



## 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 (\$1001-\$10,000), formal quotes (\$10,001 - \$19,999.99), or formal bid (\$20,000 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 \$20,000 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 David Lucas Division/Dept Division of E911

Phone 859-258-3380 Email davidl@lexingtonky.gov

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

Cost: \$228,000/yr plus one time \$95,000 implementation cost.

Sole Source Request for the Purchase of:

Dedicated fiber network for the Public Safety Radio System to include design, implmenetation and ongoing maintenance; including upgrades, service and repairs and 24/7/365 monitoring.

☐ 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 Windstream Communications

Contact Name Kent Lanham

Address 130 West New Circle Rd, Lexington KY 40505

Phone 859-357-6035

Email [kent.lanham@winstream.com](mailto:kent.lanham@winstream.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.**

Windstream is providing network connectivity to all designated Radio System sites via fiber and/or T-1 installations within the timing and technical standards required to transmit radio communications. Service includes the design, implementation and ongoing monitoring of the network to insure proper operation.

**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.

☐ 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.

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

Windstream is the primary provider of fiber network connectivity in Fayette County in which other providers contract to provide this service indirectly. Windstream has established demarcation points within all the designated Fayette County sites and the unique ability to extend out of county to radio sites while maintaining full ownership and responsibility of the radio system network.



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

Other vendors were contacted to identify if they could provide the service directly or only managed the service that would be provided by another entity. It was determined that only Windstream could directly provide the network and supporting services for all designated sites, both within and outside of Fayette County while retaining full control of the required infrastructure.

**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.)

Windstream operates the Kentucky Post-secondary Education Network (KPEN) within the state of Kentucky while ATT operates a similar network. However, the pricing provided for this application is below the standardized pricing structure of these established networks and provides a competitive and fair rate for the required service on a monthly basis.

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

The network connectivity requirement for the Public Safety Radio System was originally incorporated into the Radio System RFB. However, during the RFB process it was determined that LFUCG could obtain and manage the network directly with Windstream at a lower cost than involving the Radio System vendor. By working directly with the area's recognized service provider, LFUCG was able to negotiate and obtain a lower cost while avoiding markups and interference from a third party.