validated by Randy Barker.

Sincerely,

Minnie Beteille, PMP
Technology Services Project Manager
Williamson County, Texas
(512) 943-1448

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From: Minnie Beteille
Sent: Monday, November 4, 2019 3:12 PM
To: Alison Gleason <agleason@wilco.org>
Cc: Blake Skiles <blake.skiles@wilco.org>; Johnny Grimaldo <johnny.grimaldo@wilco.org>
Subject: FW: Sole Source Justification - VUEworks for Facilities and Parks (in addition to R&B)

Alison

You are right – we are not sole-sourcing the s/w VUEworks itself .

The VUEworks software modules are part of HGAC Contract which are **not part of this Sole Source Justification**. They are attached .

That HGAC Contract has been provided separately by the vendor – and it has been verified by Purchasing.

The Sole Source Justification is just for the **additional 50 Licenses** being purchased (additional to existing 25)

The additional 50 licenses will add to the functionality used by the existing 25

Does that help ?

Sincerely,

Minnie Beteille, PMP

Technology Services Project Manager

Williamson County, Texas

(512) 943-1448

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From: Minnie Beteille
Sent: Monday, November 4, 2019 2:26 PM
To: Alison Gleason <agleason@wilco.org>; Johnny Grimaldo <johnny.grimaldo@wilco.org>
Subject: Sole Source Justification - VUEworks for Facilities and Parks (in addition to R&B)

Hi Alison ,

Attached is the Sole Source Justification form for acquiring additional licenses in **VUEworks Asset Management and Work Order – for Facilities and Parks departments**

Johnny Grimaldo is advising me in this process .

The **Justification** needs your Approval – very similar to what your provided for **George Strebel (ESRI) on 10/21/2019**.

Below is a short blurb of product services being acquired:

VUEWorks Software Licensing and Implementation Quote

Williamson County is in the process of **extending** the use of VUEWorks already installed in its Road and Bridge Dept. to also cover the Facilities Maintenance and Parks departments. The vendor Data Transfer Solutions, LLC (DTS) has provided the following quote for the VUEWorks Asset Management software applications with the County's Facilities Maintenance Division. This quote is for an upgrade from 25 to 75 concurrent users and includes a credit for existing license and maintenance/support with Road & Bridge.

By expanding the county's VUEworks base, we are able to fully utilize the VUEworks Enterprise Licensing Agreement of 2013, to benefit additional county agencies at once, while centralizing hardware and database resources within ITS. The Items/Modules

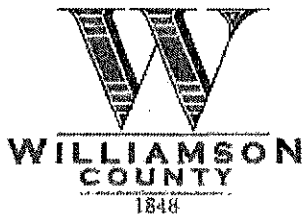
being acquired are considered as Sole Source Items since competition is precluded because of the existence of patents, copyrights, processes, database and source application, installation at Road and Bridge.

VUEWorks ELA Software Licensing (50 Concurrent Users)	\$100,000.00
Credit for existing VUEWorks ELA Software License	-\$59,500.00
VUEWorks Maintenance & Support	\$20,000.00
Credit for existing VUEWorks Maintenance & Support	-\$14,800.00
VUEWorks Implementation Services	\$56,300.00
Project Sub-Total (Phase I)	\$102,000.00

Minnie Beteille, PMP

Technology Services Project Manager
Williamson County, Texas
(512) 943-1448

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Williamson County Purchasing Department
100 Wilco Way, Ste P101
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 A. M. "Trey" Fragala, III, who after being duly sworn on oath stated the following:

My name is A. M. "Trey" Fragala, III. My title is Sr. Vice President.
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.

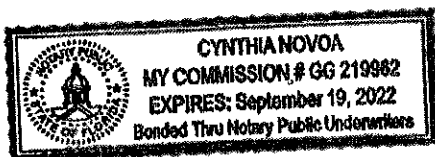
I have represented to the Purchasing Department of Williamson County and I hereby warrant that as of the date below, I am the sole-source supplier of the following item: VUEWorks[®] Software and Services. I am the sole-source supplier of this item because: VUEWorks was designed, developed and supported by Data Transfer Solutions, LLC. 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 05 day of November, 2019.

[Signature]
[Signature]

A. M. "Trey" Fragala, III, AICP, PMP
Sr. Vice President

SWORN TO AND SUBSCRIBED before me on November 05, 2019, by
A. M. "Trey" Fragala, III
[Printed Name]



[Signature]
[Signature] Notary Public
State of Florida
My Commission expires on 9/19/2022

Agreement Date: _____

Customer Information:	
Organization Name: _____ Contact: _____ Phone: _____ Fax: _____ Email: _____ Address: _____ _____	Technical Contact: _____ Phone: _____ Fax: _____ Email: _____ Address: _____ _____
Billing Contact: _____ Phone: _____ Fax: _____ Email: _____ Address: _____ _____	Delivery Contact: _____ Phone: _____ Fax: _____ Email: _____ Address: _____ _____

Products and Services Provided Hereunder and Applicable Charges:
Please Choose Applicable Products, Options and Services (see product literature for product features and specifications):

Modules:	Unit Cost	Quantity	Total
VUEWorks® Core (First Single User License)	\$5,000		Not Included
Additional Single User Core License(s)	\$500	50	Included
VUEWorks® Facilities (First Single User License)	\$2,000		Not Included
Additional Single User Facilities License(s)	\$500	50	Included
VUEWorks® Service Call (First Single User License)	\$2,000		Not Included
Additional Single User Service Call License(s)	\$500	50	Included
VUEWorks® Work Order (First Single User License)	\$5,000		Not Included
Additional Single User Work Order License(s)	\$500	50	Included
VUEWorks® Resource Manager (First Single User License)	\$2,000		Not Included
Additional Single User Resource Manager License(s)	\$500	50	Included
VUEWorks® Condition (First Single User License)	\$5,000		Not Included
Additional Single User Condition License(s)	\$500	50	Included
VUEWorks® Risk (First Single User License)	\$5,000		Not Included
Additional Single User Risk License(s)	\$500	50	Included
VUEWorks® Valuation (First Single User License)	\$2,000		Not Included
Additional Single User Valuation License(s)	\$500	0	Included
VUEWorks® Budget Forecasting (First Single User License)	\$2,000		Not Included
Additional Single User Budget Forecasting License(s)	\$500	50	Included
VUEWorks® Projects (First Single User License)	\$2,000		Not Included
Additional Single User Projects License(s)	\$500	50	Included
VUEWorks® Inventory (First Single User License)	\$5,000		Not Included
Additional Single User Inventory License(s)	\$500	50	Included
VUEWorks® MobileVUE (First Single User License)	\$5,000		Not Included
Additional Single User MobileVUE License(s)	\$500	50	Included
VUEWorks® FacilityVUE (First Single User License)	\$5,000		Not Included
Additional Single User FacilityVUE License(s)	\$500	50	Included
VUEWorks® ASTM Pavement Pack (Unlimited Users)	\$1,000		Not Included
VUEWorks® VUEPoint (Unlimited Users)	\$10,000		Not Included
VUEWorks® Customer Request Portal (Unlimited Users)	\$2,000	1	Included
Total Software License Cost			\$ 100,000.00
License Discount (Existing Software Credit)			\$ (59,500.00)
License Total			\$ 40,500.00
Annual Technical Support and Maintenance (20% of Original License Cost)			\$ 20,000.00
Existing Annual Technical Support and Maintenance			\$ (14,800.00)
Implementation**			\$ 56,300.00
Hosting***			n/a
TOTAL AGREEMENT AMOUNT			\$ 102,000.00

**Implementation via HGAC Contract

***Hosting: Cloud-based hosting at Class A facility (Annual Cost)

SUPPORT DURING EACH ANNUAL TERM BASED UPON 20% OF THE THEN-CURRENT TOTAL LICENSE(S) FEE. INSTALLATION,

ACCEPTANCE of the terms of this Agreement are acknowledged by the signatures of the Authorized Representatives of the parties to the Agreement.

AS TO:
CUSTOMER

AS TO:
VUEWorks, LLC

Signature Date

Signature Date

Printed Name

Printed Name

November 5, 2017

To Whom It May Concern:

This letter is to inform Williamson County that Data Transfer Solutions, LLC (DTS) is the sole manufacturer of VUEWorks® and the only company providing development, implementation and training services for these products. These services include:

- VUEWorks Software Installation
- VUEWorks Configuration
- VUEWorks Module Configuration
- VUEWorks Condition Form Configuration
- Training Services for VUEWorks Administration
- Training Services for End Users of VUEWorks
- VUEWorks MobileVUE App Configuration and Training Services

Williamson County already has a VUEWorks license through DTS. Williamson County is an existing VW customer, and DTS is the only licensor of the software and the only firm with the capability to provide development support and maintenance support. Accordingly, DTS is the sole source provider of the software and services needed to further support the County's VUEWorks implementation.

Sincerely,

A handwritten signature in black ink, appearing to read "Trey Fragala".

A.M. "Trey" Fragala, III, AICP, PMP
Senior Vice President



CONTRACT PRICING WORKSHEET
For Catalog & Price Sheet Type Purchases

Contract
No.:

HP10-17

Date
Prepared:

10/22/2019

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	Williamson County, Texas	Contractor:	Data Transfer Solutions, LLC
Contact Person:	Minnie Beteille	Prepared By:	Bart Williamson
Phone:	(512) 943-1448	Phone:	210-837-5249
Fax:		Fax:	
Email:	mbeteille@wilco.org	Email:	bwilliamson@dtsgis.com

Catalog / Price Sheet Name:	All Hazards Preparedness, Planning, Consulting & Recovery Services, Contract No.: HP10-17
General Description of Product:	VUEWorks Services

A. Catalog / Price Sheet Items being purchased - Itemize Below - Attach Additional Sheet If Necessary

Quan	Description	Unit Pr	Total
200	Integration Services VUEWorks (units = hours)	250	50000
42	Training VUEWorks (units = hours)	150	6300
			0
			0
			0
			0
			0
			0
			0
			0
			0
			0
Total From Other Sheets, If Any:			
DTS will bill lump sum based on percent complete for each task item.			Subtotal A: 56300

B. Unpublished Options, Accessory or Service items - Itemize Below - Attach Additional Sheet If Necessary
(Note: Unpublished Items are any which were not submitted and priced in contractor's bid.)

Quan	Description	Unit Pr	Total
			0
			0
			0
			0
Total From Other Sheets, If Any:			
DTS will bill lump sum based on percent complete for each task item.			Subtotal B: 0
Check: Total cost of Unpublished Options (B) cannot exceed 25% of the total of			For this transaction the percentage is: 0%

C. Other Allowances, Discounts, Trade-Ins, Freight, Make Ready or Miscellaneous Charges

	Subtotal C: 0
Delivery Date:	D. Total Purchase Price (A+B+C): 56300