



**STATE OF NEW MEXICO
SOLE SOURCE REQUEST AND DETERMINATION
FORM**

A sole source *determination* is not effective until the *sole source request for determination* has been posted for thirty (30) calendar days without challenge, and subsequently approved in writing by the Certified Procurement Officer or, for Professional Services Agreements, the City Manager. The foregoing requirement is regardless of whether the *sole source request for determination* has been signed by the Agency and/or the Contractor.

The City of Gallup has determined that the following software maintenance requires specialized and proprietary services that only one vendor can provide.

I. Name of Agency: City of Gallup

Agency Chief Procurement Officer: Frances Rodriguez

Telephone Number: (505) 863-1334

II. Name of prospective Contractor: Superior, LLC (formerly SunGard Public Sector)

Address of prospective Contractor: 1000 Business Center Drive
Lake Mary, FL 32746

Amount of prospective contract: Estimate of \$154,075.63 (\$8054.94 tax included per year)

Term of prospective contract: July 2018-June 2019

III. Please thoroughly list the services (scope of work), construction or items of tangible personal property of the prospective contract:

Annual maintenance for the City's financial management and utility enterprise software (Naviline) for:

Asset Management, GMBA w/extended reporting, Work orders/Facilities Mgmt, Purchasing/Inventory, Accounts Receivables, Payroll/Personnel, Applicant Tracking, Fleet Management, Automated Fuel System Interface, Planning/Engineering, Building Permits, Occupational Licenses, Code Enforcement, Employee Self Service Module, Document Management Services, Retrofit Modification Option

Annual maintenance allows for updates and support throughout the maintenance period.

- IV. Provide an explanation of the criteria developed and specified by the agency as necessary to perform and/or fulfill the contract and upon which the state agency reviewed available sources. (Do not use “technical jargon;” use plain English. Do not tailor the criteria simply to exclude other contractors if it is not rationally related to the purpose of the contract.)

No criteria or specs developed; is annual maintenance for proprietary software that the City of Gallup implemented for all of functions as listed above.

- V. Provide a detailed, sufficient explanation of the reasons, qualifications, proprietary rights or unique capabilities of the prospective contractor that makes the prospective contractor ***the one source*** capable of providing the required professional service, service, construction or item(s) of tangible personal property. (Please do not state the source is the “best” source or the “least costly” source. Those factors do not justify a “sole source.”)

Detail of City’s software (Naviline) that maintenance is needed for is listed above. By not paying annual maintenance, the functioning sections covered by this maintenance are not possible to continue and therefore maintenance is necessary and can only be done with Superior (formerly Sungard).

- VI. Provide a detailed, sufficient explanation of how the professional service, service, construction or item(s) of tangible personal property is/are ***unique and how this uniqueness is substantially related to the intended purpose of the contract.***

This maintenance is necessary and cannot be purchased through any other provider as maintenance is unique and proprietary to the software the City is currently using.

- VII. Explain why other similar professional services, services, construction or item(s) of tangible personal property ***cannot*** meet the intended purpose of the contract.

See VI above

- VIII. Provide a narrative description of the agency’s due diligence in determining the basis for the procurement, including procedures used by the agency to conduct a review of available sources such as researching trade publications, industry newsletters and the internet; reviewing telephone books and other advertisements; and contacting similar service providers. Include a list of businesses contacted (***do not state that no other businesses were contacted***), date of contact, method of contact (telephone, mail, e-mail, other), and documentation demonstrating an explanation of why those businesses could not or would not, under any circumstances, perform the contract; or an explanation of why the agency has determined that no businesses other than the prospective contractor can perform the contract.

N/A, not other provider can provide maintenance

To ensure that the Procurement procedures are conducted in a fair and impartial manner, all

qualified vendors are notified of the City's intent to award a Sole Source contract. Qualified vendors and interested parties have an opportunity to submit evidence that more than one firm has the requisite ability to perform contract services prior to the proposed award date. If evidence presented reveals that more than one source is available to perform the contract, the City may issue a competitive solicitation.

Interested parties must submit thorough and comprehensive evidence, in writing by 5:00 on May 31, 2018. Interested firms shall send their evidence in response to this notification in writing via fax, email, standard postal mail, or express courier to the attention of Frances Rodriguez, Purchasing Director, City of Gallup Purchasing Department, PO Box 1270 Gallup NM 87305 (mailing) or 110 W. Aztec Avenue, Gallup NM 87301 (physical); email: frdriguez@gallupnm.gov; fax 505-722-5133.

Agency Approval by:

Date: 5/15/19



Frances Rodriguez, Purchasing Director, CPO