

DATE:

**SUBJECT: JUSTIFICATION TO WAIVE THE COMPETITIVE PROCUREMENT
PROCESS**

(IAW Purchasing Admin Code Section 3.5523)

OVERVIEW:

On rare occasions there may be a need to purchase goods or services from one vendor/contractor without a formal bid or requesting competitive quotes. PCD will advise when a particular competitive review process may both serve the County better and/or be required by governing law. These requests should not be made unless they are appropriately justified to meet legal requirements and can withstand a possible audit.

To process a Sole/Single Source requisition through purchasing, PCD encourages you to review the criteria necessary for Sole/Single Source determination. If you feel your request meets such criteria, follow the instructions in filling out the form and attach it to your requisition. The request will be reviewed by PCD.

Note: Dealer competition for a Sole Source manufacture does not qualify as competitive procurement specifications.

SOLE SOURCE PURCHASING:

The only existing source that meets the needs of the User Department as determined by a thorough analysis of the marketplace and is supported by compliance with the appropriate information, as stated in Section 60, Title L-8 of the County Manager's Policies.

SINGLE SOURCE PURCHASING

The one source among others that, for justifiable reason, is found to be most advantageous for the purpose of the procurement and is supported by compliance with the appropriate information, as stated in Section 60, Title L-8 of the County Manager's Policies.

Determination Checklist

1. Is the commodity/service necessary to accomplish the task or mission?
Yes ☒ No ☐
2. Is the commodity/service the only item that will produce the desired results or possess a unique performance capability? Yes ☒ No ☐
3. Is the commodity/service available from only one source of supply?
Yes ☐ No ☐
4. If the commodity or service is available from more than one vendor, but due to extreme circumstances, is the vendor the only one suited to provide the goods/services? Yes ☒ No ☐

**Seminole County
Purchasing and Contracts Division**

Note: Sole/Single Source Requests are not maintained as a standing request. Each request is for a single one-time purchase only, unless approved by the Board of County Commissioners.

☐ **SINGLE SOURCE**

☒ **SOLE SOURCE**

Requestor: Meredith Walker Phone No.: 407-665-5114 Date: 04/05/2024

Department: Fire Division: Planning, Analytics, and Technology

Description of Item/Services: PowerPolicy/Standard and PowerEngage

1. Please indicate the following:

Procurement: ☐ Goods
☒ Services

2. Vendor Information (*Attached Completed W-9*):

Vendor Name: PowerDMS by NeoGov

Address: 2120 Park Pl, Suite 100 City: El Segundo State: CA

Phone Number: (800) 749-5104 Fax: ()

Contact Person: Cierra Decraene Title:

E-Mail Address: cierra.decraene@powerdms.com

3. Provide a description of the goods/services to be purchased and why waiving the competitive process is necessary.

a) Why were product and/or vendor chosen?

The new software gives an efficient way to manage department policies, ensuring compliance with accreditation standards and meeting required core competencies. PowerEngage is the complete citizen engagement and feedback solution for Fire/EMS departments. Automating the connection to citizens, measure satisfaction, and boost staff morale. Automated text message / text survey platform for Fire/EMS departments based on interaction with a single department. Includes Rules Engine, Survey Builder - about the interaction with the Fire/EMS Department, Measurement Dashboards, Task Creation and Positive Feedback. Includes connection to agency Computer Aided Dispatch (CAD). Power DMS PowerPolicy/Standards is a platform that allows for a more efficient way to create new policies, edits to existing policies, archival of obsolete policies – including an easier review and retrieval process across the department. It is a cloud-based software as a service (“SaaS”) platform that combines document management, training and accreditation management, and electronically links that content to alert users whenever a change may impact compliance.

b) What are the unique performance features of the product/brand requested that are not available in any other product/brand?

PowerDMS demonstrates compliance with the accreditation standards for the following accreditation programs which the department is accredited through:

- Center of Public Safety Excellence (CPSE)
- Commission on Accreditation of Ambulance Services (CAAS)

Single Sign on

- PowerPolicy’s Single Sign-On (SSO) provides the ability to validate usernames and passwords against internal user databases, such as Active Directory, Netware, Azure AD, etc., rather than having separate user passwords managed by PowerPolicy.

PowerPolicy

- PowerPolicy uniquely links critical content to state and national standards to alert staff when changes may impact their compliance.
- PowerPolicy helps manage and maintain crucial content including digital signatures and comprehensive workflows.
- PowerPolicy, coupled with PowerStandards, uniquely links critical content to state and national standards to track and maintain continual compliance.
- PowerPolicy offers public-facing linkability for public transparency.
- PowerPolicy offers a fully compatible mobile application that allows full acknowledgment as well as

importing documents anytime from anywhere.

- PowerPolicy offers a full integration to most document formats for ease of editing.
- PowerPolicy offers side-by-side comparison across all version's history of documents.
- PowerPolicy offers customized analytics and scheduled delivery reporting.

PowerStandards

- PowerStandards maps your policies, procedures, and proofs of compliance to your specific accrediting body's standards manual. Our solution is shown to reduce the time it takes to complete a self-assessment or prepare for an onsite by 50% or more when compared to paper-based methods.
- PowerStandards allow you to assign specific tasks, standards, or chapters to subject matter experts throughout your organization.
- PowerStandards allow you to receive automatic alerts when a policy or standards manual is changed in the middle of the accreditation cycle. Rather than managing static documents, your policies and practices become living, fluid documents.

PowerEngage

- PowerEngage is the only satisfaction survey supplier that can connect to the Computer Aided Dispatch system without an expensive third-party interface.
- PowerEngage has developed a unique "Positive Feedback Board" that displays comments received from citizens about Communications staff separate from responding officers.
- PowerEngage is the only supplier to create weekly email digests to staff with direct positive feedback received from citizen surveys being connected to the Computer Aided Dispatch system.
- PowerEngage has developed the PowerEngage Positive Satisfaction Score that creates a numeric value of the satisfaction scores received from citizens. PowerEngage can uniquely separate the scores for the 9-1-1 Center from the scores for Responding Agency.

- c) Conduct and provide a Cost Benefits Analysis that supports paying a non-competitive price:

The bundled purchase of PowerDMS Policy/Procedure and Engage models allows for a discounted price. Upon reviewing the new quote, it's evident that there are significant cost-saving opportunities if we proceed with the purchase now. PowerDMS is offering a 15% discount on the first-year subscription fees, resulting in savings of \$7,842. Additionally, they are willing to slash our one-time setup fees by 50%, amounting to a

I hereby certify that:

1. I am an approved department representative and am aware of the County's requirements for competitive bidding, as well as the criteria for justification for Sole/Single Source purchasing.
2. I have documented the required technical information and have made a concerted effort to review comparable equipment/service.
3. The information contained herein is complete and accurate.
4. A Sole/Single Source purchase in this case would withstand a possible audit or a vendor's protest.
5. I am aware of F.S. 838.22 as to compliance with Bid Tampering.

Meredith Walker
Requestor's Name - print

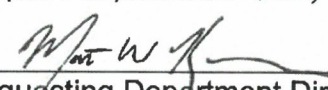

Signature

04/05/2024
Date

Matthew Herrer
Requesting Division Manager - Print
(Required for purchases <\$50K)


Signature

4/5/2024
Date

 Matt Hinkley
Requesting Department Director - Print Signature
(Required for purchases >\$50K)

4/5/24
Date

Purchasing and Contracts Division Determination:

Supervisor ☐ Approval ☐ Disapproval Date: _____

Manager ☒ Approval ☐ Disapproval Date: 4/19/24 SH

Description Posted (7-10 business days): From N/A to _____

BCC Date, if applicable: May 14, 2024

Comments:

Purchase Order No.: _____ Amount of Purchase: \$ 107,322.20

saving of \$6,000. This brings the total cost down to \$52,740.20, as reflected in the attached updated quote, compared to the initial quote of \$66,583.

Furthermore, PowerDMS is affiliated with NeoGov, an existing vendor for the county. This alignment could potentially streamline our procurement process and foster better integration between our systems.

In light of the recent accreditation hearing and the impending transition from accreditation as a project to a program, it is an opportune moment to implement these new software systems. They will not only enhance our operational efficiency but also support our accreditation objectives more effectively.

ITEMS (d – h) REQUIRED FOR SINGLE SOURCE REQUEST

- d) Why are these specific features/qualifications required?
- e) What other products/services have been examined and/or rejected?
- f) Why other sources providing like goods or services are considered unacceptable (please give a full meaningful explanation)?
- g) What are the unique performance features REQUIRED (not merely preferred), and how would your requirement be inhibited without this precise item or service?
- h) How will your mission/operation be impacted if the County does not purchase the particular item/service? Please explain.

Posting Requirements: PCD shall conduct a good faith review, posting the requirement publicly for 7-10 business days, followed with the notice of intent to purchase.

March 5, 2024

This letter is to confirm that Governmentjobs.com, Inc. (D/B/A/ NEOGOV), on behalf of itself and its subsidiaries PowerDMS, Inc., Cuehit, Inc., Ragnasoft LLC (D/B/A/ PlanIT Schedule), and Design PD, LLC (D/B/A Agency360) (collectively, "NEOGOV") is the sole source provider of PowerPolicy, a cloud-based software as a service ("SaaS") platform that combines document management, training and accreditation management, and electronically links that content to alert users whenever a change may impact compliance. As a result of our investment in innovation and unique expertise working in public safety, we have created a one-of-a-kind solution. A few of the unique properties of the system include:

PowerPolicy

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- PowerPolicy, coupled with PowerStandards, uniquely links critical content to state and national standards to track and maintain continual compliance.
- PowerPolicy offers public-facing linkability for public transparency.
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- PowerStandards allow you to assign specific tasks, standards, or chapters to subject matter experts throughout your organization.
- PowerStandards allow you to receive automatic alerts when a policy or standards manual is changed in the middle of the accreditation cycle. Rather than managing static documents, your policies and practices become living, fluid documents.

This letter also confirms that PowerDMS demonstrates compliance with the accreditation standards for the following accreditation programs:

- Center of Public Safety Excellence (CPSE)
- Commission on Accreditation of Ambulance Services (CAAS)

PowerEngage

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- PowerEngage acquired the text short code of “CHIEF” which allows citizens to text to that number to take a survey or provide feedback to the Chief of the department.

Single Sign on


- PowerPolicy’s Single Sign-On (SSO) provides the ability to validate usernames and passwords against internal user databases, such as Active Directory, Netware, Azure AD, etc., rather than having separate user passwords managed by PowerPolicy.

In addition, all PowerPolicy training, system documentation, hosting services, information security, and software maintenance for the products listed herein are provided by or through NEOGOV personnel.

Note, this letter is for information purposes only. Recipients are advised to conduct independent analysis to determine whether procurement regulations applicable to their agency permit sole-source procurement.

Please let us know if you require any further information regarding our services.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Snyder". The signature is fluid and cursive, with the first name "Joshua" and last name "Snyder" clearly distinguishable.

Joshua Snyder
VP of Business Development

IT Security Accreditation

Instructions: This form is to be completed as part of the security assessment process for a new system that needs an advanced security review.

1. Who is reviewing the system?

Woody Preston, JT Triana, Tj Couch, & Chris Vakhordjian

2. Provide a Description of the system being reviewed.

Seminole County Fire Department (SCFD) has identified inefficiencies in its current feedback process, prompting the need for a streamlined solution. The existing manual mechanism for gathering feedback is time-consuming, and the department aims to enhance its customer service feedback practices. The proposed solution is PowerDMS (Engage & Policies and Procedures) by NeoGov, which aligns with contemporary processes and meets accreditation standards. This effort has been approved by the SCFD Director.

Benefits:

- a. Feedback, surveys, tasks, and communication processes management with notifications.
- b. Templated communication workflows for consistent communication processes.
- c. Custom dashboards and reporting for comprehensive data analysis.
- d. CAD/RMS data Integration capabilities.
- e. Aligning with accreditation standards and the department's 2023-2028 Strategic Plan.
- f. ADA Compliance (WCAG AA and 508c)

Assumptions:

- a. PowerDMS is a fully cloud based solution/system.
- b. Fire personnel would manage the content of the PowerDMS applications through the provided web interface.
- c. Fire data can be populated via active directory sync, a CSV file, or manual entry.
- d. SSO option is available for authentication compatible with SAML or Microsoft ADFS.
- e. Fire confirmed that no HIPAA or PII will be loaded into the PowerDMS cloud environment. However, there is the potential for entering phone numbers and addresses.
- f. Fire confirmed that there are no compliance or privacy laws on the data that will reside on PowerDMS Engage & Policy and Procedures.
- g. Fire confirmed that there will be integrations with Fire systems and data warehouse, but it will not include HIPAA or PII data.

3. What aspect of the system warrants the advanced review?

- ☒ Internet Accessible
- ☐ Does not conform to County Standard
- ☐ Requires an unusual architecture.

- ☐ Complexity of the system
- ☐ Impact/criticality of the system
- ☒ Risk to the organization/network

4. Briefly describe the security review findings.

Per the assumptions above and research conducted through publicly accessible sources, we do not see any obvious or major security concerns with implementing PowerDMS. However, there are still some requirements and recommendations if a decision is made to purchase/implement PowerDMS:

- PowerDMS application/solution/purchase should be GovCloud compliant.
- All data exchanges and integrations with county systems must be encrypted using 256-bit AES or FIPS140-2 compliant protocols.
- Considering the type of audience (e.g., is it only for county staff, etc.) and number of users (e.g., handful of users or in the hundreds?) for this application, we strongly recommend integration with a SAML 2.x compliant technology (i.e., MS ADFS) to eliminate the complexities of managing accounts and credentials. This will eliminate redundancies, reduce risk, improve efficiencies, and drastically reduce the overhead of managing accounts in the application.
 - If SAML or SSO is not a possible or practical, the following must be met:
 - a. Accounts used must be aligned with county IDs and/or email addresses.
 - b. Accounts must be deprovisioned when employees separate from the county.
 - c. Unique passwords are required, and the Department must educate users to not use the same password as their county password.
 - i. Complexity requirements must be aligned with county password standards, i.e., 10 characters long, containing alphanumeric, capitalization, and special characters.
 - ii. Passwords must be changed every six (6) months.
 - d. Login sessions must be set to expire (automatic logoff) after fifteen (15) minutes.
- Enable/require Multi-Factor Authentication (MFA) for users/admins logging in to the application.
- Grant users only the minimum permissions required to perform their tasks in the PowerDMS application.
- Use a secondary Admin account with administrative privileges for administering the PowerDMS application.
- If possible, implement access control on the PowerDMS application to only allow access from the Seminole County network.
- When business partnership is terminated with NeoGov, an attestation of data destruction must be requested from NeoGov.

- In the event a security incident within the PowerDMS application, that elevates to a Data Breach involving county data, department/division/service provider, must notify the Security Team via soc@seminolecountyfl.gov immediately.
- Department/Division must have a contingency plan (COOP) in place in the event PowerDMS application is not accessible.
- **When the above assumptions change, additional security review must be conducted.**

5. Security review recommendation:

- ☒ System/App is Approved for Accreditation
☐ System Denied for Accreditation

Approved/Denied by: Reginald Hardee

Please submit this completed form to:

[SharePoint](#)