OCProcurement

Sole Source Request Form

Sole Source Bidsync # 060-C030301-EG-SS

SECTION II – DEPARTMENT INFORMATION (Complete in its entirety)

Department: Orange County Sheriff's Department	Date: March 15, 2021
Vendor Name: MDE, Inc.	Sole Source BidSync Number: 060-C030301-EG-SS

Is the above named vendor a retired employee of the County of Orange? ☐ Yes ☒ No
If "Yes", review and Approval is required from CEO Human Resource Services prior to contract execution.

Contract Term (Dates): (3 Years) July 1, 2021 through June 30, 2024	Is Agreement Grant Funded? Percent Funded: Funding Source ☐ Yes ☒ No	Proprietary? ☒ Yes ☐ No
Contract Amount? 19,115.00	Is this renewable? If yes, how many years? Two (2) additional one (1) year terms.	

Type of Request:
☒ New ☒ Multi-Year ☐ Renewal ☐ Amendment ☐ Increase

Renewal Year: (Year 4) 7/1/24 – 6/30/25 (Year 5) 7/1/25 – 6/30/26	Did vendor provide a sole source affidavit? ☒ Yes ☐ No If yes, please attach

Board Date: Est. 6/22/21	ASR Number: TBD	If not scheduled to go to the Board explain why?

Does Contract include Non-Standard Language? If yes, explain in detail.

None.

Was Contract Approved by Risk Mgmt.? No.	Was Contract Approved by County Counsel? Contract will be reviewed by Coco.

Were any exceptions taken? If yes, explain in detail.

N/A

☒ DPA certifies that they have read and verified that the information is true and satisfies the sole source requirements listed in the County Contract Policy Manual.

☐ Solicitation Exemption
(For purchases with special circumstances, and/or when it is determined to be in the best interest of the County.)

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SECTION III – SOLE SOURCE JUSTIFICATION

1. **Provide a description of the type of contract to be established.** *(For example: is the contract a commodity, service, human service, public works, or other – please explain.)* **Attach additional sheet if necessary.**

This sole source is for the establishment of a new service Contract for the ongoing Annual Maintenance and Support of ADORE Software as provided by MdE, Inc. The ADORE software and its maintenance and support are proprietary to the contractor. The initial Contract term will be for three (3) years and eligible for two (2) additional one (1) year terms.

2. **Provide a detailed description of services/commodities and how they will be used within the department. If this is an existing sole source, please provide some history of its origination, Board approvals, etc.** *(This information may be obtained from the scope of work prepared by the County and the vendor's proposal that provides a detailed description of the services/supplies.)* **Attach additional sheet if necessary.**

The ADORE software is used by OCSD Training Division to track and report on deputy field training records. It is a proprietary software program used to manage individual training records of law enforcement personnel while meeting the specifications of the Sheriff's Department. MDE Inc. is the proprietary manufacturer and sole source contractor for the ADORE software program. MdE, Inc. provides the following services:

- Provide ADORE software program
- Maintenance and Support for ADORE software
- Provided upgrades of the ADORE program when new versions and new releases are deployed

This service does not have history going to the Board of Supervisors.

Currently service is covered under Contract MA-060-14012185. The existing Contract was established via an IFB. At the conclusion of the Contract's fifth year, the contract term was extended for a sixth year and approved using provisions of Board Reso. 3/26/20 without changes to the Contract's terms and conditions.

3. **Explain why the recommended vendor is <u>the only one capable of providing the required services and/or commodities</u>. How did you determine this to be a sole source and what specific steps did you take? Please list all sources that have been contacted and explain in detail why they cannot fulfill the County's requirements. Include vendor affidavit and/or other documentation which supports your sole source.** *(Responses will include strong programmatic and technological information that supports the claim that there is only one vendor that can provide the services and/or commodities. Your response will include information pertaining to any research that was conducted to establish that the vendor is a sole source, include information pertaining to discussions with other potential suppliers and why they were no longer being considered by the County.)* **Attach additional sheet if necessary.**

MdE, Inc. is a proprietary contractor who provides specialized Law Enforcement Field Training software. The original purchase for the software application for Sheriff's Department's Field Training Bureau was performed following an extensive search, using established specifications, determined that the proprietary software (ARORE) offered by MdE, Inc. met all specifications and application requirements for the bureau. As MdE, Inc. is the proprietary contractor It is required to maintain them to provide maintenance and support. Their services are not available or sourced by a third party provider.

Not retaining MdE, Inc. as the contractor to provide maintenance and support for their proprietary software will require the Sheriff's Department to abandon the existing application, perform a new solicitation and purchase, integration, and expend funds greater than the annual maintenance costs. Through an active search, the Sheriff's Department has not identified a contractor or software application meeting the detailed specifications of the Field Training Bureau. (See attached vendor affidavit)

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4. **How does recommended vendor's prices or fees compare to the general market? Attach quotes for comparable services or supplies.** Attach additional sheet if necessary.

   ADORE as a proprietary software application, there are no alternative sources outside of MdE, Inc. to obtain maintenance and support. Therefore, a price comparison cannot be made

5. **If the recommended vendor was not available, how would the County accomplish this particular task?** Attach additional sheet if necessary.

   If the contractor were not available, the Training Division would have to obtain a new records management software replacing ADORE with an inferior software platform. The Training Division with its limited staff will be required to perform manual entry of all training records for its deputies assigned to patrol duties.

6. **Please provide vendor history – name change, litigation, judgments, aka, etc. for the last 7 years.**

   After searching Dun & Bradstreet and the World Wide Web (www) via Google, it is determined that MDE Inc. has no history of pending litigation, judgements, or corporate name changes.

7. **If vendor is a retired, former employee, has the vendor previously been rehired as a contractor within the last three years?** ☐ **Yes** ☒ **No**

   If yes, provide explanation/support for hiring the retired, former employee as a vendor and provide contract dates, scope of work, and total amounts paid under each contract.

8. **Explain (in detail) why a request for Solicitation Exemption is needed.** *(Only applicable for Solicitation Exemption)* Attach additional sheet if necessary.

N/A

Managing Data Efficiently

Providing Software Solutions And Services To Public Safety Since 1999

January 01, 2021

To whom it may concern:

MdE, Inc., a woman-owned business, is the owner and sole provider of the PeACEq™/ADORE™ software programs of which the Orange County Sheriff's Department (OCSD) currently owns. MdE currently provides a yearly Maintenance agreement to OCSD to include unlimited technical support and software version updates.

MdE is the only vendor authorized to:

- Provide the PeACEq™ and ADORE™ software programs and/or additional user licenses for any of its software modules;
- Provide Maintenance/Technical Support for the PeACEq™ and ADORE™ software programs;
- Upgrade existing PeACEq™ and ADORE™ data to newer versions of PeACEq™ and ADORE™;
- Develop applications to import/export data between the PeACEq™ and ADORE™ software programs and other software programs.

Jean M. Reaver
Vice President
MdE, Inc.
877-500-5396

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SECTION IV – AUTHOR/REQUESTOR

Signature:	Print Name: Dave Fontneau	Date: 3-18-21

SECTION V – CEO Human Resource Services APPROVAL (Review and approval is required when vendor is a Retired, Former Employee.)

Signature:	Print Name:	Date:

SECTION VI – DEPUTY PURCHASING AGENT CONCURRENCE

Signature: Frederick Lyle Rossow	Print Name: F. Lyle Rossow	Date: 4/20/2021

SECTION VII – DEPARTMENT HEAD APPROVAL

Signature:	Print Name: Brian Wayt	Date: 3/19/21

SECTION VIII – COUNTY PROCUREMENT OFFICE

Prior to execution of a contract, the County Procurement Officer or designee shall approve All Sole Source requests for Commodities that exceed $250,000, Capitol Assets and services exceeding $75,000, and All other Sole Source requests that require Board approval despite the amount. Approvals are obtained electronically through the County's online bidding system.

SOLICITATION EXEMPTION – CEO USE ONLY:

Board of Supervisor Notification Date:	
Comments:	
CPO: ☐Approved ☐Denied	CFO: ☐Approved ☐Denied
CPO Authorized Signature: **Date:**	**CFO Authorized Signature:** **Date:**

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Release Bid Workflow

```
Name:   Eric S Gregory
Phone:  714-834-4336
Email:  egregory@ocsd.org
Status: Submitter  Apr 21, 2021 1:56:28 PM PDT
```

Eric S Gregory Submitter → Ana E Figueroa (for CPO SS Routing (Group)) Approved

Bid Information

Bid Number:
060-030301-EG-SS

Bid Title:
MdE, Inc. - Annual Maintenance And Support Of ADORE Software

Status

Status:
Approved

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Questions? Contact a Periscope Source representative: 800-990-9339 or email: source-support@periscopeholdings.com

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