



## JUSTIFICATION FOR SOLE SOURCE CERTIFICATION

**Sole Source Purchases** are defined clearly, based upon a legitimate need, and are limited to a single supplier. Sole source purchases are normally not allowed except when based upon strong technological grounds such as operational compatibility with existing equipment and related parts or upon a clearly unique and/or cost effective feature requirement. The use of sole source purchases must be justified and shall be limited only to those specific instances in which compatibility or technical performance needs are being satisfied.

**Sole Source Services** are defined as a service provider providing technical expertise of such a unique nature that the service provider is clearly and justifiably the only practicable source available to provide the service. The justification shall be based on the uniqueness of the service, sole availability at the location required, or warranty or defect correction service obligations of the service provider.

This form must be filled out for the request to purchase any good or non-professional service that requires a competitive procurement process (informal quotes (\$2,500-\$10,000), formal quotes (\$10,001 - \$29,999.99), or formal bid (\$30,000 or more) as defined in the LFUCG's Purchasing Manual. This form must be completed in its entirety and attached to the purchase requisition.

**Note: Sole Source Purchase requests for goods exceeding \$30,000 will require approval by the Urban County Council by submitting an Administrative Review Form. A copy of this form must be signed off by Central Purchasing and attached to the Administrative Review Form.**

### Requesting Division

Name Lt. Chris Sizemore Division/Dept Police/Special Investigations

Phone 859-258-3541 Email csizemore@lexingtonpolice.ky.gov

Type of Purchase: ( X ) Goods/Materials/Equipment (X ) Services

Cost: \$6468.75

Sole Source Request for the Purchase of:  
eSOPH Background Checks System

☐ One Time Purchase ☒ To Establish Sole Source Provider Contract  
(subject to annual review and approval by Central Purchasing and/or Urban County Council)

### Vendor Information

Business Name Miller Mendel, Inc

Contact Name Elissa Accountant

Address 1425 Broadway, #430 Seattle, WA 98122

Phone 206-333-4308 Email accounting@millermendel.com



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### STATEMENT OF NEED: (Add additional pages as needed)

My division/department's recommendation for sole source is based upon an objective review of the product/service required and appears to be in the best interest of the LFUCG. I know of no conflict of interest on my part, and I have no personal involvement in any way with this request. No gratuities, favors, or compromising actions have taken place. Neither has my personal familiarity with particular brands, types of equipment, materials, persons or firms been a deciding influence on my request to sole source this purchase when there are other known suppliers to exist.

### 1. Describe the product or service and list the necessary features this product provides that are not available from any other option.

eSOPH (electronic Statement of Personal History) is a Software as a Service (SaaS) application specifically designed for processing public safety background investigations. It is the invention of Tyler Miller and licensed exclusively to Miller Mendel, Inc (Miller's company). eSoph provides our Backgrounds unit inventive functionality of electronic reference checks, including ability to view aspects of the applicant's history, and whether the applicant has been entered into eSOPH before. Only one vendor sells this software.

### 2. Below are eligible reasons for sole source. Check one and describe.

☒ Licensed or patented product or service. No other vendor provides this. Warranty or defect correction service obligations to the consultant. Describe why it is mandatory to use this licensed or patented product or service.

There are no competitors in existence that offer the DVR Examiner line of product. Magnet Forensics owns all distribution and marketing rights of DVR Examiner and designates how the program may be marketed and sold.

☐ Existing LFUCG equipment, inventory, custom-built information system, custom-built data inventory system, or similar products or programs. Describe. If product is off-the-shelf, list efforts to find other vendors (i.e. web site search, contacting the manufacturer to see if other dealers are available to service this region, etc.)

☐ Uniqueness of the service. Describe.

☐ The LFUCG has established a standard for this manufacturer, supplier, or provider and there is only one vendor. Attach documentation from manufacturer to confirm that only one dealer provides the product.

☐ Factory-authorized warranty service available only from this single dealer. Sole availability at the location required. Describe.

☐ Used item with bargain price (describe what a new item would cost). Describe.



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- ☐ Other – The above reasons are the most common and established causes for an eligible sole source. If you have a different reason, please describe:

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### 3. Describe efforts to find other vendors or consultants (i.e. phone inquires, web site search, contacting the manufacturer to see if other dealers are available to service region, etc.).

Internet searches were conducted by the Backgrounds unit and yielded no viable alternatives for a software that performed the same functions as eSOPH. The Backgrounds Unit also reached out to other police agencies to inquire about backgrounds investigations software and again, no other viable alternatives were found.

### 4. How was the price offered determined to be fair and reasonable?

(Explain what the basis was for comparison and include cost analyses as applicable.)

Cost comparisons are not available since this is a standalone product. However, checking in with other police agencies using eSOPH, the quoted cost is appropriate as compared to costs paid by others using the software.

### 5. Describe any cost savings realized or costs avoided by acquiring the goods/services from this supplier.

Current, LPD is seeking to hire 2-3 police recruit classes per year to sustain the number of officers needed to adequately fulfill the department's responsibilities and mission. Our backgrounds investigators have a great responsibility to adequately investigate every applicant to the police department because harm could come on the department and LFUCG as a whole if they are not diligent in this process. LPD seeks to hire applicants who demonstrate the highest level of integrity and display the strongest of character. The former process of background investigations required immense manpower. 10-12 background investigators were necessary, pulled from their normal assignments to assist. This compounds the department-wide staffing shortages. Due to the services and capabilities of the eSOPH software, the number of required backgrounds investigators is greatly reduced. This improves efficiency, puts less strain on staffing needs, and reduces the potential of overtime expenses as the investigators complete the backgrounds process.