

Snohomish County

“PROPRIETARY” (SINGLE SOURCE) PURCHASE JUSTIFICATION FORM (SCC Section 3.04.180)

Requisition No.:		Department:	Information Technology/Council
Recommended Vendor(s), if any: Code Publishing	Date:	06/04/2021	
	Estimated Cost/Price:	\$25,000	
	Contact Person:	Joanie Fadden	
<input checked="" type="checkbox"/> Ongoing Purchase/Replacement	<input checked="" type="checkbox"/> Perpetual	<input type="checkbox"/> New Purchase	
If an Ongoing/Replacement Purchase, what was the prior year expenditure? 2020: <u>\$22,889</u>			

Please submit “Proprietary” (Single Source) requests directly to the Purchasing Division:
 Routing location: MS# 507 / Email: purchasing@snoco.org / Fax: 425-388-3931

Completion of this form is required in advance of all “Proprietary” purchases in excess of \$5,000.

Check one of the following that best describes the proposed purchase (both if applicable):

- Only one vendor reasonably exists for the required product/service (“single source”).
- For standardization (“compatibility”) of equipment or systems.

1. In ‘layman’s terms’, describe the purpose or function of the requested product or service.

Code Publishing is Snohomish County’s legislative search software platform, and the service has been in use by Snohomish County since 2012. It is software as a service used to host the current version of Snohomish County code, charter, ordinances, CPP, the GMACP, and Hearing Examiner documents on a public website, providing conversion and indexing services for code amendments and a user-friendly portal for employee and public search of County laws. The requested service includes ongoing amendment and new document conversion, maintenance for the website and search software to continue to provide the open public portal, apply software patches, update features and functionality and fix “bugs” as they develop. The maintenance services also include end user support for system use.

2. If the particular product or service was not available or could not be purchased, how would the department proceed with its work?

The Council does not have a means to continue operations, and the public access to legislative documents should these services be rendered unusable due to ongoing maintenance being discontinued at this time.

“Single Source” (if applicable):

3a. Explain why the product or service requested can only be reasonably obtained from one vendor (a “single source”) to meet your requirements and why alternative vendors are unacceptable. Be specific with regard to any unique features, characteristics, requirements or capabilities.

Snohomish County completed RFP-07-12 in 2012 and Code Publishing was awarded a contract as the highest scoring responsive vendor. The conversion services were purchased as a part of that initial contract, and maintenance has continued annually since system acceptance in 2013. The original purchase was a significant investment into a Code management system, and the annual maintenance updates the code files and keeps the software operational. No other vendor offers the proprietary Code Publishing software updates, patches or version upgrades on this platform other than the developer/manufacturer of the software. This service can only be purchased directly from this vendor.

3b. Explain (i) how the requested purchase will produce meaningful standardization/compatibility of equipment or systems, and (ii) why the proposed standardization/compatibility will be beneficial for your operations and the County.

The software maintenance and conversion services purchased must be compatible with the product owned by the County. The County has converted all Code files onto the Code Publishing platform and the Code Publishing maintenance is the only service that aligns with the product.

Snohomish County

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- 4. Explain why this vendor is the only source reasonably available (in the case of “Single Source”), or the best source (in the case of “Compatibility”), from which to obtain this product or service.

Code Publishing is the only vendor that provides proprietary software updates, patches or version upgrades because they are the developer/manufacturer of the software. As the product developer, they can choose to offer products and services through a reseller. Code Publishing only provides maintenance services directly. This service can only be purchased directly from this vendor.

- 5. Describe the market research that was conducted and the results, if any, or why a market survey was not conducted.

Through some market research, there is more than one potential provider of a code publishing system. In 2012 Snohomish County published RFP-07-12, and Code Publishing was selected by the Evaluation Committee as the highest-ranking proposer to provide the software.

- 6. Will this purchase obligate the County to a particular product or vendor in the future, either for maintenance, continuity or other follow-up? Please explain.

The original RFP indicated that in order to use the services purchased into the future, the County was obligated to continue using the provider for software maintenance. There is a cancellation for convenience clause in the agreement. If Council chooses to invest capital into a new software platform, conversion and services, they have the option to do so, should resources permit. Council staff have requested that IT support their continued maintenance services for Code Publishing since they do not desire to change their code publishing platform.

- 7. Explain why the price for this product or service is considered to be fair and reasonable.

Pricing deemed fair and reasonable because of the vendor selection through competition. In the negotiated contract, the rates have increased by only minor amounts resulting in less than a 5% total increase over 8 years. The vendor is offering to hold pricing firm with no increase to the 2021 rates if the County agrees to a 5-year extension.

- 8. Describe the negotiation efforts, if any, which have been made to this point with the vendor to obtain the best possible price

Code Publishing is willing to extend the contract for another five-year term, while honoring all the terms and conditions listed in the original agreement and no annual cost increase.

- 9. If this request is on the basis of “single source” (as opposed to “compatibility”/standardization), describe the actions your Department will take, if feasible, to introduce or increase the opportunity for vendor competition prior to any future or follow-up purchase of this product or service.

This question is not applicable because this service is related to the product already owned by Snohomish County and is available from only one source. Snohomish County cannot influence the developer’s distribution strategy.

Name and signature of the person in the requesting Department who prepared this request and justification.
Name: Joanie Fadden Position: IT Admin Services Manager
Department: Information Technology Date: June 10, 2021
I hereby certify that the above request and Justification is accurate and complete to the best of my knowledge and belief.
Joanie Fadden June 10 2021
Signature Date

Snohomish County

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Name and signature of the Department or Division Director (from the requesting Department) who has reviewed and endorsed this request and justification:

Name:	Viggo Forde	Position:	IT Director
Department:	Information Technology	Date:	

Review/Endorse: I have reviewed and hereby endorse the above request and justification.

Signature Date

Purchasing Department:

Posted to Website? Yes No Dates _____ to _____

Ad Posted in Newspaper? Yes No Dates _____ to _____

Results of Posting: _____

Approved Not Approved _____

Purchasing Manager

Date